

## Data Entry

### State Plan for the State Vocational Rehabilitation Services Program and State Plan Supplement for the State Supported Employment Services Program

New Jersey Department of Labor, Division of Vocational Rehabilitation Services State Plan  
for Federal Fiscal Year (FFY) 2013 (submitted FFY 2012)

#### Preprint - Section 1: State Certifications

- 1.1 The **NJ Dept. of Labor & Workforce Development - Div. of Vocational Rehabilitation** is authorized to submit this State Plan under Title I of the Rehabilitation Act of 1973, as amended [1] and its supplement under Title VI, Part B, of the Rehabilitation Act [2].
- 1.2 As a condition for the receipt of federal funds under Title I, Part B, of the Rehabilitation Act for the provision of vocational rehabilitation services, the **NJ Dept. of Labor & Workforce Development** [3] agrees to operate and administer the State Vocational Rehabilitation Services Program in accordance with the provisions of this State Plan [4], the Rehabilitation Act, and all applicable regulations [5], policies and procedures established by the secretary. Funds made available under Section 111 of the Rehabilitation Act are used solely for the provision of vocational rehabilitation services under Title I of the Rehabilitation Act and the administration of the State Plan for the vocational rehabilitation services program.
- 1.3 As a condition for the receipt of federal funds under Title VI, Part B, of the Rehabilitation Act for supported employment services, the designated state agency agrees to operate and administer the State Supported Employment Services Program in accordance with the provisions of the supplement to this State Plan [6], the Rehabilitation Act and all applicable regulations [7], policies and procedures established by the secretary. Funds made available under Title VI, Part B, are used solely for the provision of supported employment services and the administration of the supplement to the Title I State Plan.

Yes

- 1.4 The designated state agency and/or the designated state unit has the authority under state law to perform the functions of the state regarding this State Plan and its supplement.

Yes

- 1.5 The state legally may carry out each provision of the State Plan and its supplement.

Yes

- 1.6 All provisions of the State Plan and its supplement are consistent with state law.

Yes

- 1.7 The (enter title of state officer below)

Yes

Commissioner of NJ Dept. of Labor & Workforce Development  
... has the authority under state law to receive, hold and disburse federal funds made available under this State Plan and its supplement.

1.8 The (enter title of state officer below)...

Yes

Commissioner of NJ Dept. of Labor & Workforce Development  
... has the authority to submit this State Plan for vocational rehabilitation services and the State Plan supplement for supported employment services.

1.9 The agency that submits this State Plan and its supplement has adopted or otherwise formally approved the plan and its supplement.

Yes

State Plan Certified By

As the authorized signatory identified above, I hereby certify that I will sign, date and retain in the files of the designated state agency/designated state unit Section 1 of the Preprint, and separate Certification of Lobbying forms (Form ED-80-0013; available at <http://www.ed.gov/fund/grant/apply/appforms/ed80-013.pdf>) for both the vocational rehabilitation and supported employment programs.

Signed?

Yes

Name of Signatory

Harold J. Wirths

Title of Signatory

Commissioner

Date Signed (mm/dd/yyyy)

06/30/2011

Assurances Certified By

The designated state agency and/or the designated state unit provide the following assurance(s) in connection with the approval of the State Plan for FY 2011

Yes

Comments:

The DVRS will establish a State Rehabilitation Council (SRC) that meets the criteria set forth in Section 105 of the act, as required in Section 101(a)(21)(ii), so that the DVRS can work with the SRC to fulfill the responsibilities listed in Section 101(a)(21)(ii).

Signed?

Name of Signatory

Harold J. Wirths

Title of Signatory

Commissioner

Date Signed (mm/dd/yyyy)

06/30/2011

\* The signatory of the assurance with the authority to execute and submit the State Plan will maintain a signed copy of the assurance(s) with the signed State Plan.

Section 1 Footnotes

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

## **Preprint - Section 2: Public Comment on State Plan Policies and Procedures**

### **2.1 Public participation requirements. (Section 101(a)(16)(A) of the Rehabilitation Act; 34 CFR 361.10(d), .20(a), (b), (d); and 363.11(g)(9))**

(a) Conduct of public meetings.

The designated state agency, prior to the adoption of any substantive policies or procedures governing the provision of vocational rehabilitation services under the State Plan and supported employment services under the supplement to the State Plan, including making any substantive amendments to the policies and procedures, conducts public meetings throughout the state to provide the public, including individuals with disabilities, an opportunity to comment on the policies or procedures.

(b) Notice requirements.

The designated state agency, prior to conducting the public meetings, provides appropriate and sufficient notice throughout the state of the meetings in accordance with state law governing public meetings or, in the absence of state law governing public meetings, procedures developed by the state agency in consultation with the State Rehabilitation Council, if the agency has a council.

(c) Special consultation requirements.

The state agency actively consults with the director of the Client Assistance Program, the State Rehabilitation Council, if the agency has a council and, as appropriate, Indian tribes, tribal organizations and native Hawaiian organizations on its policies and procedures governing the provision of vocational rehabilitation services under the State Plan and supported employment services under the supplement to the State Plan.

## Preprint - Section 3: Submission of the State Plan and its Supplement

### **3.1 Submission and revisions of the State Plan and its supplement. (Sections 101(a)(1), (23) and 625(a)(1) of the Rehabilitation Act; Section 501 of the Workforce Investment Act; 34 CFR 76.140; 361.10(e), (f), and (g); and 363.10)**

- (a) The state submits to the commissioner of the Rehabilitation Services Administration the State Plan and its supplement on the same date that the state submits either a State Plan under Section 112 of the Workforce Investment Act of 1998 or a state unified plan under Section 501 of that Rehabilitation Act.
- (b) The state submits only those policies, procedures or descriptions required under this State Plan and its supplement that have not been previously submitted to and approved by the commissioner.
- (c) The state submits to the commissioner, at such time and in such manner as the commissioner determines to be appropriate, reports containing annual updates of the information relating to the:
  - 1. comprehensive system of personnel development;
  - 2. assessments, estimates, goals and priorities, and reports of progress;
  - 3. innovation and expansion activities; and
  - 4. other updates of information required under Title I, Part B, or Title VI, Part B, of the Rehabilitation Act that are requested by the commissioner.
- (d) The State Plan and its supplement are in effect subject to the submission of modifications the state determines to be necessary or the commissioner requires based on a change in state policy, a change in federal law, including regulations, an interpretation of the Rehabilitation Act by a federal court or the highest court of the state, or a finding by the commissioner of state noncompliance with the requirements of the Rehabilitation Act, 34 CFR 361 or 34 CFR 363.

### **3.2 Supported Employment State Plan supplement. (Sections 101(a)(22) and 625(a) of the Rehabilitation Act; 34 CFR 361.34 and 363.10)**

- (a) The state has an acceptable plan for carrying out Part B, of Title VI of the Rehabilitation Act that provides for the use of funds under that part to supplement funds made available under Part B, of Title I of the Rehabilitation Act for the cost of services leading to supported employment.
- (b) The Supported Employment State Plan, including any needed annual revisions, is submitted as a supplement to the State Plan.

## Preprint - Section 4: Administration of the State Plan

### **4.1 Designated state agency and designated state unit. (Section 101(a)(2) of the Rehabilitation Act; 34 CFR 361.13(a) and (b))**

(a) Designated state agency.

1. There is a state agency designated as the sole state agency to administer the State Plan or to supervise its administration in a political subdivision of the state by a sole local agency.
2. The designated state agency

The designated state agency is:

- A. a state agency that is primarily concerned with vocational rehabilitation or vocational and other rehabilitation of individuals with disabilities; or
  - B.  a state agency that is not primarily concerned with vocational rehabilitation or vocational and other rehabilitation of individuals with disabilities and includes a vocational rehabilitation unit as provided in paragraph (b) of this section.
3. In American Samoa, the designated state agency is the Governor .

(b) Designated state unit.

1. If the designated state agency is not primarily concerned with vocational rehabilitation or vocational and other rehabilitation of individuals with disabilities, in accordance with subparagraph 4.1(a)(2)(B) of this section, the state agency includes a vocational rehabilitation bureau, division or unit that:
  - A. is primarily concerned with vocational rehabilitation or vocational and other rehabilitation of individuals with disabilities and is responsible for the administration of the designated state agency's vocational rehabilitation program under the State Plan;
  - B. has a full-time director;
  - C. has a staff, at least 90 percent of whom are employed full-time on the rehabilitation work of the organizational unit; and
  - D. is located at an organizational level and has an organizational status within the designated state agency comparable to that of other major organizational units of the designated state agency.
2. The name of the designated state vocational rehabilitation unit is

Div. of Vocational Rehabilitation Services

### **4.2 State independent commission or State Rehabilitation Council. (Sections 101(a)(21) and 105 of the Rehabilitation Act; 34 CFR 361.16 and .17)**

The State Plan must contain one of the following assurances.

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

1. is responsible under state law for operating or overseeing the operation of the vocational rehabilitation program in the state and is primarily concerned with the vocational rehabilitation or vocational and other rehabilitation of individuals with disabilities in accordance with subparagraph 4.1(a)(2)(A) of this section.
2. is consumer controlled by persons who:
  - A. are individuals with physical or mental impairments that substantially limit major life activities; and
  - B. represent individuals with a broad range of disabilities, unless the designated state unit under the direction of the commission is the state agency for individuals who are blind;
3. includes family members, advocates or other representatives of individuals with mental impairments; and
4. undertakes the functions set forth in Section 105(c)(4) of the Rehabilitation Act and 34 CFR 361.17(h)(4).

or

- (b)  The state has established a State Rehabilitation Council that meets the criteria set forth in Section 105 of the Rehabilitation Act, 34 CFR 361.17 and the designated state unit
1. jointly with the State Rehabilitation Council develops, agrees to and reviews annually state goals and priorities and jointly submits to the commissioner annual reports of progress in accordance with the provisions of Section 101(a)(15) of the Rehabilitation Act, 34 CFR 361.29 and subsection 4.11 of this State Plan;
  2. regularly consults with the State Rehabilitation Council regarding the development, implementation and revision of state policies and procedures of general applicability pertaining to the provision of vocational rehabilitation services;
  3. includes in the State Plan and in any revision to the State Plan a summary of input provided by the State Rehabilitation Council, including recommendations from the annual report of the council described in Section 105(c)(5) of the Rehabilitation Act and 34 CFR 361.17(h)(5), the review and analysis of consumer satisfaction described in Section 105(c)(4) of the Rehabilitation Act and 34 CFR 361.17(h)(4), and other reports prepared by the council and the response of the designated state unit to the input and recommendations, including explanations for rejecting any input or recommendation; and
  4. transmits to the council:
    - A. all plans, reports and other information required under 34 CFR 361 to be submitted to the commissioner;
    - B. all policies and information on all practices and procedures of general applicability provided to or used by rehabilitation personnel in carrying out this State Plan and its supplement; and
    - C. copies of due process hearing decisions issued under 34 CFR 361.57, which are transmitted in such a manner as to ensure that the identity of the participants in the hearings is kept confidential.

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

**4.3 Consultations regarding the administration of the State Plan. (Section 101(a)(16)(B) of the Rehabilitation Act; 34 CFR 361.21)**

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

- (a) individuals and groups of individuals who are recipients of vocational rehabilitation services or, as appropriate, the individuals' representatives;
- (b) personnel working in programs that provide vocational rehabilitation services to individuals with disabilities;
- (c) providers of vocational rehabilitation services to individuals with disabilities;
- (d) the director of the Client Assistance Program; and
- (e) the State Rehabilitation Council, if the state has a council.

**4.4 Nonfederal share. (Sections 7(14) and 101(a)(3) of the Rehabilitation Act; 34 CFR 80.24 and 361.60)**

The nonfederal share of the cost of carrying out this State Plan is 21.3 percent and is provided through the financial participation by the state or, if the state elects, by the state and local agencies.

**4.5 Local administration. (Sections 7(24) and 101(a)(2)(A) of the Rehabilitation Act; 34 CFR 361.5(b)(47) and .15)**

The State Plan provides for the administration of the plan by a local agency. No

If "Yes", the designated state agency:

- (a) ensures that each local agency is under the supervision of the designated state unit with the sole local agency, as that term is defined in Section 7(24) of the Rehabilitation Act and 34 CFR 361.5(b)(47), responsible for the administration of the vocational rehabilitation program within the political subdivision that it serves; and
- (b) develops methods that each local agency will use to administer the vocational rehabilitation program in accordance with the State Plan.

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

The State Plan provides for the state agency to share funding and administrative responsibility with another state agency or local public agency to carry out a joint program to provide services to individuals with disabilities. No

If "Yes", the designated state agency submits to the commissioner for approval a plan that describes its shared funding and administrative arrangement. The plan must include:

- (a) a description of the nature and scope of the joint program;
- (b) the services to be provided under the joint program;
- (c) the respective roles of each participating agency in the administration and provision of services; and
- (d) the share of the costs to be assumed by each agency.

**4.7 Statewideness and waivers of statewideness. (Section 101(a)(4) of the Rehabilitation Act; 34 CFR 361.25, .26, and .60(b)(3)(i) and (ii))**

**X** This agency is not requesting a waiver of statewideness.

- (a) Services provided under the State Plan are available in all political subdivisions of the state.



- (b) The state unit may provide services in one or more political subdivisions of the state that increase services or expand the scope of services that are available statewide under this State Plan if the:
1. nonfederal share of the cost of these services is met from funds provided by a local public agency, including funds contributed to a local public agency by a private agency, organization or individual;
  2. services are likely to promote the vocational rehabilitation of substantially larger numbers of individuals with disabilities or of individuals with disabilities with particular types of impairments; and
  3. state, for purposes other than the establishment of a community rehabilitation program or the construction of a particular facility for community rehabilitation program purposes, requests in Attachment 4.7(b)(3) a waiver of the statewideness requirement in accordance with the following requirements:
    - A. identification of the types of services to be provided;
    - B. written assurance from the local public agency that it will make available to the state unit the nonfederal share of funds;
    - C. written assurance that state unit approval will be obtained for each proposed service before it is put into effect; and
    - D. written assurance that all other State Plan requirements, including a state's order of selection, will apply to all services approved under the waiver.
- (c) Contributions, consistent with the requirements of 34 CFR 361.60(b)(3)(ii), by private entities of earmarked funds for particular geographic areas within the state may be used as part of the nonfederal share without the state requesting a waiver of the statewideness requirement provided that the state notifies the commissioner that it cannot provide the full nonfederal share without using the earmarked funds.
- 4.8 Cooperation, collaboration and coordination. (Sections 101(a)(11), (24)(B), and 625(b)(4) and (5) of the Rehabilitation Act; 34 CFR 361.22, .23, .24, and .31, and 363.11(e))**
- (a) Cooperative agreements with other components of statewide work force investment system. The designated state agency or the designated state unit has cooperative agreements with other entities that are components of the statewide work force investment system and replicates those agreements at the local level between individual offices of the designated state unit and local entities carrying out the One-Stop Career Center service delivery system or other activities through the statewide work force investment system.
  - (b) Cooperation and coordination with other agencies and entities. Attachment 4.8(b) (1)-(4) describes the designated state agency's:
    1. cooperation with and use of the services and facilities of the federal, state, and local agencies and programs, including programs carried out by the undersecretary for Rural Development of the

United States Department of Agriculture and state use contracting programs, to the extent that those agencies and programs are not carrying out activities through the statewide work force investment system;

2. coordination, in accordance with the requirements of paragraph 4.8(c) of this section, with education officials to facilitate the transition of students with disabilities from school to the receipt of vocational rehabilitation services;
3. establishment of cooperative agreements with private nonprofit vocational rehabilitation service providers, in accordance with the requirements of paragraph 5.10(b) of the State Plan; and,
4. efforts to identify and make arrangements, including entering into cooperative agreements, with other state agencies and entities with respect to the provision of supported employment and extended services for individuals with the most significant disabilities, in accordance with the requirements of subsection 6.5 of the supplement to this State Plan.

(c) Coordination with education officials.

1. Attachment 4.8(b)(2) describes the plans, policies and procedures for coordination between the designated state agency and education officials responsible for the public education of students with disabilities that are designed to facilitate the transition of the students who are individuals with disabilities from the receipt of educational services in school to the receipt of vocational rehabilitation services under the responsibility of the designated state agency.
2. The State Plan description must:
  - A. provide for the development and approval of an individualized plan for employment in accordance with 34 CFR 361.45 as early as possible during the transition planning process but, at the latest, before each student determined to be eligible for vocational rehabilitation services leaves the school setting or if the designated state unit is operating on an order of selection before each eligible student able to be served under the order leaves the school setting; and
  - B. include information on a formal interagency agreement with the state educational agency that, at a minimum, provides for:
    - i. consultation and technical assistance to assist educational agencies in planning for the transition of students with disabilities from school to post-school activities, including vocational rehabilitation services;
    - ii. transition planning by personnel of the designated state agency and the educational agency for students with disabilities that facilitates the development and completion of their individualized education programs under Section 614(d) of the Individuals with Disabilities Education Act;

- iii. roles and responsibilities, including financial responsibilities, of each agency, including provisions for determining state lead agencies and qualified personnel responsible for transition services; and
- iv. procedures for outreach to students with disabilities as early as possible during the transition planning process and identification of students with disabilities who need transition services.

(d) Coordination with statewide independent living council and independent living centers.

The designated state unit, the Statewide Independent Living Council established under Section 705 of the Rehabilitation Act and 34 CFR 364, and the independent living centers described in Part C of Title VII of the Rehabilitation Act and 34 CFR 366 have developed working relationships and coordinate their activities.

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

1. There is in the state a recipient(s) of a grant under Part C of Title I of the Rehabilitation Act for the provision of vocational rehabilitation services for American Indians who are individuals with disabilities residing on or near federal and state reservations. **No**
2. If "Yes", the designated state agency has entered into a formal cooperative agreement that meets the following requirements with each grant recipient in the state that receives funds under Part C of Title I of the Rehabilitation Act:
  - A. strategies for interagency referral and information sharing that will assist in eligibility determinations and the development of individualized plans for employment;
  - B. procedures for ensuring that American Indians who are individuals with disabilities and are living near a reservation or tribal service area are provided vocational rehabilitation services; and
  - C. provisions for sharing resources in cooperative studies and assessments, joint training activities, and other collaborative activities designed to improve the provision of services to American Indians who are individuals with disabilities.

**4.9 Methods of administration. (Section 101(a)(6) of the Rehabilitation Act; 34 CFR 361.12, .19 and .51(a) and (b))**

(a) In general.

The state agency employs methods of administration, including procedures to ensure accurate data collection and financial accountability, found by the commissioner to be necessary for the proper and efficient administration of the plan and for carrying out all the functions for which the state is responsible under the plan and 34 CFR 361.

(b) Employment of individuals with disabilities.

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

(c) Facilities.

Any facility used in connection with the delivery of services assisted under this State Plan meets program accessibility requirements consistent with the provisions, as applicable, of the Architectural Barriers Rehabilitation Act of 1968, Section 504 of the Rehabilitation Act, the Americans with Disabilities Act of 1990 and the regulations implementing these laws.

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

Attachment 4.10 describes the designated state agency's procedures and activities to establish and maintain a comprehensive system of personnel development designed to ensure an adequate supply of qualified state rehabilitation professional and paraprofessional personnel for the designated state unit. The description includes the following:

(a) Data system on personnel and personnel development.

Development and maintenance of a system for collecting and analyzing on an annual basis data on qualified personnel needs and personnel development with respect to:

1. Qualified personnel needs.

- A. The number of personnel who are employed by the state agency in the provision of vocational rehabilitation services in relation to the number of individuals served, broken down by personnel category;
- B. The number of personnel currently needed by the state agency to provide vocational rehabilitation services, broken down by personnel category; and
- C. Projections of the number of personnel, broken down by personnel category, who will be needed by the state agency to provide vocational rehabilitation services in the state in five years based on projections of the number of individuals to be served, including individuals with significant disabilities, the number of personnel expected to retire or leave the field, and other relevant factors.

2. Personnel development.

- A. A list of the institutions of higher education in the state that are preparing vocational rehabilitation professionals, by type of program;
- B. The number of students enrolled at each of those institutions, broken down by type of program; and
- C. The number of students who graduated during the prior year from each of those institutions with certification or licensure, or with the credentials for certification or licensure, broken down by the personnel category for which they have received, or have the credentials to receive, certification or licensure.

(b) Plan for recruitment, preparation and retention of qualified personnel.

Development, updating on an annual basis, and implementation of a plan to address the current and projected needs for qualified personnel based on the data collection and analysis system

described in paragraph (a) of this subsection and that provides for the coordination and facilitation of efforts between the designated state unit and institutions of higher education and professional associations to recruit, prepare and retain personnel who are qualified in accordance with paragraph (c) of this subsection, including personnel from minority backgrounds and personnel who are individuals with disabilities.

(c) Personnel standards.

Policies and procedures for the establishment and maintenance of personnel standards to ensure that designated state unit professional and paraprofessional personnel are appropriately and adequately prepared and trained, including:

1. standards that are consistent with any national- or state-approved or recognized certification, licensing, registration, or, in the absence of these requirements, other comparable requirements (including state personnel requirements) that apply to the profession or discipline in which such personnel are providing vocational rehabilitation services.
2. To the extent that existing standards are not based on the highest requirements in the state applicable to a particular profession or discipline, the steps the state is currently taking and the steps the state plans to take in accordance with the written plan to retrain or hire personnel within the designated state unit to meet standards that are based on the highest requirements in the state, including measures to notify designated state unit personnel, the institutions of higher education identified in subparagraph (a)(2), and other public agencies of these steps and the time lines for taking each step.
3. The written plan required by subparagraph (c)(2) describes the following:
  - A. specific strategies for retraining, recruiting and hiring personnel;
  - B. the specific time period by which all state unit personnel will meet the standards required by subparagraph (c)(1);
  - C. procedures for evaluating the designated state unit's progress in hiring or retraining personnel to meet applicable personnel standards within the established time period; and
  - D. the identification of initial minimum qualifications that the designated state unit will require of newly hired personnel when the state unit is unable to hire new personnel who meet the established personnel standards and the identification of a plan for training such individuals to meet the applicable standards within the time period established for all state unit personnel to meet the established personnel standards.

(d) Staff development.

Policies, procedures and activities to ensure that all personnel employed by the designated state unit receive appropriate and adequate training. The narrative describes the following:

1. A system of staff development for professionals and paraprofessionals within the designated state unit, particularly with respect to assessment, vocational counseling, job placement and rehabilitation technology.

2. Procedures for the acquisition and dissemination to designated state unit professionals and paraprofessionals significant knowledge from research and other sources.
  - (e) Personnel to address individual communication needs.

Availability of personnel within the designated state unit or obtaining the services of other individuals who are able to communicate in the native language of applicants or eligible individuals who have limited English speaking ability or in appropriate modes of communication with applicants or eligible individuals.
  - (f) Coordination of personnel development under the Individuals with Disabilities Education Act. Procedures and activities to coordinate the designated state unit's comprehensive system of personnel development with personnel development under the Individuals with Disabilities Education Act.

**4.11. Statewide assessment; annual estimates; annual state goals and priorities; strategies; and progress reports.**

(Sections 101(a)(15), 105(c)(2) and 625(b)(2) of the Rehabilitation Act; 34 CFR 361.17(h)(2), .29, and 363.11(b))

- (a) Comprehensive statewide assessment.
  1. Attachment 4.11(a) documents the results of a comprehensive, statewide assessment, jointly conducted every three years by the designated state unit and the State Rehabilitation Council (if the state has such a council). The assessment describes:
    - A. the rehabilitation needs of individuals with disabilities residing within the state, particularly the vocational rehabilitation services needs of:
      - i. individuals with the most significant disabilities, including their need for supported employment services;
      - ii. individuals with disabilities who are minorities and individuals with disabilities who have been unserved or underserved by the vocational rehabilitation program carried out under this State Plan; and
      - iii. individuals with disabilities served through other components of the statewide work force investment system.
    - B. The need to establish, develop or improve community rehabilitation programs within the state.
  2. For any year in which the state updates the assessments, the designated state unit submits to the commissioner a report containing information regarding updates to the assessments.
- (b) Annual estimates.

Attachment 4.11(b) identifies on an annual basis state estimates of the:

  1. number of individuals in the state who are eligible for services under the plan;

2. number of eligible individuals who will receive services provided with funds provided under Part B of Title I of the Rehabilitation Act and under Part B of Title VI of the Rehabilitation Act, including, if the designated state agency uses an order of selection in accordance with subparagraph 5.3(b)(2) of this State Plan, estimates of the number of individuals to be served under each priority category within the order; and
3. costs of the services described in subparagraph (b)(1), including, if the designated state agency uses an order of selection, the service costs for each priority category within the order.

(c) Goals and priorities.

1. Attachment 4.11(c)(1) identifies the goals and priorities of the state that are jointly developed or revised, as applicable, with and agreed to by the State Rehabilitation Council, if the agency has a council, in carrying out the vocational rehabilitation and supported employment programs.
2. The designated state agency submits to the commissioner a report containing information regarding any revisions in the goals and priorities for any year the state revises the goals and priorities.
3. Order of selection.  
If the state agency implements an order of selection, consistent with subparagraph 5.3(b)(2) of the State Plan, Attachment 4.11(c)(3):
  - A. shows the order to be followed in selecting eligible individuals to be provided vocational rehabilitation services;
  - B. provides a justification for the order; and
  - C. identifies the service and outcome goals, and the time within which these goals may be achieved for individuals in each priority category within the order.
4. Goals and plans for distribution of Title VI, Part B, funds.  
Attachment 4.11(c)(4) specifies, consistent with subsection 6.4 of the State Plan supplement, the state's goals and priorities with respect to the distribution of funds received under Section 622 of the Rehabilitation Act for the provision of supported employment services.

(d) Strategies.

1. Attachment 4.11(d) describes the strategies, including:
  - A. the methods to be used to expand and improve services to individuals with disabilities, including how a broad range of assistive technology services and assistive technology devices will be provided to those individuals at each stage of the rehabilitation process and how those services and devices will be provided to individuals with disabilities on a statewide basis;

- B. outreach procedures to identify and serve individuals with disabilities who are minorities, including those with the most significant disabilities in accordance with subsection 6.6 of the State Plan supplement, and individuals with disabilities who have been unserved or underserved by the vocational rehabilitation program;
  - C. as applicable, the plan of the state for establishing, developing or improving community rehabilitation programs;
  - D. strategies to improve the performance of the state with respect to the evaluation standards and performance indicators established pursuant to Section 106 of the Rehabilitation Act; and
  - E. strategies for assisting other components of the statewide work force investment system in assisting individuals with disabilities.
2. Attachment 4.11 (d) describes how the designated state agency uses these strategies to:
- A. address the needs identified in the assessment conducted under paragraph 4.11(a) and achieve the goals and priorities identified in the State Plan attachments under paragraph 4.11(c);
  - B. support the innovation and expansion activities identified in subparagraph 4.12(a)(1) and (2) of the plan; and
  - C. overcome identified barriers relating to equitable access to and participation of individuals with disabilities in the State Vocational Rehabilitation Services Program and State Supported Employment Services Program.
- (e) Evaluation and reports of progress.
1. The designated state unit and the State Rehabilitation Council, if the state unit has a council, jointly submits to the commissioner an annual report on the results of an evaluation of the effectiveness of the vocational rehabilitation program and the progress made in improving the effectiveness of the program from the previous year.
2. Attachment 4.11(e)(2):
- A. provides an evaluation of the extent to which the goals identified in Attachment 4.11(c)(1) and, if applicable, Attachment 4.11(c)(3) were achieved;
  - B. identifies the strategies that contributed to the achievement of the goals and priorities;
  - C. describes the factors that impeded their achievement, to the extent they were not achieved;
  - D. assesses the performance of the state on the standards and indicators established pursuant to Section 106 of the Rehabilitation Act; and



- E. provides a report consistent with paragraph 4.12(c) of the plan on how the funds reserved for innovation and expansion activities were utilized in the preceding year.

**4.12 Innovation and expansion. (Section 101(a)(18) of the Rehabilitation Act; 34 CFR 361.35)**

- (a) The designated state agency reserves and uses a portion of the funds allotted to the state under Section 110 of the Rehabilitation Act for the:
  - 1. development and implementation of innovative approaches to expand and improve the provision of vocational rehabilitation services to individuals with disabilities under this State Plan, particularly individuals with the most significant disabilities, consistent with the findings of the statewide assessment identified in Attachment 4.11(a) and goals and priorities of the state identified in Attachments 4.11(c)(1) and, if applicable, Attachment 4.11(c)(3); and
  - 2. support of the funding for the State Rehabilitation Council, if the state has such a council, consistent with the resource plan prepared under Section 105(d)(1) of the Rehabilitation Act and 34 CFR 361.17(i), and the funding of the Statewide Independent Living Council, consistent with the resource plan prepared under Section 705(e)(1) of the Rehabilitation Act and 34 CFR 364.21(i).
- (b) Attachment 4.11 (d) describes how the reserved funds identified in subparagraph 4.12(a)(1) and (2) will be utilized.
- (c) Attachment 4.11(e)(2) describes how the reserved funds were utilized in the preceding year.

**4.13 Reports. (Section 101(a)(10) of the Rehabilitation Act; 34 CFR 361.40)**

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

## **Preprint - Section 5: Administration of the Provision of Vocational Rehabilitation Services**

### **5.1 Information and referral services. (Sections 101(a)(5)(D) and (20) of the Rehabilitation Act; 34 CFR 361.37)**

The designated state agency has implemented an information and referral system that is adequate to ensure that individuals with disabilities, including individuals who do not meet the agency's order of selection criteria for receiving vocational rehabilitation services if the agency is operating on an order of selection, are provided accurate vocational rehabilitation information and guidance, including counseling and referral for job placement, using appropriate modes of communication, to assist such individuals in preparing for, securing, retaining or regaining employment, and are referred to other appropriate federal and state programs, including other components of the statewide work force investment system in the state.

### **5.2 Residency. (Section 101(a)(12) of the Rehabilitation Act; 34 CFR 361.42(c)(1))**

The designated state unit imposes no duration of residence requirement as part of determining an individual's eligibility for vocational rehabilitation services or that excludes from services under the plan any individual who is present in the state.

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

- (a) The designated state unit is able to provide the full range of services listed in Section 103(a) of the Rehabilitation Act and 34 CFR 361.48, as appropriate, to all eligible individuals with disabilities in the state who apply for services. No

(b) If No:

1. Individuals with the most significant disabilities, in accordance with criteria established by the state, are selected first for vocational rehabilitation services before other individuals with disabilities.
2. Attachment 4.11(c)(3):
  - A. shows the order to be followed in selecting eligible individuals to be provided vocational rehabilitation services;
  - B. provides a justification for the order of selection; and
  - C. identifies the state's service and outcome goals and the time within which these goals may be achieved for individuals in each priority category within the order.
3. Eligible individuals who do not meet the order of selection criteria have access to the services provided through the designated state unit's information and referral system established under Section 101(a)(20) of the Rehabilitation Act, 34 CFR 361.37, and subsection 5.1 of this State Plan.

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

- (a) Prior to providing any vocational rehabilitation services, except those services identified in paragraph (b), to an eligible individual or to members of the individual's family, the state unit determines whether comparable services and benefits exist under any other program and whether those services and benefits are available to the individual.
- (b) The following services are exempt from a determination of the availability of comparable services and benefits:
  - 1. assessment for determining eligibility and vocational rehabilitation needs by qualified personnel, including, if appropriate, an assessment by personnel skilled in rehabilitation technology;
  - 2. counseling and guidance, including information and support services to assist an individual in exercising informed choice consistent with the provisions of Section 102(d) of the Rehabilitation Act;
  - 3. referral and other services to secure needed services from other agencies, including other components of the statewide work force investment system, through agreements developed under Section 101(a)(11) of the Rehabilitation Act, if such services are not available under this State Plan;
  - 4. job-related services, including job search and placement assistance, job retention services, follow-up services, and follow-along services;
  - 5. rehabilitation technology, including telecommunications, sensory and other technological aids and devices; and
  - 6. post-employment services consisting of the services listed under subparagraphs (1) through (5) of this paragraph.
- (c) The requirements of paragraph (a) of this section do not apply if the determination of the availability of comparable services and benefits under any other program would interrupt or delay:
  - 1. progress of the individual toward achieving the employment outcome identified in the individualized plan for employment;
  - 2. an immediate job placement; or
  - 3. provision of vocational rehabilitation services to any individual who is determined to be at extreme medical risk, based on medical evidence provided by an appropriate qualified medical professional.
- (d) The Governor in consultation with the designated state vocational rehabilitation agency and other appropriate agencies ensures that an interagency agreement or other mechanism for interagency coordination that meets the requirements of Section 101(a)(8)(B)(i)-(iv) of the

Rehabilitation Act takes effect between the designated state unit and any appropriate public entity, including the state Medicaid program, a public institution of higher education, and a component of the statewide work force investment system to ensure the provision of the vocational rehabilitation services identified in Section 103(a) of the Rehabilitation Act and 34 CFR 361.48, other than the services identified in paragraph (b) of this section, that are included in the individualized plan for employment of an eligible individual, including the provision of those vocational rehabilitation services during the pendency of any dispute that may arise in the implementation of the interagency agreement or other mechanism for interagency coordination.

**5.5 Individualized plan for employment. (Section 101(a)(9) of the Rehabilitation Act; 34 CFR 361.45 and .46)**

- (a) An individualized plan for employment meeting the requirements of Section 102(b) of the Rehabilitation Act and 34 CFR 361.45 and .46 is developed and implemented in a timely manner for each individual determined to be eligible for vocational rehabilitation services, except if the state has implemented an order of selection, and is developed and implemented for each individual to whom the designated state unit is able to provide vocational rehabilitation services.
- (b) Services to an eligible individual are provided in accordance with the provisions of the individualized plan for employment.

**5.6 Opportunity to make informed choices regarding the selection of services and providers. (Sections 101(a)(19) and 102(d) of the Rehabilitation Act; 34 CFR 361.52)**

Applicants and eligible individuals or, as appropriate, their representatives are provided information and support services to assist in exercising informed choice throughout the rehabilitation process, consistent with the provisions of Section 102(d) of the Rehabilitation Act and 34 CFR 361.52.

**5.7 Services to American Indians. (Section 101(a)(13) of the Rehabilitation Act; 34 CFR 361.30)**

The designated state unit provides vocational rehabilitation services to American Indians who are individuals with disabilities residing in the state to the same extent as the designated state agency provides such services to other significant populations of individuals with disabilities residing in the state.

**5.8 Annual review of individuals in extended employment or other employment under special certificate provisions of the fair labor standards act of 1938. (Section 101(a)(14) of the Rehabilitation Act; 34 CFR 361.55)**

- (a) The designated state unit conducts an annual review and reevaluation of the status of each individual with a disability served under this State Plan:
  - 1. who has achieved an employment outcome in which the individual is compensated in accordance with Section 14(c) of the Fair Labor Standards Act (29 U.S.C. 214(c)); or
  - 2. whose record of services is closed while the individual is in extended employment on the basis that the individual is unable to achieve an employment outcome in an integrated setting or that the individual made an informed choice to remain in extended employment.
- (b) The designated state unit carries out the annual review and reevaluation for two years after the individual's record of services is closed (and thereafter if requested by the individual or, if appropriate, the individual's representative) to determine the interests, priorities and needs of the individual with respect to competitive employment or training for competitive employment.
- (c) The designated state unit makes maximum efforts, including the identification and provision of vocational rehabilitation services, reasonable accommodations and other necessary support

services, to assist the individuals described in paragraph (a) in engaging in competitive employment.

- (d) The individual with a disability or, if appropriate, the individual's representative has input into the review and reevaluation and, through signed acknowledgement, attests that the review and reevaluation have been conducted.

**5.9 Use of Title I funds for construction of facilities. (Sections 101(a)(17) and 103(b)(2)(A) of the Rehabilitation Act; 34 CFR 361.49(a)(1), .61 and .62(b))**

If the state elects to construct, under special circumstances, facilities for community rehabilitation programs, the following requirements are met:

- (a) The federal share of the cost of construction for facilities for a fiscal year does not exceed an amount equal to 10 percent of the state's allotment under Section 110 of the Rehabilitation Act for that fiscal year.
- (b) The provisions of Section 306 of the Rehabilitation Act that were in effect prior to the enactment of the Rehabilitation Act Amendments of 1998 apply to such construction.
- (c) There is compliance with the requirements in 34 CFR 361.62(b) that ensure the use of the construction authority will not reduce the efforts of the designated state agency in providing other vocational rehabilitation services other than the establishment of facilities for community rehabilitation programs.

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

- (a) Contracts with for-profit organizations.  
The designated state agency has the authority to enter into contracts with for-profit organizations for the purpose of providing, as vocational rehabilitation services, on-the-job training and related programs for individuals with disabilities under Part A of Title VI of the Rehabilitation Act, upon the determination by the designated state agency that for-profit organizations are better qualified to provide vocational rehabilitation services than nonprofit agencies and organizations.
- (b) Cooperative agreements with private nonprofit organizations.  
Attachment 4.8(b)(3) describes the manner in which the designated state agency establishes cooperative agreements with private nonprofit vocational rehabilitation service providers.

## Preprint - Section 6: Program Administration

### Section 6: Program Administration

#### **6.1 Designated state agency. (Section 625(b)(1) of the Rehabilitation Act; 34 CFR 363.11(a))**

The designated state agency for vocational rehabilitation services identified in paragraph 1.2 of the Title I State Plan is the state agency designated to administer the State Supported Employment Services Program authorized under Title VI, Part B, of the Rehabilitation Act.

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

Attachment 4.11(a) describes the results of the comprehensive, statewide needs assessment conducted under Section 101(a)(15)(a)(1) of the Rehabilitation Act and subparagraph 4.11(a)(1) of the Title I State Plan with respect to the rehabilitation needs of individuals with most significant disabilities and their need for supported employment services, including needs related to coordination.

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

Attachment 6.3 describes the quality, scope and extent of supported employment services to be provided to individuals with the most significant disabilities who are eligible to receive supported employment services. The description also addresses the timing of the transition to extended services to be provided by relevant state agencies, private nonprofit organizations or other sources following the cessation of supported employment service provided by the designated state agency.

#### **6.4 Goals and plans for distribution of Title VI, Part B, funds. (Section 625(b)(3) of the Rehabilitation Act; 34 CFR 363.11(d) and .20)**

Attachment 4.11(c)(4) identifies the state's goals and plans with respect to the distribution of funds received under Section 622 of the Rehabilitation Act.

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

Attachment 4.8(b)(4) describes the efforts of the designated state agency to identify and make arrangements, including entering into cooperative agreements, with other state agencies and other appropriate entities to assist in the provision of supported employment services and other public or nonprofit agencies or organizations within the state, employers, natural supports, and other entities with respect to the provision of extended services.

#### **6.6 Minority outreach. (34 CFR 363.11(f))**

Attachment 4.11(d) includes a description of the designated state agency's outreach procedures for identifying and serving individuals with the most significant disabilities who are minorities.

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

The designated state agency submits reports in such form and in accordance with such procedures as the commissioner may require and collects the information required by Section 101(a)(10) of the Rehabilitation Act separately for individuals receiving supported employment services under Part B, of Title VI and individuals receiving supported employment services under Title I of the Rehabilitation Act.

## **Preprint - Section 7: Financial Administration**

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

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

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

- (a) Funds made available under Title VI, Part B, of the Rehabilitation Act are used by the designated state agency only to provide supported employment services to individuals with the most significant disabilities who are eligible to receive such services.
- (b) Funds provided under Title VI, Part B, are used only to supplement and not supplant the funds provided under Title I, Part B, of the Rehabilitation Act, in providing supported employment services specified in the individualized plan for employment.
- (c) Funds provided under Part B of Title VI or Title I of the Rehabilitation Act are not used to provide extended services to individuals who are eligible under Part B of Title VI or Title I of the Rehabilitation Act.

## **Preprint - Section 8: Provision of Supported Employment Services**

### **8.1 Scope of supported employment services. (Sections 7(36) and 625(b)(6)(F) and (G) of the Rehabilitation Act; 34 CFR 361.5(b)(54), 363.11(g)(6) and (7))**

- (a) Supported employment services are those services as defined in Section 7(36) of the Rehabilitation Act and 34 CFR 361.5(b)(54).
- (b) To the extent job skills training is provided, the training is provided on-site.
- (c) Supported employment services include placement in an integrated setting for the maximum number of hours possible based on the unique strengths, resources, priorities, concerns, abilities, capabilities, interests and informed choice of individuals with the most significant disabilities.

### **8.2 Comprehensive assessments of individuals with significant disabilities. (Sections 7(2)(B) and 625(b)(6)(B); 34 CFR 361.5(b)(6)(ii) and 363.11(g)(2))**

The comprehensive assessment of individuals with significant disabilities conducted under Section 102(b)(1) of the Rehabilitation Act and funded under Title I of the Rehabilitation Act includes consideration of supported employment as an appropriate employment outcome.

### **8.3 Individualized plan for employment. (Sections 102(b)(3)(F) and 625(b)(6)(C) and (E) of the Rehabilitation Act; 34 CFR 361.46(b) and 363.11(g)(3) and (5))**

- (a) An individualized plan for employment that meets the requirements of Section 102(b) of the Rehabilitation Act and 34 CFR 361.45 and .46 is developed and updated using funds under Title I.
- (b) The individualized plan for employment:
  - 1. specifies the supported employment services to be provided;
  - 2. describes the expected extended services needed; and
  - 3. identifies the source of extended services, including natural supports, or, to the extent that it is not possible to identify the source of extended services at the time the individualized plan for employment plan is developed, a statement describing the basis for concluding that there is a reasonable expectation that sources will become available.
- (c) Services provided under an individualized plan for employment are coordinated with services provided under other individualized plans established under other federal or state programs.



## **Attachment 4.2(c) Input of State Rehabilitation Council**

Required annually by all agencies except those agencies that are independent consumer-controlled commissions.

Identify the Input provided by the State Rehabilitation Council, including recommendations from the council's annual report, the review and analysis of consumer satisfaction, and other council reports. Be sure to also include:

- The Designated State unit's response to the input and recommendations; and
- Explanations for the designated state unit's rejection of any input or recommendation of the council.

### **4.2 (c) SUMMARY OF INPUT AND RECOMMENDATIONS OF THE STATE REHABILITATION COUNCIL (SRC); RESPONSE OF THE DESIGNATED STATE UNIT (DSU); AND EXPLANATIONS FOR REJECTION OF INPUT OR RECOMMENDATIONS**

The New Jersey State Rehabilitation Council (SRC) provides oversight and advises the Division of Vocational Rehabilitation Services (DVRS) within the Department of Labor (DSA). The SRC is a partnership of people with disabilities, advocates, and other interested persons who are committed to ensuring through policy development, implementation, and advocacy that New Jersey has a rehabilitation program that is not only comprehensive and consumer-responsive but also effective, efficient, and significantly funded. The SRC is dedicated to ensuring that people with disabilities receive rehabilitation services that result in gainful employment. Representing the myriad of diversity that is New Jersey, council members believe that individuals with disabilities are the “untapped resource” to the business community and assert that disability is a natural part of the human experience that in no way diminishes a person's right to fully participate in all aspects of American life. Members of the SRC in New Jersey believe in a public system of vocational rehabilitation that is responsible and accountable to those it serves and to those who fund it; they believe that competitive jobs generate tax revenue and enable all individuals, including individuals with disabilities, to spend discretionary income which contributes to the state's economy.

The SRC and the DVRS jointly develop and review elements of the state plan. An assessment of the effectiveness of the vocational rehabilitation delivery system has resulted in the following recommendations based on information gathered from the public forums held Wednesday, March 28, 2012 in Camden County, Wednesday, April 4, 2012 held in Ocean County, Wednesday, April 11, 2012 held in Morris County, and Friday, April 13, 2012 held in Union County; consumer satisfaction survey; comprehensive needs assessment; staff; and meetings with critical stakeholders.

**SRC Recommendation:**

The SRC appreciates the success the DVRS had in 2011 with filling staff vacancies. Hiring of qualified staff and maintaining an appropriate number of personnel are integral to providing quality services to individuals with disabilities. Now that it appears that the DVRS has clearance to fill vacant positions, the SRC recommends that the DVRS evaluate its procedures for recruitment.

**Agency Response:**

The DVRS accepts the recommendation and will evaluate its procedures for recruitment to ensure that the agency has access to the most appropriate candidate pool available.

**SRC Recommendation:**

The SRC recognizes the importance of hiring qualified counselors to administer vocational rehabilitation services to its customers. In order to ensure that the DVRS hire the most highly qualified staff the SRC recommends that the DVRS evaluate its candidate eligibility requirements and implement a “Category R” (CRCC) condition for future new staff.

**Agency Response:**

The DVRS accepts the recommendation and will begin the process to assess current candidate eligibility requirements. The DVRS recognizes that this evaluation may be a multi-year process since any changes to hiring procedures must be vetted and approved by the Civil Service Commission for the State of New Jersey. The DVRS will seek technical assistance from the RSA to ensure that any proposed changes meet their guidelines.

**SRC Recommendation:**

The SRC acknowledges its duty to examine the success of the DVRS program through public hearings. The SRC recognizes the importance of keeping open lines of communication with the DVRS and consumers of vocational rehabilitation services. The SRC recommends that the DVRS explore technology and alternate public hearing venues to maximize opportunities for consumer input.

**Agency Response:**

The DVRS accepts the recommendation and will explore alternate venues and the use of technology to enhance participation of consumers at our public hearings.

**SRC Recommendation:**

The SRC recognizes that job seekers with disabilities sometimes require innovative approaches to enhance their chance to garner gainful integrated employment. The SRC recommends that the DVRS pursue strategies such as using paid internships and increase the use of on-the-job training (OJT) opportunities for qualified DVRS job seekers as appropriate.

**Agency Response:**

The DVRS accepts this recommendation and will develop strategies that increase innovative approaches to ensure that job seekers with disabilities garner gainful integrated employment.

**SRC Recommendation:**

The SRC recognizes that people with disabilities need full access to the One-Stop Career Center systems. The SRC recommends that the DVRS continue in its leadership in providing training, coordination, support, and technical assistance regarding universal access to the One-Stop Career Center systems throughout New Jersey.

**Agency Response:**

The DVRS accepts the recommendation and will continue to provide technical assistance, training, information and coordination regarding universal access design to the One-Stop Career Center systems throughout New Jersey.

**SRC Recommendation:**

The SRC is mindful that there are emerging groups of people, in particular individuals with autism spectrum disorders, persons with criminal backgrounds, and persons with substance abuse who demonstrate a need for intense vocational rehabilitation. The SRC recommends that the DVRS continue to develop and enhance services to these segments of the state's population.

**Agency Response:**

The DVRS accepts this recommendation and will develop policies and procedures as appropriate to provide tailored vocational rehabilitation to emerging groups of people, in particular individuals with autism, persons with criminal backgrounds, and folks with substance abuse.

**SRC Recommendation:**

The SRC recognizes that the DVRS program is affected by state funding cuts. The Council also understands that an inability to match funds from the state will impact the ability to draw down full federal funds for Title I. The SRC understands that at this point the DVRS will be flat funded for state year 2012, and it recommends that the DVRS identifies and advocates strategies to ensure that state matching funds will be consistently available for future fiscal years.

**Agency Response:**

The DVRS accepts this recommendation and will work with the SRC to implement strategies to identify match funding to preserve the ability to draw down full federal funds for Title I.

**SRC Recommendation:**

The SRC recommends that the DVRS examine its policies regarding the transition of students with disabilities from school to post-school activities, including employment.

**Agency Response:**

The DVRS accepts this recommendation and will continue to examine policies regarding the transition of students with disabilities from school to employment. The DVRS is keeping careful eye on the current reauthorization drafts for the Workforce Investment Act (WIA); proposed language mandates increased services for students in transition.

**SRC Recommendation:**

The SRC recommends that the DVRS continue to educate the community and policy makers as to the services, successes and outcomes of the state public vocational rehabilitation program, including the return on investment from using vocational rehabilitation services.

**Agency Response:**

The DVRS accepts the recommendation and plans to assess the actual return on investment for state funds. The DVRS and the SRC are working closely to develop this assessment. The LWD is currently rebranding the programs within workforce development, and the DVRS will take advantage of this effort to update existing information for distribution.

**SRC Recommendation:**

The SRC is excited that the Governor has declared through Executive Order, that New Jersey become the 14<sup>th</sup> *Employment First* state. The SRC recommends that the DVRS continue to develop, revise and monitor agreements with other state agencies and community partners to ensure success of this critical change in policy.

**Agency Response:**

The DVRS accepts this recommendation and will take leadership to develop, revise and monitor agreements with state agencies and community partners to support policies that promote *Employment First* in New Jersey.

**SRC Recommendation:**

The SRC understands the importance of working with community-based organizations that provide supported employment services that are integral to the success of many customers of the DVRS. Since it has been many years since vendor rates have been assessed, the SRC recommends that the DVRS reevaluate its current hourly rate for supported employment.

**Agency Response:**

The DVRS accepts this recommendation and will establish a work group that includes the DVRS program evaluation unit and a cadre of community based organizations that provide supported employment services to evaluate its current rate for supported employment.

### **Attachment 4.7(b)(3) Request for Waiver of Statewideness**

Identify the types of services to be provided by the program for which the waiver of statewideness is requested.

The waiver request should also include:

- a written assurance from the local public agency that it will make available to the designated state unit the non-federal share of funds;
- a written assurance that designated state unit approval will be obtained for each proposed service before it is put into effect;
- a written assurance that all state plan requirements will apply to all services approved under the waiver.

This agency has not requested a waiver of statewideness.

This screen has never been updated.

## **Attachment 4.8(b)(1) Cooperative Agreements with Agencies Not Carrying Out Activities Under the Statewide Workforce Investment System**

Describe interagency cooperation with and utilization of the services and facilities of agencies and programs that are not carrying out activities through the statewide workforce investment system with respect to

- Federal, state, and local agencies and programs;
- if applicable, Programs carried out by the Under Secretary for Rural Development of the United States Department of Agriculture; and
- if applicable, state use contracting programs.

The New Jersey Department of Labor and Workforce Development (DLWD) Division of Vocational Rehabilitation Services (DVRS) believes that collaboration with stakeholders is essential to assisting people with disabilities to successfully become employed. Such an ongoing effort maximizes resources and addresses the quality of life issues that can impact the ability of a person with a disability to obtain and maintain employment.

The DVRS is part of Workforce Development within the DLWD and is a strong partner with the One-Stop Career Center Workforce Investment System throughout the state. The agency also enjoys a cooperative relationship with state and community-based agencies to collaborate on programs that will promote the empowerment and economic independence of individuals with disabilities in an effort to encourage employment. The agency arranges memoranda of understanding (MOUs) for the purpose of carrying out activities that require a formalized response or protocol in the delivery of services. Since the Governor has declared through Executive Order, that New Jersey become the 14<sup>th</sup> *Employment First* state, it is critical that the DVRS reexamine all of the current MOUs in order to ensure policy aligns with the intent of *Employment First*. MOUs that will be revised include the following:

- **The Commission for the Blind and Visually Impaired (CBVI)**

The CBVI provides vocational rehabilitation services to individuals with visual disabilities that constitute, for that individual, a substantial impediment to employment. In addition to serving individuals with physical or mental disabilities, the DVRS also serves individuals with visual disabilities. Our MOU with the CBVI specifies the eligibility criteria for our respective agencies in the area of visual disability, the inter-agency referral and consultation process, and the criteria by which our agencies would share clients in order to provide that individual with comprehensive services.

- **The Division of Developmental Disabilities (DDD)**

The DDD serves individuals with disabilities that manifest in the developmental years, are lifelong, and substantially limiting in major life activities. Conditions generally considered developmental disabilities include intellectual disability, cerebral palsy, epilepsy, spina bifida and autism. Consequently, we share many clients in common. Our MOU with the DDD specifies the protocols for serving our mutual clients, especially in the area of supported employment.

- **The Commission on Higher Education**

In order to define the most appropriate resource to cover expenses such as interpreter services, personal care attendants and other accessibility areas while an individual with a disability participates in a school program, the division has agreements with all four-year state colleges and all county colleges in New Jersey.

- **The Division of Wage and Hour Compliance**

In conjunction with community-based rehabilitation programs, the DVRS maintains an MOU with the CBVI, the DDD, and the Division of Wage and Hour, which outlines the criteria for an employment relationship under New Jersey Wage and Hour Law in such a way that vocational rehabilitation activities may take place in community settings without undue restriction. Consequently, situational assessments and similar “on-the-job” work experience may take place without violating employment law.

- **ACCSES New Jersey**

There is an agreement with ACCSES New Jersey to have a representative appointed to a chair for the oversight and review of the state set-aside program to ensure that individuals with disabilities have the right opportunity for industrial competition. The centralized nonprofit agency (CNA) services in New Jersey works directly with the NJ Office of Management and Budget to develop no-bid contracts.

- **Agrability**

The southern part of New Jersey works with Agrability to ensure that farmers who have become disabled have the opportunity for rehabilitation services. There is currently no formal agreement with the US Department of Agriculture.

- **Coordination with Statewide Independent Living Council (SILC) and Centers for Independent Living**

In New Jersey, the DVRS has a positive relationship with the SILC and has supported its growth throughout the years. The DVRS uses Title I innovation and expansion funds to support the operation of the SILC and includes them in all agency activities. A SILC member has a seat on the SRC and the DVRS supports the SILC through its active participation at their meetings and in the preparation of the state plan for independent living (SPIL) and the RSA Section 704 Report.

The state currently has seven federally-funded centers for independent living (CILs) with an RFP to reestablish a center to provide services to Cumberland, Salem, and Cape May counties. The DVRS expanded the network through the RSA Part B grant and a line item in the state budget to add five CILs to the group. The DVRS has dedicated a program specialist to offer the CILs consultation and technical assistance. The DVRS feels that these centers offer a dynamic that is necessary for individuals with disabilities before, during, and after their employment experience.

The DVRS will continue to value the partnership that exists between the DVRS and the community of CILs by doing the following:

- Supporting the efforts by the centers to apply for grants from the various foundations and agencies to enhance their base of funding and thus improve operation;
- Implementing appropriate opportunities with the DVRS under a fee-for-service model; and
- Encouraging the growth of the centers by offering technical assistance on the development of social enterprise programs.



#### Attachment 4.8(b)(2) Coordination with Education Officials

- Describe the designated state unit's plans, policies, and procedures for coordination with education officials to facilitate the transition of students with disabilities from school to the receipt of vocational rehabilitation services, including provisions for the development and approval of an individualized plan for employment before each student determined to be eligible for vocational rehabilitation services leaves the school setting or, if the designated state unit is operating on an order of selection, before each eligible student able to be served under the order leaves the school setting.
- Provide information on the formal interagency agreement with the state educational agency with respect to
  - consultation and technical assistance to assist educational agencies in planning for the transition of students with disabilities from school to post-school activities, including the DVRS services;
  - transition planning by personnel of the designated state agency and educational agency that facilitates the development and completion of their individualized education programs;
  - roles and responsibilities, including financial responsibilities, of each agency, including provisions for determining state lead agencies and qualified personnel responsible for transition services;
  - procedures for outreach to and identification of students with disabilities who need transition services.

The New Jersey Department of Labor and Workforce Development (DLWD) Division of Vocational Rehabilitation Services (DVRS) understands the critical relationship that exists among education and employment that in turn affects independence and quality of life. Transition from school to adult life for youth with disabilities is a top priority for the DVRS. The Division has had a long-standing formal interagency agreement for transition from school to adult life for youth with disabilities. This agreement is with the DVRS, the Office of Special Education Programs and the Office of Career and Technical Education in the New Jersey Department of Education, and the Commission for the Blind and Visually Impaired (CBVI) in the New Jersey Department of Human Services. Since the Governor has declared through Executive Order, that New Jersey become the 14<sup>th</sup> *Employment First* state, it is critical that the DVRS reexamine this agreement to ensure policy aligns with the intent of *Employment First*.

The DVRS does not have formal agreements with local school districts. The 605 school districts in the state of New Jersey are autonomous. Accordingly, districts provide special education to students with disabilities in unique ways. Some rely on the DVRS counselors to provide consultation when students turn 14; others ensure that students are connected with the DVRS within two years of a student graduating from public education entitlement. However, there remain a number of districts that identify credit requirements for graduation rather than transition services; these districts make no effort to comply with the IDEA requirements to link students prior to graduation. Consequently, it is virtually impossible to pursue LEA agreements with every district. The DVRS counselors are assigned to work directly with individual schools. In addition, most all offices have a "lead transition counselor" who serves as the liaison to the

DVRS central office on transitioning issues and provides guidance and consultation to the DVRS counselors in their respective offices.

Through the efforts of the lead transition counselors and the published agency guidelines, the DVRS has clarified roles and responsibilities for financial services in a most concise manner. The agency offers referral and consultation to school districts that are in need of cost services but has clearly indicated that the school is financially responsible for the evaluation, pre-employment activities, supported employment and programming for students through their educational entitlement.

The DVRS makes outreach efforts to schools and local communities in order to identify students with disabilities who may be in need of transition services. In addition to outreach made to specific schools, DVRS participates in inter-agency information and education sessions facilitated by the Family Support Center of New Jersey (FSCNJ), which provides transition-related information to students who are eligible for the Division of Developmental Disability and their parents across the state as well as annual student conferences sponsored by the Office of Special Education Programs. The DVRS transition coordinator and other designated DVRS personnel also participate in inter-agency county-based transition committees and forums as a means to increase awareness of the DVRS services and provide information about the agency.

In addition, the DVRS has made a "Director's Letter" highlighting the DVRS collaboration with the schools in relation to transitioning activities available for use with school personnel, students and other entities involved with the transition process. Information about the DVRS guidelines, policies and services in relation to transition is highlighted in the DVRS documents:

- *Guidelines for School Personnel*
- *DVRS Myths & Facts*

Both documents are posted on the DVRS website.

### **Attachment 4.8(b)(3) Cooperative Agreements with Private Nonprofit Organizations**

Describe the manner in which the designated state agency establishes cooperative agreements with private non-profit vocational rehabilitation service providers.

Cooperative agreements (in the broadest sense of the term) with private nonprofit vocational rehabilitation service providers are established and maintained in a variety of ways including Notice of Grant Opportunities (NGOs) contracts, program approvals, MOUs, technical assistance workshops and ongoing monitoring.

When funding becomes available for new vocational rehabilitation projects and services, the availability of these funds are posted as an NGO on the Department website and also communicated to providers statewide. The NGO will describe the purpose of the funding, the providers that are eligible to apply for the funding, the necessary programmatic requirements, expected outcomes and time frame for the service provision. A technical assistance workshop is held thereafter to explain and clarify the intent of the NGO. Applications are then reviewed for adherence to the NGO specifications and the funds are awarded accordingly. The awards, in turn, are transitioned into contracts. Each provider is assigned a program planning and development specialist (PPDS) to monitor the expenditures and programmatic results of the contract.

Providers may also have their contract (or cooperative agreement) renewed on an annual basis, depending upon the type of service, when the service was established, or when the service last underwent the NGO process. As the contract's end date comes to a close, the previous year's results are reviewed and the contractual relationship is re-established. The contract specifications are reiterated and any changes or modifications to the contract are incorporated therein.

The DVRS also receives requests from new providers to vend an existing service and enter into a cooperative agreement by which the DVRS purchases services from them. Existing providers may also request to expand their services or the counties that they serve, and thereby modify their cooperative agreement.

Most frequently, the DVRS is approached by a new provider to vend supported employment services. It is important to note that most of the services that a private, nonprofit organization would provide to the DVRS are subject to New Jersey Administrative Code 12:51, "Rules and Regulations Governing Community-Based Rehabilitation Organizations." The purpose of this code is to "define the criteria for operation of a program which is eligible to vend specific service to the Division of Vocational Rehabilitation Services and to ensure the provision of quality services to persons with disabilities." This code was last updated in 2007 and is consistent with good practice and applicable federal regulation. Consequently, the DVRS has a process in place to vet new vendors and enter into cooperative agreements or not based on providers' adherence to the N.J.A.C. 12:51. Providers are required to have standard business documentation and structure, and the credentials, experience, training and organizational capacity necessary to provide the service they wish to vend. Once providers are approved to enter the cooperative relationship with the DVRS as a vendor of services, they receive further information and training

from the DVRS' community rehabilitation programs unit, and receive ongoing monitoring and technical assistance from their assigned PPDS. Approved providers that request to vend new services or expand their services to additional counties undergo a similar vetting process, depending on the request, and must demonstrate that they have been providing quality services in the counties in which they are already operating.

MOUs are another vehicle by which the DVRS enters into cooperative agreements with private non-profit service providers. Most often, these types of MOUs would be with affiliated agencies that provide support services to the DVRS' clients or interface with the DVRS, but are not vendor/providers. For example, a substance abuse treatment center and the DVRS may wish to provide the relationship with additional structure, and delineate the referral process and the various roles and responsibilities when working together. Oftentimes, private nonprofits will request MOUs with the DVRS to fulfill their own accreditation requirements. This type of MOU is distinct from the type of MOU that the DVRS may have with a large public agency.

#### **Attachment 4.8(b)(4) Arrangements and Cooperative Agreements for the Provision of Supported Employment Services**

Describe the efforts of the designated state agency to identify and make arrangements, including entering into cooperative agreements, with other state agencies and other appropriate entities in order to provide the following services to individuals with the most significant disabilities:

- supported employment services; and
- extended services.

Supported employment services, including extended services, are ubiquitous in New Jersey. The DVRS has cooperative agreements in the form of vendor/provider relationships with over 90 individual supported employment service providers. These providers are entirely community-based, or associated with community rehabilitation facilities such as workshops or cognitive rehabilitation programs. All programs receive funding based upon the fee-for-service, billable job coaching hour model, with the exception of 21 supported employment programs associated with the NJ Division of Mental Health and Addiction Services (DMHAS), which are currently funded through contractual agreement.

As noted in Attachment 4.8 (b) (3), the DVRS is frequently approached by new providers to vend supported employment services and there is a vetting process in place to ensure that these potential new providers are qualified to provide this service. In New Jersey, approval to vend supported employment services requires strict compliance with N.J.A.C. 12:51, and CARF or equivalent accreditation within three years of initial approval. In addition, there must be an identified need for supported employment services in the county or counties in which the new vendor intends to operate. The manager of the local county field office takes part in the vetting process. At the present time, approximately 10 new providers are interested in vending supported employment services to the DVRS and are in the vetting process.

New Jersey is fortunate to have state-appropriated funding for extended services which we call our long-term follow-along (LTFA) program. The LTFA funding of approximately \$4 million went out under an NGO for the first time in FY 2011, and 57 supported employment programs were given contracts to provide extended services. One of these programs did need to go into an improvement plan based on their NGO response.

Since individual LTFA program budgets are tight, a “restabilization fund” was also approved to handle the service needs of clients in need of additional supports that would strain individual program budgets. Of course, clients may also apply for post-employment services should their support needs exceed the intent of the restabilization fund.

In regard to extended services, the DVRS has an MOU with the NJ Division of Developmental Disabilities (DDD) specific to supported employment services in which the DDD has agreed to fund the extended services of their clients in supported employment. Since the Governor has declared through Executive Order, that New Jersey become the 14<sup>th</sup> *Employment First* state, it is

critical that the DVRS reexamine its current MOU with the DDD in order to ensure policy aligns with the intent of *Employment First*.

The DVRS encourages continuing education and training in regard to the provision of supported employment services. The DVRS works closely with the following supported employment training providers to train the DVRS and supported employment program staff: 1) Region 2 TACE Center for general supported employment training and the trainings leading to the “supported employment certificate,” 2) the Boggs Center for Developmental Disabilities and related training, and the 3) the integrated employment institute at the University of Medicine and Dentistry of New Jersey (UMDNJ) for supported employment training for staff that work with people diagnosed with psychiatric disabilities.

## Attachment 4.10 Comprehensive System of Personnel Development

### Data System on Personnel and Personnel Development

1. Describe the development and maintenance of a system for collecting and analyzing on an annual basis data on qualified personnel needs with respect to:

- the number of personnel who are employed by the state agency in the provision of vocational rehabilitation services in relation to the number of individuals served, broken down by personnel category;
- the number of personnel currently needed by the state agency to provide vocational rehabilitation services, broken down by personnel category; and
- projections of the number of personnel, broken down by personnel category, who will be needed by the state agency to provide vocational rehabilitation services in the state in 5 years based on projections of the number of individuals to be served, including individuals with significant disabilities, the number of personnel expected to retire or leave the field, and other relevant factors.

The DVRS maintains a Comprehensive System of Personnel Development (CSPD) that establishes and supports a highly qualified staff dedicated to offering vocational rehabilitation services to eligible individuals with disabilities.

In keeping with the mission of the agency the CSPD focuses on the following areas:

- Pre-service training;
- Recruitment of qualified personnel;
- Staff development and training needs of current employees;
- Continuing education and lifelong learning; and
- Retention of qualified DVRS personnel.

Guidelines have been provided by the Workforce Investment Act, Title IV; the Rehabilitation Act of 1973, as amended; and the New Jersey Civil Service Commission (CSC) hiring policies and terms of employment.

The DVRS works in collaboration with the DSA's training unit to maintain files on the in-service training records and changes in the credentials of all agency employees. The agency's staff development and training coordinator also maintains records of the TACE training and offers the CRC credit approval for all of the training programs created and/or sponsored by the agency.

### Qualified Personnel Needs

The Department of Labor and Workforce Development (DLWD) routinely publishes an employee roster, which is reviewed against budget information to determine the most up-to-date number of employees actively serving the agency. A recent analysis of the agency's HR needs has revealed that it can function with a total of 298 staff members which will ensure that there is

a minimum requirement to maintain 140 counselors and adequate supervisory, management and administrative support. After a multi-year hiring freeze which left the agency with many vacancies, the state has agreed to restore the leadership structure and fill front line positions.

The agency currently serves approximately 30,000 individuals with an average caseload level of slightly more than 225. Many of the caseloads that have become “vacant” due to a staff member leaving are being maintained by a supervising rehabilitation counselor who is providing services to ensure case success. Presently, the DVRS has 16 supervising rehabilitation counselors that maintain a "vacant" caseload of 150 on average. Some offices have multiple vacant caseloads, which the supervising rehabilitation counselor covers. The anticipated level set at 140 counselor positions would result in reduced caseload size.

Each DVRS counselor is evaluated annually and the achievement of the graduate credential is monitored. All DVRS counselors will meet or be in an approved plan to meet the CSPD standards by 2013. Any DVRS counselor not meeting the CSPD standards or not under an approved training plan will no longer perform the nondelegable functions of a rehabilitation counselor. Most DVRS counselors have a Master’s Degree in Rehabilitation Counseling or a closely related field. The agency anticipates that those who are not presently in a program will be of retirement age by 2013. All staff members are made aware of trainings, online degree programs and continuing education courses that will enable them to reach the CSPD standard. Counselors who do not have a Master’s Degree are not eligible for promotion.

The agency has been experiencing a 4 percent increase in the number of people that come for services on an annual basis. The number of position allocations is not expected to rise at the same pace of people applying for services. Further complicating the matter is the anticipated exodus of incumbent staff within the next five years.

Senior executive staff – 75 percent over 55

Management/Supervision – 55 percent over 55

Counseling staff – 63 percent over 55

Factoring the anticipated succession of the lower levels into higher positions leaves the DVRS with the task of replacing well over half the counseling staff within the next five years.

Row	Job Title	Total positions	Current vacancies	Projected vacancies over the next 5 years
1	Director	1	0	0



2	Assistant Director	2	0	1
3	Chief	4	2	2
4	Manager	11	3	7
5	Administrative Analyst 1	1	0	0
6	Program Planning & Development Specialist 1	10	6	8
7	Supervising Rehabilitation Counselor	18	4	8
8	Administrative Analyst 2	2	1	1
9	Counselors	120	20	38

2. Describe the development and maintenance of a system for collecting and analyzing on an annual basis data on personnel development with respect to:

- a list of the institutions of higher education in the state that are preparing vocational rehabilitation professionals, by type of program;
- the number of students enrolled at each of those institutions, broken down by type of program; and
- the number of students who graduated during the prior year from each of those institutions with certification or licensure, or with the credentials for certification or licensure, broken down by the personnel category for which they have received, or have the credentials to receive, certification or licensure.

In New Jersey, there is one graduate program devoted to training rehabilitation counselors. It is housed in the School of Health Related Programs of the University of Medicine and Dentistry of New Jersey (UMDNJ) and offers a part-time 51 credit program that is CORE approved. The most recent graduating class produced 12 graduates. Due to the nature of the course offerings and the fact that most of the students are employed, the graduating classes have averaged about 18 per year since the program began. All of the UMDNJ graduates are eligible for national certification upon graduation. It must be noted that the DVRS sponsored over 55 students in the program from 1999 to 2006 in order to comply with the CSPD requirements defining qualified rehabilitation personnel.

Guidelines have been provided by the Rehabilitation Act of 1973, as amended, and the CSC hiring policies and terms of employment. Projections were made based on the current number of employees in regard to their age, length of service, education and availability of training resources.

Row	Institutions	Students enrolled	Employees sponsored by agency and/or	Graduates sponsored by agency	Graduates from the previous year
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			RSA	and/or RSA	
1	University of Medicine and Dentistry of NJ (UMDNJ)	24	1	18	12
2					

**Plan for Recruitment, Preparation and Retention of Qualified Personnel**

Describe the development (updated on an annual basis) and implementation of a plan to address the current and projected needs for qualified personnel including, the coordination and facilitation of efforts between the designated state unit and institutions of higher education and professional associations to recruit, prepare, and retain personnel who are qualified, including personnel from minority backgrounds and personnel who are individuals with disabilities.

**Pre-service Training**

As previously stated, the UMDNJ’s School of Health Related Professions is the one graduate level program that prepares students in vocational rehabilitation counseling in New Jersey through its Master of Arts in Rehabilitation program.

Additionally, The George Washington University offers a 45 credit CORE approved CSPD online Master’s of Arts in education and human development in rehabilitation counseling. One staff member has recently graduated. Currently the DVRS has several employees enrolled in online rehabilitation counseling programs at Assumption College and SUNY at Buffalo.

**Recruitment of Qualified Personnel**

The CSC is the established hiring authority in state service and recruits potential employees with a Master’s Degree in Vocational Rehabilitation Counseling or a Certified Rehabilitation Counselor (CRC). At the request of the DLWD, Office of Human Resources & Labor Relations (HR&LR), the CSC revised the education and experience sections of the job specifications for the DVRS Counselor I and II titles along with those of the Supervising Rehabilitation Counselor title to ensure that the recruitment practices are compatible with federal requirements and that the standards or qualifications are based on the highest requirements in the state for the vocational rehabilitation counseling profession. As defined in the Code of Federal Regulations [34 CFR 361.18(c)(2)(i)], highest requirements in the state applicable to that profession or discipline means the highest entry-level academic degree needed for any national or state-approved or recognized certification, licensing, registration, or other comparable requirements that apply to that profession or discipline. In the state of New Jersey, the Professional Counselor Licensure Law identifies a combination of education and experience as standards for the designation of licensed rehabilitation counselor (LRC). Recognizing a possible shortage of potential candidates to fill entry-level vocational rehabilitation counselor positions, the DVRS also recognizes a CRC as a qualifying standard.

The minimum education criterion to be considered for employment had been a Master's Degree in rehabilitation counseling or a CRC. With RSA technical assistance, the DVRS has been granted the modification that expands the educational criteria to include a Master's Degree in a closely-related field such as social work, psychology, counseling, education and special education, along with successful completion of one (1) graduate course in *Theories and Techniques of Counseling*. A recent recruitment effort using the new educational criteria and widespread networking campaign has yielded 120 applicants for the current 25 positions available.

Due to the downsizing of certain state agencies, the CSC maintains lists of employees who have been affected by a reduction in force (RIF) and prior to filling new positions, these lists must be certified for potential candidates.

Despite the multi-year hiring and promotional freeze, the DLWD secured a waiver and approved the promotion of five managers and nine supervisors, and in October 2011 the DSA approved the promotion of 38 counselors, from Counselor I to Counselor II.

In-house training for new employees is implemented to ensure that new staff members are familiar with current data systems, employee policies and procedures, etc.

The DVRS is grateful to be extended the hiring freeze exemption; however, data indicates staff shortages will continue in the local offices. The DVRS will continue to work with the LWD executive management to fill vacancies stemming from retirements and/or terminations of staff. Because data indicates ongoing hiring needs, the DVRS will continue to target potential applicants using the following action steps:

- Maintain relationships with CORE accredited schools throughout Region II;
- The CSAVR regional education forums;
- Expand intern program with the DVRS;
- Support the efforts of the University of Medicine and Dentistry of New Jersey's School of Health Related Professions (UMDNJ-SHRP) to ensure that the rehabilitation counseling program maintains CORE accreditation;
- Establish a paid internship to fill positions with students who are in the final year of their Master's Degree program;
- Explore testing and recruitment options within the structure of the CSC and graduate programs;
- Continue to work with the CSC to maintain the automatic hiring cycle that evaluates education and experience and establishes a pool of candidates for open positions by area;
- Work with the CSC recruitment staff to feature careers in vocational rehabilitation and to participate in college recruitment days;
- Encourage staff to participate in *career days*, and other similar events in high schools;

- Target school districts and community colleges in urban enterprise zones for career development;
- Identify potential students for the vocational rehabilitation counseling programs from the DVRS consumers;
- Identify individuals within the state with the CRC credential and mail a state of NJ employment application; and
- Provide information to the DVRS clients on becoming a VR professional, if appropriate.

One of the strategies that the DVRS intends to employ includes participating in career days and in the NJ Department of Education *Dare to Dream* series where we will feature information about making vocational rehabilitation a career. This will be done in the exhibit area with the DVRS counselors staffing the booth and making themselves available to address students in their schools.

### **Personnel Standards**

Describe the state agency's policies and procedures for the establishment and maintenance of personnel standards to ensure that designated state unit professional and paraprofessional personnel are adequately trained and prepared, including:

1. standards that are consistent with any national or state-approved or -recognized certification, licensing, registration, or, in the absence of these requirements, other comparable requirements (including state personnel requirements) that apply to the profession or discipline in which such personnel are providing vocational rehabilitation services; and
2. to the extent that existing standards are not based on the highest requirements in the state applicable to a particular profession or discipline, the steps the state is currently taking and the steps the State Plans to take in accordance with the written plan to retrain or hire personnel within the designated state unit to meet standards that are based on the highest requirements in the state, including measures to notify designated state unit personnel, institutions of higher education, and other public agencies of these steps and the timelines for taking each step.

Be sure to include the following:

- specific strategies for retraining, recruiting, and hiring personnel;
- the specific time period by which all state unit personnel will meet the standards;
- procedures for evaluating the designated state unit's progress in hiring or retraining personnel to meet applicable personnel standards within the established time period;
- the identification of initial minimum qualifications that the designated state unit will require of newly hired personnel when the state unit is unable to hire new personnel who meet the established personnel standards;
- the identification of a plan for training newly hired personnel who do not meet the established standards to meet the applicable standards within the time period established for all state unit personnel to meet the established personnel standards.

Each DVRS counselor is evaluated annually and the achievement of the graduate credential is monitored. It is anticipated that almost all DVRS counselors will meet the CSPD standards by 2013. Any DVRS counselor not meeting the CSPD standards or not participating in an approved training plan will no longer perform the nondelegable functions of a rehabilitation counselor. Counselors who do not meet the CSPD standards are not eligible for promotion. Most DVRS counselors have a Master's Degree in rehabilitation counseling or a closely related field. The agency anticipates that those who are not presently in a program will be of retirement age by 2013. All counselors are made aware of trainings, online degree programs and continuing education courses.

The minimum qualification for a DVRS Counselor I position requires a Master's Degree in vocational rehabilitation or a closely related field as outlined by CSC. There are no exceptions or substitutions.

The DVRS has been trying to get a paid internship program in place for Master's level students interested in working at a DVRS office. To date, this has not happened but negotiations continue. The agency has had some recent success in attracting students in their final semester and has been able to bring them on pending their graduation.

### **Staff Development**

Describe the state agency's policies, procedures, and activities to ensure that all personnel employed by the designated state unit receive appropriate and adequate training in terms of:

1. A system of staff development for professionals and paraprofessionals within the designated state unit, particularly with respect to assessment, vocational counseling, job placement, and rehabilitation technology; and
2. Procedures for the acquisition and dissemination to designated state unit professionals and paraprofessionals significant knowledge from research and other sources.

#### **1. Enhance the knowledge, skills and abilities of the DVRS employees.**

The Rehabilitation Act recognizes the need for an ongoing and progressive in-service training program to upgrade the skills, increase the knowledge and maximize the performance of personnel employed by the DVRS who provide vocational rehabilitation services to individuals with disabilities.

The DVRS takes pride in the high quality of staff development at all levels that is maintained in the in-service training program. Each year the program unit performs a training needs assessment that reflects a number of areas, such as:

- Priorities outlined in the current state plan;
- Staff development issues culled from individual development plans as a part of the performance evaluation system;
- Polling managers and supervisors; and

- Scanning the environment for issues related to current legislation, trends and advances in the practice of vocational rehabilitation.

The program unit staff members reach out to a number of areas to meet the needs for training programs that will be pertinent to the staff, useful to the practice of vocational rehabilitation and offer opportunities to enhance lifelong learning. The following entities are employed in the execution of the in-service training program:

- Region 2 Technical Assistance and Continuing Education (TACE) Center located at the State University of New York at Buffalo;
- The New Jersey Civil Service Commission Human Resources Development Institute (HRDI);
- The LWD Office of Training and Staff Development (OTSD);
- The Association of Persons in Supported Employment (APSE);
- The National Rehabilitation Association (NRA);
- The Council of State Administrators in Vocational Rehabilitation (CSAVR);
- The UMDNJ;
- The Garden State Employment and Training Association (GSETA);
- The NJ Division of the Deaf and Hard of Hearing

## **2. Ensure that qualified rehabilitation personnel serve the individuals with disabilities who participate in the Public Vocational Rehabilitation Program.**

Action Steps:

- Continue to collaborate with the UMDNJ-SHRP in support of the certificate of advanced graduate studies (CAGS) programs to enhance the ability for individuals with Master's Degrees in affiliated areas to become certified;
- Continue to supplement the funding of the tuition refund program with resources from the in-service training grant;
- Continue the DVRS' involvement with a distance learning programs with schools throughout the country.
- Encourage involvement with Thomas Edison College under the DLWD tuition refund program; and
- Maintain training offerings that grant continuing education units (CEUs).

Since the Workforce Investment Act of 1998 was implemented, the DVRS has upgraded the skills and education of the majority of the counseling staff. Of the current 127 positions that are filled, 89 percent of the counseling staff members have earned a Master's Degree. Of those individuals who do not possess the desired educational credential, eight are expected to exit within the next five years, based on their age and longevity with the agency, and six are enrolled in programs through an RSA grant or DLWD tuition refund. The remaining employees will have an improvement plan spelled out in their performance evaluation system (PES) as part of their individual development plan (IDP). Information regarding career development, continuing

education and Master's Degree in VR programs is sent to management and staff throughout the year. Those that choose not to earn their Master's Degree will not be afforded independent status and cases will be subject to supervisory review and approval. The agency expects full implementation of the RSA regulation will be completed by 2013.

### **3. Enable the DVRS counselors to obtain and maintain the CRC and/or the New Jersey License for Rehabilitation Counselor (LRC) through In-Service Training.**

Action Steps:

- Continue to offer credits for all DVRS sponsored programs;
- Offer opportunities to attend approved programs through the in-service training grant resources;
- Offer a study guide for eligible candidates to take the CRC exam;
- Establish a match between CRC supervisors and candidates for mentoring; and
- Offer up-to-date information on application procedures for LRC.

There are currently 55 DVRS professionals holding CRCs and 18 designated as Licensed Rehabilitation Counselors.

- Expand outreach to individuals with disabilities who are from traditionally underserved minority backgrounds as identified in the Act by offering opportunities to employees of similar backgrounds;
- Expand promotional opportunities for paraprofessional and support staff;
- Emphasize career track in collaboration with the DLWD career development counselor;
- Promote the tuition refund program in collaboration with Thomas Edison State College;
- Collaborate with TACE to increase awareness of cultural diversity;
- Recruit through an information program to clients attending college;
- Continue a relationship with the nation's network of historical Black colleges and universities (HBCUs) in order to expand the agency's recruitment efforts;
- Provide information on career opportunities to community college liaisons;
- Expand outreach efforts to target diverse community/faith-based organizations; and
- Provide information on the field of rehabilitation counseling as a career at the state's Hispanic/Latino outreach center.

Currently, 31 percent of those employees participating in in-service training programs were either from minority backgrounds or disclosed that they were individuals with disabilities.

### **Retention of Qualified VR Personnel**

An analysis of the DVRS personnel records reveals that there are a significant number of employees with over 20 years experience. In addition, these staff members are nearing an age where they will be considering retirement within the next five years. Therefore, plans must be made to maintain a management structure as well as the staffing patterns to operate a full service DVRS agency. In all likelihood, there will not be an expansion of the positions dedicated to the program so projections will be based on the current levels.

#### **1. Prepare staff to assume new roles as a part of the succession plan.**

Action Steps:

- Continue to offer training opportunities for advanced degrees at all levels;
- Offer a mentoring program to groom new management and counseling staff; and,
- Expand support of the certified public management program.

Operating within the CSC guidelines, the DLWD continues to develop staff to expand their knowledge base to assume increased responsibility on the job. The DVRS has partnered with the RSA and the TACE in an initiative to promote succession planning.

**2. Evaluate the progress of these training efforts to ensure improved services to individuals with disabilities.**

Action Steps:

- Staff will meet established standards for qualified vocational rehabilitation personnel;
- Future SRC consumer satisfaction surveys will reflect improved level of counselor competency;
- Internal DVRS practices, such as the performance evaluation system (PES), will address educational achievement in the developmental plans; and
- A recognition program will be continued for those achieving the Master's Degree in rehabilitation counseling.

In addition to the need to employ qualified personnel, the agency recognizes the need for service providers with whom it does business to employ qualified vocational rehabilitation personnel. Through collaborative efforts, we hope to assure that appropriate graduate-level training programs will be available within the state of New Jersey to community rehabilitation program personnel, as well as to the DVRS staff. The grant received by the UMDNJ from the USDOE will enable the UMDNJ to offer stipends to students from community rehabilitation programs.

An analysis of the collected evaluations reveals that all agency-sponsored training sessions were well received, averaging a rating of average or better. This indicates that the program selection and content met state agency needs and participant interest.

### **Personnel to Address Individual Communication Needs**

Describe how the designated state unit has personnel or obtains the services of other individuals who are able to communicate in the native language of applicants or eligible individuals who have limited English speaking ability or in appropriate modes of communication with applicants or eligible individuals.

### **Communication and Collaboration**



The DVRS has been consistent with the Act in meeting the requirements of offering appropriate communication solutions to those individuals who are Deaf or hard of hearing. All of the current rehabilitation counselors for the Deaf are certified through a test known as the *Sign Communication Proficiency Interview* (SCPI). In the event that they may wish to enhance or improve their skills in American Sign Language (ASL), the DVRS will utilize funds from the in-service training grant to fund further classes in ASL. The agency also invites counselors and rehabilitation aides to participate in ASL training programs, which are typically offered at the community college level.

The DVRS usually draws the bi-lingual counselor from a pool of individuals of Latino heritage who also possess the necessary credentials in addition to speaking fluent Spanish. Once again, the in-service training grant can offer opportunities for other staff members to take courses that will facilitate their communication in conversational Spanish to expand the agency's ability to serve this population of people with disabilities. The DVRS recently hired a counselor with language ability in Slavic languages including Polish, Russian, and Ukrainian to be employed in an office where clients need this communication.

The DVRS makes every effort to serve individuals from underserved minority populations; the DVRS assessed the demographics of the state and deployed staff where there is the greatest need. Whenever possible the person's language will be accommodated by an informal interpreter or the AT&T Language Line and their coordinated community-based or faith-based organization that can best serve them.

### **Coordination of Personnel Development under the Individuals with Disabilities Education Improvement Act**

Describe the procedures and activities to coordinate the designated state unit's comprehensive system of personnel development with personnel development under the Individuals with Disabilities Education Improvement Act.

#### **Coordination with the Individuals with Disabilities Education Act (IDEA)**

The DVRS maintains an ongoing relationship with the NJ Department of Education Office of Special Education Programs (OSEP) in an effort to share information and ensure that the staff of the DVRS is aware of the IDEA.

The staff development activities include:

1. Four training sessions per year for the DVRS lead transition counselors. All of the DVRS counselors are responsible for maintaining a relationship to the school districts within their local area; however, these lead counselors are responsible for acting as a resource to school personnel. The approximately 600 public school districts are diverse throughout the state, so these training sessions are essential to maintain a roster of promising practices for the agency.

2. The DVRS has a seat on the State Special Education Advisory Council (SSEAC) and OSEP has one on the State Rehabilitation Council (SRC). The information gathered at the meetings is shared when appropriate.
3. In their ongoing relationship the DVRS relies on the independent living community to establish and maintain linkages with students in transition by helping them to seek strategies for self-advocacy and empowerment. The DVRS supports the *Transition Times* that is published by the SILC to promote IL as a part of the transition process.

## **Attachment 4.11(a) Statewide Assessment**

Provide an assessment of the rehabilitation needs of individuals with disabilities residing within the state, particularly the vocational rehabilitation services needs of:

- individuals with most significant disabilities, including their need for supported employment services;
- individuals with disabilities who are minorities;
- individuals with disabilities who have been unserved or underserved by the vocational rehabilitation program; and
- individuals with disabilities served through other components of the statewide workforce investment system.

Identify the need to establish, develop, or improve community rehabilitation programs within the state.

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

#### **Comprehensive Needs Assessment Survey**

The DVRS participated in the RSA teleconferences for the comprehensive statewide needs assessment (CSNA) and determined that in the absence of a specific instrument we could gain current information using a comprehensive needs assessment survey. The instrument was developed by the DVRS' human resources and labor relations training unit to poll a wide range of NJ residents on disability and related issues. The survey, which was created to supplement all of the related activities of the staff, was disseminated on a large scale through the division's intranet blog, the division's webpage, to participants at the four 2010 public forums and to vendors of the agency and consumers. The survey closed in May 2010 with results from an equal distribution of consumers, professionals, advocates and family members. There were approximately 350 surveys returned and the results were typical of many of the recent surveys conducted about the service delivery system and employment. The top findings always include transportation, attitudinal barriers and a lack of clear understanding of how services can be accessed. The DVRS will be collecting this information through the various resources as we go through program year 2012.

In all of these activities the DVRS included members of the SRC executive committee providing monthly briefings on the progress of our fact-finding and getting direction from them in regard to new groups to survey. In its new budget, the SRC has allotted for resources that would support data that can be published and shared as part of the CSNA.

Based on this enhanced information and some technical assistance from the RSA, the DVRS chose to make the goals easier to understand and to further clarify the action steps in the goals set

forth in the prior years. These additions were a direct result of the knowledge gained in the public forums and through the SRC input.

Highlights of the survey results indicated:

- The need for the DVRS to continue providing information about the agency's activities and services in order for it to remain prominent in the minds of people with disabilities;
- The need for the agency to maintain transparency, accountability and consistency in the delivery of services;
- The need for staff to receive training on an assortment of disability-related topics, such as cognitive disabilities, traumatic brain injury and mental illness;
- The need for staff to receive training in operational-related areas such as job development, identification of transferable skills and appropriate protocol for referrals to other agencies and vendors;
- The need for the DVRS staff to become more proactive in employment areas;
- The continuation and expansion of training for individuals involved with transition from school to post-school activities in the various school districts as well as for improved preparation of students to be self-advocates; and
- A commitment to fully staff the offices with qualified rehabilitation personnel.

Additional prominent themes included:

- The need for further outreach, information and resources for the DVRS eligible individuals with legal issues/criminal records in relation to job placement, including partnership with the WIA re-entry program;
- Concern over the fiscal health of state government and the potential cuts to:
  - Supported employment long-term follow-along (LTFA);
  - Extended employment;
  - Extended employment transportation; and
  - Centers for independent living (Part B Centers).
- The need for the DVRS to:
  - Restore staff positions to reflect a more balanced ratio to caseload size;
  - Provide more information about services; and
  - Stress more job training for consumers.
- Growing concerns for transportation in the state as it relates to:
  - Availability at off peak hours;
  - Accessibility to large employment centers; and
  - Convenience and cost.

The division utilizes all of the data gathered from the many collaborative efforts in which it participates to shape the service delivery system to best serve the needs of individuals with disabilities throughout New Jersey. The leadership of the agency, including the executive management team (EMT), program staff and local management scan the environment to assess current and future service needs. Through regular meetings and a review of the reporting the agency's service plan becomes a living document that has assisted the division in meeting the needs of a wide range of individuals with disabilities. These meetings and subsequent follow-up activities provide the information to help the agency to meet all of the requirements of Section 101(a) (15) (A) and describe the needs of the following groups:

- Individuals with the most significant disabilities, including their need for supported employment;
- Individuals who are minorities;
- Individuals who are unserved;
- Individuals who are underserved; and
- Individuals served through other components of the statewide workforce investment system.

The DVRS is represented on the following Councils and Advisory Bodies:

- The NJ Council on Developmental Disabilities;
- The State Special Education Advisory Council;
- The Community Mental Health Advisory Board;
- The NJ Advisory Council on Traumatic Brain Injury;
- The ACCSES/NJ Board;
- The Ohmstead Taskforce;
- The Governor 's Taskforce on Children and Adults with Autism;
- The UMDNJ- School of Health Professions Rehabilitation Counseling Program;
- The Technical Assistance and Continuing Education (TACE) Program;
- The Council of State Administrators of Vocational Rehabilitation;
- The NJ Commission for the Blind and Visually Impaired State Rehabilitation Council;
- The NJ DVRS State Rehabilitation Council;
- The NJ Division of the Deaf and Hard of Hearing Advisory Board;
- The NJ Personal Assistant and Service Providers Advisory Council;
- The Assistive Technology Advocacy Center Advisory Board;
- The Statewide Independent Living Council;
- The Alliance for Full Participation;
- The DiscoverAbility Leadership Council;
- The State Employment and Training Commission (the State WIB) Disability Issues Subcommittee; and
- All Local Workforce Investment Boards Disability Issues committee.

### **State Rehabilitation Council (SRC) Recommended Exit Survey**

The Designated State Unit (DSU) continued in fiscal year (FY) 2012 to monitor consumer satisfaction through the SRC recommended and designed exit survey. Typically, at the close of each month a 30 percent sampling of the closures in status 26 and 28 received a questionnaire by mail. The average response rate for FFY 2011 has been 18 percent. During FFY 2010 the raw data was tabulated and scheduled to be analyzed by Dr. Patrick Murray of Monmouth University.

This survey provides immediate and timely feedback of consumer satisfaction and the results are used to measure program effectiveness and address issues and concerns about the delivery of services. The SRC has recommended the use of the survey results to be a shared document with the counseling staff to ensure that the feedback is incorporated into the review of their performance. This is now being done by the DVRS.

The SRC considers the consumer satisfaction survey to be one of their main objectives in each program year. They have developed a subcommittee to monitor the results and to work with Monmouth University on the analysis and dissemination of information. The DVRS's role is to provide timely data and distribution of the surveys.

### **The DVRS/Workforce Development Survey**

Each DVRS local office continues to distribute a survey to people with disabilities who are receiving vocational rehabilitation services. The survey is completed by the consumer at any time while they are receiving services and returned to the local office. The aggregate results are kept by the local offices.

### **Public Forums**

In conjunction with the State Rehabilitation Council (SRC), the DVRS continued its annual tradition and conducted a series of four public forums during the months of March and April 2012. The meetings were held in key locations in the state to solicit input for the state plan. These hearings provided an opportunity for members of the public, consumers, and service providers to discuss and give testimony about topics of concern to them. Opening statements made by the panel discussed issues that were of relevance to the state plan. Copies of the FY 12 state plan were made available in all formats to ensure accessibility. The Director of the DVRS discussed how the state plan is designed to be a living document that coincides with the Rehabilitation Act and the SRC representative discussed the work of the Council and its importance to the governance of the DVRS.

The four 2012 public forums were very well attended by the public. Topics addressed included the following:

- Supported employment vendor rates;
- The DVRS and the DDD MOU;
- Qualifications of the DVRS staff;
- New Jersey as an *Employment First* state; and
- State-funded centers for independent living.

In addition to these topics, the DVRS director was provided with an opportunity to highlight the progress of the activities surrounding the distribution of the Innovation and Expansion funds and increases of counselors throughout the state.

### **Analysis**

Despite significant staff shortages, all individuals with an individual plan for employment (IPE) are offered a full range of services to enable them to participate in the workforce and are provided with information regarding each necessary service to enable them to make an informed choice.

Services are provided by a highly qualified vocational rehabilitation staff in 18 offices and multiple One-Stop Career Center locations covering the entire state in collaboration with a range of vendors and service providers. These include a statewide network of community rehabilitation programs providing supported employment, proprietary and technical training schools, community and four-year colleges, professionals in all restorative categories and various suppliers of equipment that includes durable medical goods, vehicle adaptations and training supplies. The DVRS has also created opportunities through contractual arrangements to offer specific training and community outreach using the services of:

- The network of centers for independent living (transition activities provided by the 12 CILs to students who are clients with the DVRS );
- Full funding of five state centers for independent living;
- Community rehabilitation programs;
- Hispanic Latino outreach at one location (Hudson County);
- Assistive technology training and a lending lab;
- Deaf/hard of hearing outreach and three regional programs specifically for individuals with hearing loss opened in Spring 09; and
- Projects with industry – HireAbility.

Based on an analysis of the DVRS spending in prior years, the top three services provided include:

- Supported employment (job coaching and LTFA);
- College training; and
- Skills training (vocational, technical and proprietary schools).

Using statistics from a snapshot of past years the number of individuals served from minority groups has hovered around 48 percent of the total number of people served in a year. A further breakdown reveals the following:

- Black – 34 percent
- Hispanic/Latino – 11 percent
- Asian – 2 percent
- Other – 1 percent

It is felt that the members of minority groups will require comprehensive vocational rehabilitation services that could include referrals to or collaborations with partner agencies as a routine part of the service delivery system. Some of these services include literacy (provided by the learning links in the One-Stop Career Centers), life skills (provided by the various CRPs and CILs) and other referrals to appropriate community-based organizations.

Services to this target group will be provided by the DVRS and their community partners with a major emphasis on community rehabilitation programs and the One-Stop Career Center partners. The DVRS has made certain accommodations for members of minority groups that include communications in native or accessible language and cultural sensitivity issues.

In response to this data the agency has continued working with all of the identified community partners to improve the services by providing ongoing diversity training to the staff to ensure cultural competence.

In an effort to expand the agency's reach, the DVRS has also participated in annual conferences that include faith-based and community-based organizations. The DVRS has developed relationships with conference participants and has created a system to maintain contact with them to better understand the needs of the specific community. The DVRS makes every effort to serve individuals from underserved minority populations and has assessed the demographics of the state and has deployed staff where there is the greatest need.

**Bi-lingual DVRS counselors:** Based on the population of the local area, there are the DVRS counselors who communicate in both Spanish and English to serve the population of people with disabilities with this need. This accommodation extends to all correspondence.

**Literature:** All promotional literature for the agency has been translated and published in Spanish as well as English.

**Hispanic/Latino Outreach:** In response to the need for a greater impact on reaching individuals with disabilities within the Hispanic/Latino community the DVRS has contracted with a community rehabilitation program to open an outreach center for communities in which high numbers of people of Hispanic/Latino heritage reside. The objective of this initiative has been to raise awareness of the availability of the DVRS services among this group. Recognizing that New Jersey is a diverse state, the local offices make sure that all individuals with disabilities who come in for services are treated with dignity and respect. Whenever possible, the person's language will be accommodated by an informal interpreter or the AT&T language line and there is coordination with community-based or faith-based organizations that can best serve them.

The DVRS recognizes that there are pockets of individuals from these groups that require more attention and will work to develop new strategies while expanding on the existing structures. The DVRS will:

- Continue to reach out to local community partners including faith-based organizations to ensure that the services are well known and available to members of minority populations;
- Reach out to the Hispanic Directors Association (HDA) to expand the Hispanic/Latino outreach project;
- Begin a dialogue with members of the Asian community in the northern counties to determine the need for expanded services;
- Continue to work with the DLWD regarding prisoner re-entry, where appropriate, and to participate in One-Stop Career Center activities that promote literacy and work readiness for urban youth with disabilities; and



- Continue to work with the NJ Juvenile Justice Commission to streamline services to young adults with disabilities at Jamesburg.

With the current level of community rehabilitation programs operating throughout the state the needs of the agency and the individuals with disabilities are being met. There is a stable network of CRPs that offer traditional facility-based services and supported employment. The agency continues to evaluate new Supported Employment (SE) providers. This evaluation is based on:

- Local area need;
- Program area expansion;
- Emergence of priority specialty areas, like traumatic brain injury (TBI), autism and mental illness; and
- Continued support of disability-related services.

In NJ there are 28 traditional rehabilitation facilities that include sheltered workshops that include the full array of evaluation and training services that are available to the local offices to refer new clients. With the emergence of supported employment, the DVRS' local area needs are continuously reviewed through regional networks. When a need is identified, the local office manager reaches out to either approved vendors to expand their service delivery area or seeks out new programs for approval. The agency also conducts regularly scheduled meetings with ACCSES NJ and the APSENJ to gain the perspective of the vendor community to maintain the agency's timely service delivery.

**Other Priority Areas include the following:**

#### **Individuals who are Deaf, Hard-of-Hearing, Late-deafened and those with Cochlear Implants**

This group of disabilities presents a significant challenge in employment because of the variety of communication strategies that are necessary for each individual. The following strategies have been implemented:

1. **Special Projects:** After an intensive study, the agency has expanded its external programs for this population by funding three regional centers to offer a wide range of vocational evaluation and job preparation for individuals affected by these disabilities. The programs also include interpreter services for job interviews and demonstration centers for assistive listening devices (ALDs).
2. **Accessibility:** A rehabilitation counselor for the Deaf (RCD) is assigned to provide ASL communication throughout the local offices. The RCD is skilled in ASL and the offices are equipped with state-of-the-art video service to facilitate communication. Each office also has a set of commonly used assisted listening devices for demonstration prior to purchase for those in need of the equipment for their job.
3. **Supported Employment:** Several of the SE vendors have expanded their services to individuals in need of ASL assistance within their placement on the job. The DVRS encourages this expertise among their vendors so that individuals who require assisted communication will have an equal opportunity and access to employment.
4. **CILs:** For centers for independent living (CILs) to serve people who are Deaf, hard-of-hearing or late-deafened, communication technology or interpreters are essential, but

there is clearly not a generic solution. An orientation to the various technologies that facilitate effective programming is under development by the DVRS.

5. **Communications Specialist:** Following a model that is being used in several other state VR agencies, the DVRS has established a body of knowledge to create a specialty for a DVRS counselor in each office. It is anticipated that a counselor who is skilled in the technology and sensitive to the issues faced by individuals who are hard-of-hearing, late-deafened or have cochlear implants will enhance service delivery.

### **Individuals with significant developmental disabilities:**

1. **Employment First:** The Governor by Executive Order declared New Jersey to be an *Employment First* state in the spring of 2012. *Employment First* includes these essential elements:
  - Being the first and preferred outcome for working-age youth and adults with disabilities, including those with complex and significant disabilities, for whom working in the past has been limited, or has not traditionally occurred;
  - Using typical or customized employment techniques to secure membership in the workforce, where employees with disabilities are included on the payroll of a competitive business or industry or are self-employed business owners;
  - Where the assigned work tasks offer at least minimum or prevailing wages and benefits and
  - Where typical opportunities exist for integration and interactions with co-workers without disabilities, with customers, and/or the general public.
2. **Intellectual Disabilities:** The DVRS acknowledges that the state continues to have one of the nation's highest rates of students who are classified with cognitive issues that impose limitations on their ability to learn in traditional settings. This has been addressed with an enhanced MOU with the DDD and cross-training.
3. **Pathways to Adulthood and Life After 21:** This collaboration includes the DDD, the Office of Special Education Programs, The Boggs Center for Excellence and the Division of Disability Services (DDS) and focuses on presentations to students with developmental disabilities who are aging out of the school system and who can be served by both the DVRS and the DDD. This represents a holistic approach to offering the most informed choices to this constituency.
4. **Supported Employment:** The DVRS recognizes that community-based employment represents an appealing option for individuals with developmental disabilities and has collaborated with the DDD to ensure that there will be a seamless transition from the intensive phase of the job coaching piece of SE to the LTFA support by the state agency.

### **Collaboration with the Statewide Workforce Investment System**

As a core participant in the One-Stop Career Center system, the DVRS maintains a presence by being housed at the same location, maintains scheduled visits to off-site locations and is electronically linked to the service delivery system throughout the state. The DVRS assists the staff of the One-Stop Career Center with technical assistance, as necessary. Strategies include:

1. **Universal Access:** The DVRS continues to advocate for universal access throughout the entire workforce system. In October 2010 the DVRS took the lead with a USDOL grant award called the Disability Employment Initiative (DEI). While the principle majority of the funds have been designated to four pilot sites by the USDOL, universal access is one activity that can be implemented throughout the entire state. Every county will have the opportunity for a universal access evaluation in FFY 2013.
2. **Disability Sensitivity:** The majority of the staff of the One-Stop Career Centers participate in sensitivity and disability etiquette training to enable them to serve individuals with disabilities who needed the basic services from the One-Stop Career Center without needing to go through the DVRS system.
3. **SETC Disability Issues Sub-committee:** The director of the DVRS participates in a committee of the statewide workforce investment board (SWIB) that examines issues relevant to seamless service to individuals requiring basic core services of the One-Stop Career Center and offers proactive technical assistance to the local WIBs in terms of their respective disability issues committees.
4. **DiscoverAbility Leadership Council:** Under the disabilities issues sub-committee this body is comprised of representatives from government agencies, community-based organizations (CBOs), the business community and consumers. Its task will be to advise the grantee on the creation of priorities to develop a state plan to improve the employment options for people with disabilities.

## Attachment 4.11(b) Annual Estimates

- Identify the number of individuals in the state who are eligible for services.
- Identify the number of eligible individuals who will receive services provided with funds under:
  - Part B of Title I;
  - Part B of Title VI;
  - Each priority category, if under an order of selection.
- Identify the cost of services for the number of individuals estimated to be eligible for services. If under an order of selection, identify the cost of services for each priority category.

Of the 4,596,000 individuals of working age (18-64) in New Jersey, 426,109 reported having a disability in 2009. It is estimated that approximately 31,144 individuals will be involved with the DVRS in Program Year 2013. This number represents:

- New applications;
- Active cases in plan status from prior years;
- New cases in plan status; and
- Closures (successful outcomes and those that did not achieve employment).

Of the 31,144 individuals, it is estimated that 29,627 will receive services provided under Part A of Title I of the Act and/or under Part B of Title VI of the Act. Estimates of the number of individuals to be served under each priority category within the order of selection for services are as follows:

1. Clients classified as individuals with a most significant disability who meet the following criteria:

- Have a significant physical or mental impairment or combination of impairments which seriously limit two or more functional capacities in terms of employment outcome; and
- Require multiple vocational rehabilitation services over an extended period of time.

Program Year 2013

- Service Goal Title I: 23,201
- Outcome Goal Title I: 3,000
- Title VI: 250 Service Goal Title VI: 500
- Outcome Goal: Title VI: 200

Timeframe: October 1, 2012 to November 30, 2013

Case duration for individuals in this category averages 26 months. Supported employment is reserved for those individuals with the most significant disabilities. Time-limited job coaching is available for those individuals in the other categories and priority areas. The DVRS utilizes Title I funding for supported employment services but has only identified 500 as specific to Title VI.

2. Clients classified as individuals with a significant disability who meet the following criteria:

- Have a significant physical or mental impairment or combination of impairments which seriously limit at least one functional capacity in terms of employment outcome; and
- Require multiple vocational rehabilitation services over an extended period of time.

Program Year 2013

- Service Goal: 4,444
- Outcome Goal: 650
- Timeframe: October 1, 2012 to March 31, 2013

Case duration within this category averages 18 months.

3. All other eligible clients who qualify for the DVRS meet the following criteria:

- Individuals with a disability who have a physical or mental impairment that substantially limits one or more major life activity;
- Those who have a record of such impairment, or
- Those who are regarded as having such impairment.

The Order of Selection shall not preclude:

- Diagnostic services necessary to establish a client's eligibility;
- Post-employment services; and
- Information and referral services.

Program Year 2013

- Service Goal: 1,482
- Outcome Goal: 150
- Timeframe: October 1, 2012 to September 30, 2013

In 2011, the DVRS authorized the following amounts to 17,319 clients (some clients received multiple services):

- Diagnostic evaluation \$6,092,903
- Higher education \$5,023,301
- Job readiness \$380,135
- Maintenance \$1,430,937
- Medical \$715,952
- Other training \$2,066,221
- Personal assistance \$41,725
- Rehab technology \$2,378,986
- Transportation \$525,986
- Vocational training \$2,785,513
- Medical consultation \$7,529
- All other \$342,188

Total Authorized: \$21,790,417

The DVRS typically budgets \$24,000,000 for case services and has averaged between \$22 million and \$24 million over the past several years. Due to the low rate of case service expenditures, the DVRS has been accumulating a carry forward reserve amount. The DVRS

intends to review current fee schedule policies, upgrade its current case management system, and develop new innovation and expansion grant opportunities to reduce the reserve amount.

Category	Title I or Title VI	Estimated Funds	Estimated Number to be Served	Average Cost of Services
MSD Title I Priority 1		\$18,650,000	23,201	\$803
MSD Title VI Priority 1		\$550,000	500	\$1,100
SD Priority 2		\$3,600,000	4,444	\$802
All Other Eligible Clients Title 1 Priority 3		\$1,200,000	1,482	\$809
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Totals		\$24,000,000	29,627	\$810

## Attachment 4.11(c)(1) State Goals and Priorities

The goals and priorities are based on the comprehensive statewide assessment, on requirements related to the performance standards and indicators, and on other information about the state agency. (See section 101(a)(15)(C) of the Act.) This attachment should be updated when there are material changes in the information that require the description to be amended.

- Identify if the goals and priorities were jointly developed and agreed to by the state VR agency and the State Rehabilitation Council, if the state has a council.
- Identify if the state VR agency and the State Rehabilitation Council, if the state has such a council, jointly reviewed the goals and priorities and jointly agreed to any revisions.
- Identify the goals and priorities in carrying out the vocational rehabilitation and supported employment programs.
- Ensure that the goals and priorities are based on an analysis of the following areas:
  - the most recent comprehensive statewide assessment, including any updates;
  - the performance of the state on standards and indicators; and
  - other available information on the operation and effectiveness of the VR program, including any reports received from the State Rehabilitation Council and findings and recommendations from monitoring activities conducted under section 107.

The 2013 NJDVRS State Plan has identified two goals originally developed in last year's plan that require additional time to achieve.

The goals and priorities were jointly developed and agreed to by the DVRS and the New Jersey SRC. These goals and priorities are based on an analysis of the following:

- The most recent comprehensive statewide assessment;
- The public forums held in April 2011;
- Findings and recommendations from the FY 2010 monitoring report on the vocational rehabilitation and independent living programs in the state of New Jersey.

Goal 1: By October 1, 2013, the DVRS will have resolved all the compliance findings and corrective actions stemming from the fiscal year 2010 monitoring report on the vocational rehabilitation and independent living programs in the state of New Jersey so that federal funding is not withheld.

Goal 2: **Accuracy of Data.** By June 1, 2012, data reported by the DVRS will be valid. The DVRS will develop a baseline to determine the validity of information given. The RSA final monitoring report identified the following:

*The insistence of the DSA four years ago to make the DVRS' newly purchased case management system compatible with the DLWD computer system has significantly limited its functionality and accessibility. As a result the ability to produce reliable reports has been compromised and the system is not compatible with AT software used by employees with vision loss. (The significant proposed changes to the RSA 911 report will further challenge the current system).*

### **Attachment 4.11(c)(3) Order of Selection**

- Identify the order to be followed in selecting eligible individuals to be provided vocational rehabilitation services.
- Identify the justification for the order.
- Identify the service and outcome goals.
- Identify the time within which these goals may be achieved for individuals in each priority category within the order.
- Describe how individuals with the most significant disabilities are selected for services before all other individuals with disabilities.

#### **Justification for order of selection**

The DVRS entered into an order of selection in 2001 but quickly recovered and was able to serve all categories within several months. Since that time the agency opted to remain in the order of selection in the event that the significant staff shortages imposed by the inability to hire new staff due to a statewide hiring freeze would impede the agency's ability to adequately serve clients.

While the DVRS has been able to hire some counselors and reestablish its management positions in FFY 2012, it has opted to remain in the order of selection in the event that the state imposes further hiring freezes.

The number of people in New Jersey with disabilities who are prevented from working or in danger of losing their jobs as a result of their impairment continues to increase. While the DVRS has the financial resources available to serve them there is a distinct possibility that further staff shortages caused by the state hiring freeze will seriously impede the DVRS from serving everyone who applies for services. Additionally, reauthorization language in the WIA mandates Title I funding specific to transition. If the law is authorized as proposed the resulting transition requirement would force the DVRS into an order of selection. As a result, the DVRS has determined that it is necessary to continue operating under an order of selection for the provision of vocational rehabilitation services under the Rehabilitation Act of 1973, as amended. With careful fiscal and case management, the agency has been able to provide services to every client found eligible for services through program year 2012.

#### **Description of Priority categories**

Significant delays in service began in June 2001, when it became necessary to begin using an order of selection (OS) waiting list for all priority categories and, subsequently, to serve only those individuals in priority category one, i.e. those most significantly disabled. This situation persisted until September 2001, when it became possible to move all status 04 cases still in need of service to an active status. The DVRS began Federal fiscal year 2002 cautiously with the use of status 04, and by November was able to serve all categories. The DVRS served all categories in FY 2003 through 2011 and is currently serving all categories in FY 2012. Continuation of the OS is considered to be crucial to this human resource and fiscal management system, but even



with diligent application of prudent and reasonable cost containment and intensive counselor recruitment measures, the DVRS may not be able to serve every new client meeting basic eligibility criteria in Program Year 2013. The DVRS may again have to limit serving new consumers according to the OS for services, but proportionately serve more in priority one.

The DVRS does not rely solely on a diagnosis as a determination of significant disability, but does consider every disability or combination of disabilities, as evaluated during the assessment, for determining eligibility and vocational rehabilitation needs. If the disability, or combination of disabilities, presents impairments that seriously limit at least one functional capacity (such as mobility, communication, self-care, self-direction, inter-personal skills, work tolerance, or work skills), in terms of an employment outcome, and if vocational rehabilitation can be expected to require multiple services over an extended period of time; the person will be considered to be significantly disabled.

### **Priority of categories to receive VR services under the order**

#### **Order of Selection Categories**

Priority 1: Clients classified as individuals with a most significant disability who meet the following criteria:

- Have a significant physical or mental impairment or combination of impairments which seriously limit two or more functional capacities in terms of employment outcome; and
- Require multiple vocational rehabilitation services over an extended period of time.

Program Year 2013 Service Goal: 23,701 (Combined Titles I & VI)

Outcome Goal: 3,200

Timeframe: October 1, 2012 - November 30, 2013

Average case life 26 months

Priority 2: Clients classified as individuals with a significant disability who meet the following criteria:

- Have a significant physical or mental impairment or combination of impairments which seriously limit at least one functional capacity in terms of employment outcome; and
- Require multiple vocational rehabilitation services over an extended period of time.

Program Year 2013

- Service Goal: 4,444
- Outcome Goal: 650

Timeframe: October 1, 2011 to March 31, 2013

Average case life 18 months

Priority 3: Clients classified as individuals with a disability who meet the following criteria:

- Have a physical or mental impairment or combination of impairments which limit at least one functional capacity in terms of employment outcome; and

- Require multiple vocational rehabilitation services over an extended period of time.

Program Year 2013

- Service Goal: 1,482
- Outcome Goal: 150

Timeframe: October 1, 2012 to September 30, 2013

Average case life 12 months

The Order of Selection shall not preclude:

- Diagnostic services necessary to establish a client's eligibility;
- Post-employment services; and
- Information and referral services.

The DVRS will first serve in the order of selection Priority 1 followed by Priority 2 then Priority 3.

**Service and outcome goals and the time within which the goals will be achieved**

Priority Category	Number of individuals to be served	Estimated number of individuals who will exit with employment after receiving services	Estimated number of individuals who will exit without employment after receiving services	Time within which goals are to be achieved	Cost of services
1	23,701	3,200	2,392	26 months	\$19,200,000
2	4,444	650	560	18 months	\$3,600,000
3	1,482	150	35	12 months	\$1,200,000

#### **Attachment 4.11(c)(4) Goals and Plans for Distribution of Title VI, Part B Funds**

Specify the state's goals and priorities with respect to the distribution of funds received under section 622 of the Act for the provision of supported employment services.

The goal of the DVRS is to create an effective, coordinated system of SE work opportunities throughout New Jersey to meet the needs of individuals with various disabilities. Of individuals with a SE outcome, the DVRS will increase the number of outcomes each year. Although the agency utilizes supported employment extensively, it disburses funds for the payment of services through a fee schedule based authorization process. That fee schedule ensures that the DVRS funds are spent on specific, designated services. In the fiscal year 2010 monitoring report, the RSA identified a compliance finding based on the current process. The DVRS resolved this finding by establishing a separate tracking mechanism that ensured separate reporting for those individuals with the most significant disabilities served under the SE program versus those served under the DVRS program.

Targeted disability groups include the following:

- Individuals with serious psychiatric illness;
- Individuals with developmental disabilities;
- Individuals who are Deaf or hard-of-hearing;
- Individuals on the autism spectrum; and
- Individuals with traumatic brain injury.

To achieve this goal, the DVRS did the following:

- Worked with the DSA fiscal and the Division of Information Technology (DIT) to ensure separate tracking was established to differentiate individuals served with Title VI funds;
- Offered SE training opportunities and strategies for staff members of providers;
- Provided technical assistance to the SE providers in regard to work flow, referrals and staffing; and
- Continued expanding the list of qualified providers, as appropriate.

For FFY 2011, the DVRS provided SE services to 5,332 individuals with the most significant disabilities. This is a combination of approximately \$576,017 Title VI-B funds and approximately \$1.7 million of Title I funds (federal/state) to augment the Title VI-B funds. The provision of these services, which include pre-placement, intensive job coaching and time-limited job coaching, is expected to remain the same for the coming program year. The Title VI B funding is used for only those with the most significant disabilities who require ongoing support services. Approximately 285 individuals were served via the Title VI-B funds. New Jersey will maintain the number of individuals served via Title VI part B funding during federal year 2013. The extended services known as *long-term follow-along* (LTFA) are only available to individuals with the most significant disabilities, whether they are Title I or Title VI.

The DVRS has organized the provision of SE through the use of community rehabilitation programs on a fee-for-service basis generally requiring up to 100 hours of intensive job coaching. The DVRS is currently reviewing the provision of SE services to determine that it is

being offered to those in the most need and that there is a true collaboration among the three parties; the client, the DVRS vocational rehabilitation counselor and the vendor.

In order to support the work that is being done in these cases, the agency has secured state funds to provide LTFA to ensure job retention during any changes related to disability or environment. One reality to consider is that the number of people in LTFA increases every year as individuals secure employment in competitive settings. It is projected that state funds will not be able to keep up with the need in the very near future.

#### **Attachment 4.11(d) State's Strategies**

This attachment should include required strategies and how the agency will use these strategies to achieve its goals and priorities, support innovation and expansion activities, and overcome any barriers to accessing the vocational rehabilitation and the supported employment programs. See sections 101(a)(15)(D) and (18)(B) of the Act and Section 427 of the General Education Provisions Act (GEPA.)

- Describe the methods to be used to expand and improve services to individuals with disabilities.
- Identify how a broad range of assistive technology services and assistive technology devices will be provided to individuals with disabilities at each stage of the rehabilitation process.
- Describe how assistive technology services and devices will be provided to individuals with disabilities on a statewide basis.
- Identify what outreach procedures will be used to identify and serve individuals with disabilities who are minorities, including those with the most significant disabilities.
- Identify what outreach procedures will be used to identify and serve individuals with disabilities who have been unserved or underserved by the VR program.
- Identify plans for establishing, developing, or improving community rehabilitation programs, if applicable.
- Describe strategies to improve the performance with respect to the evaluation standards and performance indicators.
- Describe strategies for assisting other components of the statewide workforce investment system in assisting individuals with disabilities.
- Describe how the agency's strategies will be used to:
  - achieve the goals and priorities identified in Attachment 4.11(c)(1);
  - support innovation and expansion activities; and
  - overcome identified barriers relating to equitable access to and participation of individuals with disabilities in the state Vocational Rehabilitation Services Program and the state Supported Employment Services Program.

**The methods to be used to expand and improve services to individuals with disabilities include the following:**

- Establish appropriate management teams in all local offices; this will provide oversight to the day-to-day services provided to the DVRS customers;
- Ensure that all counselors have the opportunity for continuing education as appropriate;
- Send information about the DVRS services to the Statewide Parent Advocacy Network, New Jersey's parent training information center to be included in all transition workshops throughout New Jersey;
- Partner with other state agencies (i.e. the DDD, the CBVI) to make sure the DVRS services information is distributed as warranted; and
- Analyze client data via dashboard approach for assessment purposes on a monthly basis.

The DVRS plans to post a Notice of Grant Opportunity (NGO) July 15, 2012 for its funding from the RSA for Technology. An appropriate vendor will be identified and a contract is projected to be in place by October 1, 2012.

**A broad range of assistive technology services and assistive technology devices will be provided to individuals with disabilities at each stage of the rehabilitation process using the following:**

- Information and demonstration;
- Community outreach;
- Equipment recycling; and
- Technical consultation.

**Assistive technology services and devices will be provided to individuals with disabilities on a statewide basis through a renewed and expanded contract with Advancing Opportunities using the following methods:**

- Allowing the DVRS clients to try out equipment before purchase to determine best match for their specific needs;
- Continuing a pilot program with local offices to focus on organization and project management strategies among professional staff;
- Training staff in the latest equipment and technology;
- Partnering with all One-Stop Career Centers to offer technical assistance on current equipment and future purchases to ensure accessibility for individuals with disabilities;
- Equipping each local DVRS office with a counselor tool kit for assistive listening devices to encourage people who are deaf, hard of hearing, late deafened, and cochlear implanted to utilize necessary aides; and
- Ensuring that the three regional centers for the Deaf house state-of-the-art technology demonstration areas.

**Outreach procedures that will be used to identify and serve individuals with disabilities who are minorities, including those with the most significant disabilities and individuals with disabilities who have been unserved or underserved by the VR program are as follows:**

- Offering universal access for all agency services and programs;
- Maintaining a level of cultural competence among staff;
- Offering all publications in Spanish;
- Placing bi-lingual counseling staff at local offices demonstrating the most need;
- Utilizing the AT & T language line when needed;
- Providing Deaf language specialists that cover all local offices;
- Partnering with community-based organizations, including faith-based entities, to facilitate communication with individuals who speak other languages; and
- Partnering with the NJDOE to include information about the DVRS in its Parents Rights In Special Education (PRISE) document that is published in 12 languages.

**Plans for establishing, developing, or improving community rehabilitation programs:**

Beginning in July 2010 the DLWD established an NGO process as a strategy to ensure transparency within LWD. An NGO was posted for vendors interested in providing LTFA services. As a result, 57 vendors were awarded funding to provide LTFA services. The NGO applications of the community rehabilitation programs are being used as an assessment tool by the DVRS; agencies falling into the bottom third of points earned have been notified and a central office program development specialist (PDS) is providing technical assistance to help them improve their services including meeting with them as needed. Likewise, an NGO for extended employment was posted in February 2011; the agency received 28 responses and used the rating of those applications to provide technical assistance to improve the 10 applications that placed last. The NGO for extended employment also encouraged applicants to become employment networks as a strategy to increase the effort to provide integrated community-based employment to individuals with significant disabilities. The DVRS will provide technical assistance to any CRP seeking help to accomplish this. As New Jersey moves toward implementation of becoming an *Employment First* state it will be critical to strategize and partner with extended employment programs to support the policy changes necessary for accomplishment.

**Strategies for assisting other components of the statewide workforce investment system in assisting individuals with disabilities:**

The DVRS is housed in the DLWD. In August 2010 the DLWD reorganized its structure to include the DVRS within the workforce development system. This provides a solid foundation to work with the state's workforce investment system. The DVRS is a core participant in the One-Stop Career Center system and maintains an active presence in the eighteen local WIBs as well as the State Employment and Training Commission (SETC), New Jersey's State WIB. The SETC sponsors a state disability issues committee that provides oversight to the Medicaid infrastructure grant (MIG) from the Department of Human Services. Local WIBs sponsor local disability issues committees and the DVRS local managers have a designated seat on them. Additional strategies include the following:

- Participation in all of the DLWD efforts to coordinate services to all customers;
- Participation with the DLWD Labor Planning and Analysis committees that identify 7 key industry sectors. They include:
  1. Transportation, Logistics and Distribution;
  2. Life Sciences (Pharmaceuticals, Biotechnology, Medical Devices);
  3. Technology/Entrepreneurship;
  4. Financial Services;
  5. Advanced Manufacturing;
  6. Health Care; and
  7. Hospitality.

The first four industries have been identified as priority industries for economic development efforts in New Jersey. These seven industries account for more than half of all private sector jobs in New Jersey and nearly two-thirds of all private sector wages paid in the state. The DVRS participation in these efforts will ensure the DLWD support for an inclusive, diverse workforce, including individuals with significant disabilities who qualify for Title VI funds.

Additionally, in October 2010 LWD secured grant funding from USDOL for a youth-centered Disability Employment Initiative. The DVRS is identified as the lead division to increase the capacity of pilot WIB areas to serve youth with disabilities (16 – 26), in particular youth offender populations and returning veteran youth. This funding also includes ability to promote universal design in One-Stop Career Centers throughout the entire state.

**Agency strategies used to achieve the goals and priorities resulting from 2010 RSA monitoring:**

Goal 1: By October 1, 2014, the DVRS will have resolved all the compliance findings and corrective actions stemming from the Fiscal Year 2010 monitoring report on the Vocational Rehabilitation and Independent Living Programs in the State of New Jersey so that Federal funding is not withheld.

Proposed timeline to achieve Goal:

By July 1, 2011	Program compliance finding #1 will be resolved: the DVRS must cease expending Title I VR funds for unallowable activities. (in progress)
By September 1, 2012	Program compliance finding #2 will be resolved: the DVRS must take steps necessary to ensure the Governor appoints representatives to fill the SRC vacancies. (on target)
By January 1, 2012  By July 1, 2012	Program compliance finding #3 will be resolved: the DVRS must issue a program directive to ensure that all staff members are familiar with the requirements of clear and convincing evidence through the use of trial work experiences (TWE) required supporting a decision that an individual is unable to benefit from the DVRS services. (on target) Case review will be conducted on all cases closed due to "disability too significant to benefit from the DVRS services."
By September 30, 2011	Fiscal compliance finding #1 will be resolved: Improper consolidation of Title I and VI-B Funds. (complete)
By June 25, 2011  By October 1, 2011	The DVRS will meet with the DMHAS to discuss how to proceed with an MOU that will resolve compliance finding.  An MOU will be in place to resolve fiscal compliance finding #2: the DVRS must revise the contract with the DMHAS that authorizes and implements the third-party cooperative arrangement between the DVRS & the DMHAS to operate the Supported Employment Program to correct deficiencies. (MOU complete; RSA technical assistance determined other issues that must be included to resolve compliance findings)
By September 30, 2011	Steps describing strategies the DVRS will implement to ensure timeliness of financial and statistical reports will be completed.
By November 30, 2011	Fiscal compliance finding #3 will be resolved: Submission of Required Reports. All missing SF-269s, including final reports, will



	be submitted. (in progress)
By July1, 2011	Fiscal compliance finding #4 will be resolved: Unallowable VR expenditures. The DVRS will cease to fund Disability Program Navigator positions within workforce. (complete)
By July 1, 2013	Fiscal compliance finding #5 will be resolved: Performance of the DVRS's Non-Delegable Functions. (in progress)
By October 1, 2012 By April 1, 2012	The DVRS will implement internal controls sufficient to ensure the validity of expenditures under the IL-B as required. (in progress) IL fiscal finding #1 will be resolved: policies will be developed and implemented to ensure proper internal controls, fiscal management, and monitoring of subgrantees – IL Part B Programs. (in progress)
By September 30, 2012 By October 1, 2012	The DVRS will cease all payments to the MOCEAN CIL that are being paid without any agreement, budget, or scope of work. (in progress) IL fiscal compliance finding #2 will be resolved: Fiscal Management of the SILC Expenses and Payment of Allowable Costs.

**Goal 2: Accuracy of Data.** By October 1, 2014, data reported by the DVRS will be valid. The DVRS will develop a baseline to determine the validity of information given.

Proposed timeline to achieve goal:

By July 1, 2012	Business plan will be developed for system upgrade
By August 15, 2012	Business plan will be vetted by the NJ Office of Information Technology
By September 15, 2012	Gap analysis will commence by vendor to determine scope of project
By November 1, 2012	Scope of project mapped out
By January 1, 2013	Upgrade will begin
By August 31, 2014	Upgrade will be complete

Strategies to support Innovation and Expansion (I&E) activities include the following:

- Continue a second year of the awards that were given to the following seven agencies:
  - Hudson Community Enterprises – Latino Outreach;
  - Advancing Opportunities – AT assistance to local DVRS offices;
  - Hireability – Customized employment assistance to urban/rural DVRS clients;
  - Jewish Vocational Services – Vocational assistance to the DVRS clients of minority status who have autism spectrum disorders;
  - Rutgers – Online courses specific to the DVRS clients;
  - America Works – Employment support to the DVRS clients residing in Newark; and
  - Goodwill Industries North – Customized essential lifestyle planning for employment to the DVRS clients residing in urban areas.

These I&E activities finished the ARRA funding for the DVRS by September 30, 2011. The grants were funded an additional year (2012) using Title I funding. One grant, America Works, has achieved well beyond its initial proposal and has been increased significantly for 2012.

**Strategies to overcome identified barriers relating to equitable access to and participation of individuals with disabilities in the state Vocational Rehabilitation Services Program and the state Supported Employment Services Program include the following:**

- Assigning a PDS to work with the extended employment transportation to identify possible methods that are more equitable and predictable in the administration of the program for consumers and the transportation operators;
- Monitoring rising transit fares and gas prices;
- Providing technical assistance to CRPs on economy measures with transportation;
- Standardizing vendor reporting forms;
- Monitoring required vendor accreditation and staff development;
- Assigning a PDS to meet with the APSE board;
- Continuing the liaison meetings with ACCSES-NJ;
- Outreaching to the DDD to provide employment services to individuals affected by deinstitutionalization; and
- Participating as a core member to implement the *Employment First* initiative in the state.

The DVRS offers long-term supports to CRPs to ensure that almost 3,200 individuals with disabilities can maintain their jobs in a variety of settings. In FFY 2011, the agency offered LTFA contracts through a notice of grant opportunity (NGO). A total of 57 CRPs qualified and received funding to provide this service. The funding for EE transportation, EE, and LTFA are strictly grants-in-aid from the state budget. Federal funds cannot be used to support these initiatives. The state increased funds to these programs in FY 2012.

The DVRS maintains an ongoing application process to invite new vendors and to encourage established vendors to expand their services in supported employment. The DVRS actively monitors programs throughout the state and offers CRPs technical assistance to encourage new program areas; the DVRS also encourages its vendors to become employment networks and supports applications for grants from foundations and other funding sources.

## Attachment 4.11(e)(2) Evaluation and Reports of Progress

### Vocational Rehabilitation (VR) and Supported Employment (SE) Goals

1. Clearly identify all VR program goals consistent with the goals described in the FY 2011 Attachment 4.11(c)(1), including an evaluation of the extent to which the VR program goals were achieved.

- Identify the strategies that contributed to the achievement of the goals.
- Provide a description of the factors that impeded the achievement of the goals and priorities.

The New Jersey Division of Vocational Rehabilitation Services (DVRS) goals and priorities of FY 2011 and the progress toward their achievement, as follows:

**Goal 1: Accuracy of Data.** Goal 1: By October 31, 2012, data reported by the DVRS will be valid. The DVRS will develop a baseline to determine the validity of information given.

The DVRS assessed its current structure and determined that the only way to ensure accuracy of data is to upgrade the entire system. To that end, the DVRS has worked with the DIT and procurement along with the original vendor to move toward a complete upgrade. The timeframe for completion is approximately 12 – 15 months and the DVRS is hopeful that this process will start by the end of August 2012. The data system in its current framework is incapable of providing accurate data. This goal will be extended through FFY 2013 and report on the upgrade will be included in FFY 2014 state plan.

**Goal 2: Performance Indicator 1.1.** The number of individuals exiting the VR program who achieved an employment outcome during the 2011-2012 federal year will increase compared to the number of individuals who exit the VR program after achieving an employment outcome during 2010-2011 performance period.

The DVRS met goal 2 for FFY 2011. Dashboards continue to track client employment outcomes on a monthly basis.

**Goal 3: Performance Indicator 1.5.** The average hourly earnings of all individuals who exit the program in competitive, self, or blind enterprise program (BEP) employment during the 2011-2012 federal year will increase compared to the average hourly earnings of all individuals who exit the program in competitive, self-, or BEP employment during the 2010-2011 performance period.

The DVRS did not meet this goal. The DVRS' emphasis is on the achievement of employment outcomes that are integrated and competitive. To that end, the agency supports the Governor's Executive Order declaring New Jersey an *Employment First* state. In reality, while the goal of increasing educational and training opportunities leading to highly paid employment is a goal of

the highest priority and indisputable, it ignores labor market realities. The main reason the DVRS does not meet this indicator is that New Jersey's average wage is one of the highest in the nation, in a way that is unique to New Jersey. Many highly paid and wealthy residents of NJ earn their wages out of state (in NYC and Philadelphia) so the wage base in NJ, is actually lower than statistics would indicate. Consequently, the DVRS is being held to a higher standard based solely on a superficial statistical analysis. Like many Americans, people with disabilities in NJ are subject to the widening gap between minimum wage type jobs and higher paid ones. Currently the DVRS provides college support to over 3,000 clients ranging from four year institutions to vocational school. Clients are encouraged to pursue career opportunities and to maximize their earning potential. In New Jersey, the beginning wage earned by clients with successful employment outcomes was \$378 per week.

The DVRS embraced the President's emphasis on federal hiring of persons with disabilities. For the second year, a specific "Schedule A" hiring event took place in southern New Jersey. The DVRS plans to expand this activity to northern New Jersey in the spring of 2013.

**Goal 4:** By October 1, 2014, the DVRS will have resolved all the compliance findings and corrective actions stemming from the Fiscal Year 2010 monitoring report on the Vocational Rehabilitation and Independent Living Programs in the State of New Jersey so that Federal funding is not withheld.

The DVRS has made good progress with this multi-year goal. To date, the RSA has provided technical assistance to the DVRS to ensure all findings meet the RSA standards for resolution.

2. Identify all supported employment program goals consistent with the goals described in Attachment 4.11(c)(4), including an evaluation of the extent to which the supported employment program goals were achieved.
  - Identify the strategies that contributed to the achievement of the goals.
  - Provide a description of the factors that impeded the achievement of the goals and priorities.

The goal of the DVRS is to create an effective, coordinated system of SE work opportunities throughout New Jersey to meet the needs of individuals with various disabilities. Of individuals with a SE outcome, the DVRS will increase the number of outcomes each year. Targeted disability groups include the following:

- Individuals with serious psychiatric illness;
- Individuals with developmental disabilities;
- Individuals who are Deaf or hard-of-hearing;
- Individuals on the autism spectrum; and
- Individuals with traumatic brain injury.

To achieve this goal, the DVRS did the following:

- Worked with the DSA fiscal and the Division of Information Technology (DIT) to ensure separate tracking was established to differentiate individuals served with Title VI funds;
- Offered SE training opportunities and strategies for staff members of providers;
- Provided technical assistance to the SE providers in regard to work flow, referrals and staffing; and
- Continued expanding the list of qualified providers, as appropriate.

3. Provide an Assessment of the performance of the VR program on the standards and indicators for FY 2011.

#### Federal Program Evaluation Standards and Performance Indicators

##### Evaluation Standard 1: Employment Outcomes

##### **Indicator 1.1:** Difference in the Number of Individuals with Employment Outcomes

Number of Employment Outcomes for FY 2010: 3,926

Number of Employment Outcomes for FY 2011: 3,930

Increased by 9 Employment Outcomes

##### Indicator 1.1

Number of employment outcomes for FY 2010 was 3,926 and in FY 2011 3,935. The DVRS passed this indicator for 2011.

##### **Indicator 1.2:** Percentage of Individuals Receiving Services Who Had Employment Outcomes (required performance level is 55.8 percent)

Number with Employment Outcomes: 3,935

Number Who Received Services: 7,310

The DVRS did not meet this standard at 53.9 percent

##### **Explanation for not meeting RSA standard:**

The DVRS was able to expand its counseling staff in 2011. In doing so it was necessary to cull all the caseloads that were unassigned and actively close cases, including individuals who had received services from the DVRS.

##### **Plan for Improvement:**

The DVRS will assign a counselor to look at closed cases where services were provided to make sure that they were closed properly.

##### **Indicator 1.3:** Percentage of Individuals with Employment Outcomes Who Were Competitively Employed with Earnings Equivalent to At Least the Minimum Wage of \$7.15 (required performance level is 72.6 percent)

Number with Employment Outcomes: 3,935

Number of Competitive Employment Outcomes: 3,935

The DVRS reports a 100 percent competitive employment rate and met exceeded this standard.

**Indicator 1.4:** Percentage of Individuals with Competitive Employment Outcomes Who Had Significant Disabilities (required performance is 62.4 percent)

Number with Competitive Employment Outcomes: 3,935

Number of Competitive Employment Outcomes for Individuals with Significant Disabilities: 3,814

The DVRS served 96.93 percent and exceeded this standard.

**Indicator 1.5:** Ratio of Average VR Hourly Wage to Average State Hourly Wage (required performance is 0.52)

Average Hourly Wage for Individuals with Competitive Employment Outcomes: \$12.09

Average Hourly Wage for State: \$25.92

The DVRS did not pass standard at 0.47 (based on a 40 hour work week)

**Explanation for not meeting RSA standard:**

The DVRS joins many of its counterparts in the Northeast section of the Nation in failing this measure based upon the high income of the state's residents. New Jersey's proximity to New York City, the financial capital of the world and its position in the middle of the northeast corridor between Boston and Washington make it a prime residential choice for many high earners. NJ has reported to be among the top five highest per capital income states in the nation, which raises the bar in a significant way when the program is measured against the other states.

**Plan for Improvement:**

The average hourly wage of those individuals achieving a successful outcome was \$378 per week. While those earnings are significantly over the national minimum wage the agency has directed the counseling staff to strive for employment opportunities that have longevity and a career ladder. Prior to the state's fiscal woes the DVRS had joined forces with the CSC to introduce individuals with disabilities to the prospects of careers in the public sector. It is felt that this has been an opportunity that has been overlooked as a viable career choice and the agency is working with the state's hiring authorities and affirmative action officers to encourage greater participation in this area. The agency is also encouraging employment by the federal government and has stepped up their training on the various hiring initiatives for people with disabilities such as the *Schedule A* hiring program and the recent Social Security opportunities.

**Indicator 1.6:** Difference in Percentage of Individuals Achieving Competitive Employment Who Report Own Income as Primary Source of Support at Closure and Application (required performance is 53.0 percent)

Competitive employment Outcomes: 3,935

Primary Support as Own Income at Application – 743

Percent Self-Support at application: 18.88 percent

Primary Support as Own Income at Closure: 3,623

The DVRS exceeded standard at 71.19 percent

Evaluation Standard 2: Equal Access to Services

**Indicator 2.1:** Ratio of Minority to Non-Minority Service Rate (required performance is .80)

Non-Minorities Exiting the DVRS Program: 6,452

Non-Minorities Who Received Services: 3,878

Non-Minority Service rate: 60.11 percent

Minorities Exiting the DVRS Program: 6,249

Minorities Who Received Services: 3,515

Minority Service Rate: 56.25 percent

The DVRS exceeded standard at .94

4. Provide a report on how the funds reserved for I&E activities were utilized in FY 2012.

I&E funds were provided via an NGO to the following seven CRPs:

1. Hudson Community Enterprises – Latino Outreach. HCE will outreach to this community to facilitate 75 individuals with disabilities to become the DVRS clients.
2. Advancing Opportunities – AT assistance to local DVRS offices. Advancing Opportunities will identify 7 of the DVRS local offices and will provide technical assistance and support in providing state of the art information about assistive technology devices to counselors who will then be able to help the DVRS clients make appropriate assistive technology choices. Technology device demonstrations are planned for all local offices, and invitations to local area One-Stop Career Center providers will be made to encourage participation of workforce as well.
3. HireAbility – Customized employment and career assistance to urban/rural DVRS clients. HireAbility will provide intense outreach and employment services to the DVRS clients who are typically underserved in the urban and rural areas of southern New Jersey.
4. Jewish Vocational Services – Vocational assistance to the DVRS clients of minority status who have autism spectrum disorders. JVS will work with urban minority DVRS clients who have Autism spectrum disorders and provide autism specific vocational assessments/evaluations, and job placement support.
5. Rutgers – Online courses specific to the DVRS clients. Rutgers has partnered with a CRP to provide courses regarding career specific information to the DVRS clients who want to take classes online. The CRP will provide job placement support to them once the courses are completed.
6. America Works – Employment support to the DVRS clients residing in Newark. America Works will utilize a milestone payment approach to provide job placement

services for the DVRS clients residing in our most urban settings of Newark, Jersey City, and Elizabeth.

7. Goodwill Industries North – Customized essential lifestyle planning for employment to the DVRS clients residing in urban areas. Goodwill seeks to provide a person centered planning approach that identifies an *Employment First* philosophy for the DVRS clients.

Funding will continue to be used for the SRC and the SILC activities for FY 2013.



### **Attachment 6.3 Quality, Scope, and Extent of Supported Employment Services**

- Describe quality, scope, and extent of supported employment services to be provided to individuals with the most significant disabilities
- Describe the timing of the transition to extended services

Supported employment means competitive work in integrated work settings in which individuals are working and earning the minimum wage. Individuals with the most significant disabilities can benefit from these services when:

- Competitive employment has not traditionally occurred;
- Competitive employment has been interrupted or intermittent as a result of a significant disability; and
- As a result of the nature and severity of their disability need intensive supported employment services in order to perform such work.

In New Jersey, the DVRS has consistently encouraged the development of programs that meet the needs of a wide variety of individuals with the most significant disabilities based on either geographic and/or disability driven needs. The programs have emerged as a part of the services of a traditional community rehabilitation program or have been developed as a part of a provider of services to people with disabilities who were not known as a traditional facility-based program. In recent years, the DVRS switched from contract-based services to a fee-for-service model, which has not only enhanced the ability for vendors to expand, it offers the DVRS counselor a wider range of choices to present to clients. All of the vendors are required to follow the same criteria in their service delivery:

- Referral;
- Assessment;
- Job development;
- Job Placement;
- Intensive coaching; and
- Follow-along.

Supported employment has proven to be a valuable service and has opened doors to individuals with disabilities who would never have expected to work in a competitive setting. The DVRS has made a commitment to its constituency by supporting the concept of LTFA through the use of state funds. It is estimated that the DVRS, through its provision of LTFA, is helping to maintain 3,118 individuals with disabilities on the job. This does not only have a significant social impact on their lives, but it demonstrates that people with disabilities can be contributors to their community. The DVRS provides extensive on-the-job services or job coaching for individuals for up to 18 months but evaluates each case and the person's need on an individual basis. In the pre-IPE meeting that includes the counselor, the CRP vendor and the client, a determination is made whether extended services will be required. As the case progresses the counselor makes sure that the CRP vendor will be available to provide long-term follow-along services.

Supported employment activities in New Jersey have also facilitated a deepening of the relationship of the DVRS to other agencies, such as the DDD and the Division of Mental Health and Addiction Services (DMHAS).

### **DDD**

At the time intensive job coaching is initiated, the funding for LTFA should be discussed and known to all parties. The DVRS and the DDD staff members collaborate to determine the most appropriate situation for each individual. In the event that the individual has a significant intellectual disability and will require a lifetime of services from the agency serving those with developmental disabilities, the LTFA will be designated to that agency.

### **DMHAS**

For many years, the DVRS and the Division of Mental Health and Addiction Services have agreed that those individuals with significant psychiatric disabilities face unique issues of adjustment following a history of psychiatric hospitalization. Very often this requires a more intensive and prolonged experience so it was determined that the two agencies would combine resources to fund 22 county-based supported employment programs on a contractual basis. These programs are typically connected to the community mental health programs and offer specific therapeutic modalities in addition to work experience. (Note: The DVRS will revise the contract with the DMHAS that authorizes and implements the third-party cooperative arrangement between the DVRS and the DMHAS to operate the SE program to correct deficiencies as indicated in RSA 2010 monitoring report finding.)

The DVRS recognizes that the census of those needing LTFA will grow incrementally as those consumers achieve employment. With that reality in mind and the shortage of state funds, the DVRS has organized several efforts to remedy the situation. These include:

- The establishment of an internal task force consisting of the DVRS counselors and unit supervisors to study the provision of LTFA;
- Steps to ensure that the state-funded program will be monitored to provide the most effective services to this cohort;
- An examination of cases that may have evolved toward independence and are no longer in need of the service: and
- The creation of a consortium consisting of the elected boards of ACCSES-NJ and The Association of Persons in Supported Employment (APSE-NJ) and representatives from the SRC and the DVRS administrative and program staff.

### **OMB Notice**

According to the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number. The valid OMB control number of this information collection is 1820-0500. The time required to complete this information collection is estimated to average 25 hours per response, including the time to review instructions, search existing data sources, gather the data needed, and complete and review the information collection. If you have any comments concerning the accuracy of the

time estimate or suggestions for improving this form, please write to: U.S. Department of Education, Washington, D.C. 20202-4537. If you have any comments or concerns regarding the status of your individual submission of this form, write directly to: Carol Dobak, Chief of the Vocational Rehabilitation Program Unit, Rehabilitation Services Administration, U.S. Department of Education, 400 Maryland Avenue S.W., PCP, Room 5014, Washington, D.C. 20202.