



**National Council on Rehabilitation Education**

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**Position Paper on Reauthorization of the Rehabilitation Act**

**GUIDING THEME** *No person left behind...* builds economic security and civil rights for every American, particularly those who have traditionally not received these as part of their inalienable rights as citizens— individuals with significant disabilities.

**ORGANIZATIONAL BACKGROUND** The National Council on Rehabilitation Education (NCRE) is an organization composed of educators, researchers, and human resource development specialists who are dedicated to quality education and training for all rehabilitation personnel. NCRE represents nearly 100 colleges and universities. The fundamental purpose of the work of the members of NCRE is to prepare qualified vocational rehabilitation professionals who are proficient in assisting individuals with disabilities in obtaining meaningful jobs in competitive employment consistent with their interests and abilities.

## **INTRODUCTION**

In today's economic climate and concern about the civil rights of others in the world, our work in rehabilitation and independent living is even more critical than it has been at any other point in our history. We have a large group of Americans who are consistently denied basic elements of life, liberty and the pursuit of happiness. It is essential that we practice our patriotic principles at home as well as abroad. To this end, we recommend that the current administration consider enhancing the current work being legislated by the Reauthorization of the Rehabilitation Act.

It is our intention, within this document, to supplement the work being done by our partnering organizations and agencies. The membership of NCRE has a specific niche in the broader world of rehabilitation and, we believe, an important one. We are concerned with the quality of personnel, from a pre-service and in-service perspective, as well as the research that can inform the field, improving practice and employment outcomes.

## **QUALIFIED VR PERSONNEL**

The membership of NCRE believes every American should have the opportunity to participate fully in society and engage in productive and competitive work. From its beginning in 1920, the vocational rehabilitation program in the United States has been a model of America's guaranteeing this opportunity. Congress' wisdom in investing in this program is verified by the fact that the program has not only survived but has experienced continued growth over this last 82 years. From its initial exclusive focus on

veterans, to its current priority on serving individuals who have the most significant disabilities, the vocational rehabilitation program has proven itself to be a cost-effective system that prepares people with disabilities for work and independence in the mainstream of society. During the majority of the program's history, the bipartisan efforts of Congress have shrewdly augmented this investment by actively supporting the training and education of all rehabilitation personnel. This training support insures that quality vocational rehabilitation services can be delivered to the Americans with disabilities in the most effective and efficient way by ensuring that the deliverers of those services are qualified professionals.

The role and functions of rehabilitation counselors have changed over the last decade. There has been a significant growth and refinement of legislation influencing all individuals with disabilities since 1990. These legislative mandates have influenced community access, movement from tax-supported dependency payments to becoming a taxpayer, employment, housing, education, technology and transportation. They offer new hope and exciting opportunities for people with disabilities, and they also require qualified professionals to work in partnership with individuals with disabilities and various government and non-government organizations. As a result, there is an escalating and severe need for knowledgeable, competent and legislatively mandated qualified rehabilitation personnel.

The Rehabilitation Act Amendments of 1992 and 1998, designed to act in concert with ADA and link the vocational rehabilitation program to the state's workforce investment system, refocuses the state-federal rehabilitation program to its historical roots of career development and job placement. Section 21 of the Rehabilitation Act Amendments intends to improve services to minorities by increasing the number of rehabilitation counselors from minority backgrounds and improving service to people of color by expanding their understanding of cultural diversity. The President's "New Freedom Initiatives" sets forth specific strategies to facilitate the full integration of Americans with disabilities into our society and the workplace – continuing to make our work to educate rehabilitation counselors essential.

We have redefined disability as a part of the natural state of the human condition. No longer does the problem rest on the person; it is now an issue for society, a society that has limited opportunities for employment, for living life fully. The result is a change in expectations on the part of people with disabilities, one that includes the expectation that they have access to services provided by qualified rehabilitation counselors. Individuals with disabilities have demanded that their exercise of informed choice be expanded, thus providing increased individual responsibility for directing their lives. We support meeting these challenges by proposing to increase the number of qualified rehabilitation counselors from minority and disability backgrounds through innovative outreach activities and financial support.

Rehabilitation professionals are trained to view employment as the primary goal of the vocational rehabilitation process. Research (Szymanski & Danek, 1992) funded by the National Institute on Disability and Rehabilitation Research (NIDRR) substantiated what rehabilitation educators knew intuitively: that better trained, master's level, rehabilitation counselors provide higher-level, more cost-efficient job placement services for people with disabilities than do workers without such training. Rehabilitation Services Administration (RSA) has reported to Congress that every \$1.00 spent on rehabilitation services to return an individual with a disability to work generates \$18.00 in tax

payments to the government. The state-federal vocational rehabilitation programs are highly effective as reported in recent longitudinal studies conducted by RSA (Research Triangle Institute, 1996). These studies have found that consumers of the state-federal vocational rehabilitation:

- believed that their counselor consistently demonstrated sufficient interest and concern for their needs (70%), and reported the counselor was always willing to listen to their ideas and suggestions (75%).
- believed they had enough choice in the selection of their vocational goal (three-fourths), and were satisfied with their vocational goal (76%).
- believed that their counselor consistently demonstrated sufficient interest and concern for their needs (70%), and reported the counselor was always willing to listen to their ideas and suggestions (75%).
- reported that their services had helped them get a job (61% of those consumers who had left VR at the time of the interview), and that they obtained the type of job they wanted as a result of VR services (63% of consumers employed following VR services).

One can hardly help but be impressed by an investment that creates that rate of return. In short, the trained rehabilitation professional produces better services for the individual with a disability at a lower cost to the American taxpayer who funds those services.

The “Comprehensive System of Personnel Development” (CSPD; 1992, 1998), as defined within and provided by regulations of The Rehabilitation Act, requires state vocational rehabilitation agencies and their community partners to employ qualified personnel in as well as educationally upgrade current staff. However, no additional appropriations over the past eleven years have supported this increased demand on rehabilitation counselor education programs to ensure an adequate supply of qualified rehabilitation professionals has not occurred. Additional funding is needed to produce an adequate pool of graduates of rehabilitation education programs who can actively serve people with disabilities who want to enter the job market. More graduates are needed who are academically prepared to evaluate, counsel, and cooperatively plan rehabilitation services with people with disabilities who want to be employed and live more independently.

Let me note again the importance of using trained rehabilitation professionals as reemphasized in the 1992 Reauthorization of the Rehabilitation Act and its Amendments of 1998. This legislation stipulated that states must use “qualified” rehabilitation personnel to provide vocational services. This reemphasis affects rehabilitation education and training programs as well as the people who are served by graduates of those programs. Federal funds historically have augmented state and local resources to support pre-service, in-service and continuing education for rehabilitation personnel in an array of professional specializations that include but are not limited to, graduate-level rehabilitation counseling, job placement, vocational evaluation and work adjustment, independent living training, technology, and undergraduate rehabilitation services.

Another major concern is the fact that the annual average turnover rate of rehabilitation professionals in state vocational rehabilitation agencies approximates 16%. This is further complicated by the expectation that these agencies’ retirement rates for counselors over the next five years are anticipated, in most cases, to exceed 50%. New personnel will be needed in increasing numbers to replace the large number of retiring

counselors who entered the vocational rehabilitation workforce at the time that training support was initiated in the 1950s.

An additional challenge in the training of qualified rehabilitation personnel is the emphasis that RSA and rehabilitation education programs are placing on attracting students from traditionally under-represented populations. African Americans, Hispanic Americans, Native Americans and people with disabilities also are all being targeted for recruitment into the rehabilitation professions. There also has been a rapid development of Native American tribal rehabilitation programs that have grown from 16 programs in the mid-1990s to 67 programs today. These programs also require qualified personnel and represent additional challenges to staff programs on reservations. The needs of the Centers for Independent Living represent additional staff create further demand for non-traditional personnel to be trained. Vocational rehabilitation agencies are serving increasingly diverse populations, and it is critical that rehabilitation professionals reflect that diversity. Stipend and tuition-support serve as extraordinarily effective tools to enhance recruitment of members of these under-represented groups. As an additional impediment to meeting this need, it should be noted that the average RSA training grants to universities has stayed at approximately the same level. At the same time, college tuition rates have at least doubled since 1993, and are likely to be further increased due to the effects of the current economic recession on state university budgets. University programs are facing an additional challenge in attracting and retaining these students as they experience major tuition increases. These tuition increases appear to have a differentially negative impact on the ability of non-traditional, diverse populations to enroll in and successfully complete rehabilitation education programs.

Individuals with disabilities also deserve to receive high quality service. Their access to professional, qualified rehabilitation counselors and other rehabilitation service delivery personnel is a consumer right established under the Rehabilitation Act. The training program is designed to train well-prepared, highly qualified professionals to deliver a wide range of services including rehabilitation counseling, job placement, and rehabilitation technology. Sufficient appropriations for rehabilitation counselor education to meet this consumer right are a critical consumer advocacy issue. The current funding level is not sufficient to meet personnel needs as a result of four major trends:

- (a) need to upgrade existing staff to meet legislatively mandated requirements to provide service by qualified professionals;
- (b) the current yearly need for master's level professionals created by natural attrition,
- (c) the need to upgrade current staff as is mandated in the legislation, and
- (d) the added demand for qualified rehabilitation professionals created to assist in the ongoing legislative employment initiatives and special education mandates.

***Recommendations:***

1. *Continue the practice of increasing expectations for preparation of personnel working in the systems, in all areas, in all programs. The issues are complex and the need for well-trained personnel who have maintained a level of professional continuing education is essential to ensure that we adhere to the values of our profession and meet the needs of individuals with disabilities who find themselves at a disadvantage in an employment market based on principles of capitalism.*

2. *\$46 million will be needed in FY 2002 to allow rehabilitation education and training to fulfill President Bush's 2001 "New Freedom Initiative" and the legislative promises we made to those Americans with disabilities who want to be among the employed of this country. NCRE is well aware of the challenge that Congress is under to control government costs. Still we are recommending an increase to \$46 million yearly in the allocation for rehabilitation education and training. We do this because we believe that such funding is needed to insure that American citizens with disabilities have the opportunity to participate fully in society and engage in productive work. We also do this with confidence because we are convinced that an investment in increasing the number of qualified vocational rehabilitation professionals is the most cost-effective means of providing the highest quality services in the most fiscally responsible manner possible. Investment in rehabilitation education and training is an investment that Americans can afford to make.*

*During the period from FY 1993 through FY 2002 federal dollars appropriated under the Rehabilitation Act Amendments for all aspects of rehabilitation training for qualified personnel has remained at \$39,629,000. During this time period there has been zero percent increase in appropriations for rehabilitation training. There are virtually no funds in the other legislative programs for preparation of new or training of current qualified rehabilitation personnel. Just to remain abreast of the funding for the Rehabilitation Act, the appropriations for rehabilitation training should be \$53,500,000 or an increase of \$13,871,000. There is a need for an additional \$10,871,000 to just bring the program into parity with the entire legislative mandate. We recommend that the provisions for training and development of personnel be maintained in the legislation and the scope of practice enhanced both programmatically and fiscally.*

With regards to Sec. 21. (a) Findings, which states:

With respect to the programs authorized in titles II through VII, the Congress finds as follows:

(1) Racial profile

The racial profile of America is rapidly changing. While the rate of increase for white Americans is 3.2 percent, the rate of increase for racial and ethnic minorities is much higher: 38.6 percent for Latinos, 14.6 percent for African-Americans, and 40.1 percent for Asian-Americans and other ethnic groups. By the year 2000, the Nation will have 260,000,000 people, one of every three of whom will be either African-American, Latino, or Asian-American.

(4) Recruitment

Recruitment efforts within vocational rehabilitation at the level of preservice training, continuing education, and in-service training must focus on bringing larger numbers of minorities into the profession in order to provide appropriate practitioner knowledge, role models, and sufficient manpower to address the clearly changing demography of vocational rehabilitation.

**Recommendation:**

4. *Continue to fund creative and outcome-based outreach programs to enhance the capability of vocational rehabilitation systems to employ qualified rehabilitation counselors who have a disability or are from minority backgrounds. It is essential that our systems reflect the diversity of our nation. It is also important to understand that race, gender and disability status do not in themselves insure competency in rehabilitation. The issue of qualified personnel remains the same for anyone from any background.*

**INFORMED CHOICE**

As provided by the Institute on Rehabilitation Issues, (1995) "Informed choice is the outcome of a process that occurs within a partnership where the partners identify and explore together the various options at each decision point in the consumer's rehabilitation, where the positive and negative implications from the consumer's perspective are identified, and where the counselor provides support as needed for the consumer to make the informed choices that will result in a meaningful career outcome."

Rehabilitation counselors are operating in an environment of diminishing resources, time constraints, increasingly complex disability-related issues, and a shift in expectation that client choice is the center of all decision-making activity. Some are finding it difficult to balance client choice with the expectations of successful rehabilitation outcomes. We also have evidence from advocacy groups that people with disabilities do not perceive they are provided adequate information and choice in the vocational rehabilitation process. This impacts not only the rights of individuals with disabilities but the outcomes in the system.

Longitudinal research conducted by the Rehabilitation Services Administration (RSA) during the years of 1995 to 2000 tracked the progress of 8500 nationally representative applicants and current and former consumers of VR services. The extensive study investigated many factors that directly or indirectly affected VR service utilization and outcomes that covered four broad categories: Applicants/Consumers, Organizational Culture and Resources, Local Economic Conditions and Population Characteristics and Services and Service Costs. The study component examining Applicant/Consumer variables indicated that 21 percent of the nationally representative population exited VR services without a successful employment outcome. In addition, persons that were eligible for VR services, but dropped out prior to service initiation, represented around 12 percent of the VR population nationally. This would indicate that 33% of those individuals that are deemed eligible for services did not benefit from them. Therefore, what factors are serving as deterrents in this population's effective utilization of VR services? And how can we create a system that is even more effective and responsive?

**Recommendation:**

*We support and value the concept of informed choice and ensuring that barriers to not exist to assisting individuals with disabilities in achieving their goals. We also know that:*

- *A person's fears and sense of comfort with current habits and surroundings create strong ambivalent feelings about change, and ambivalence must be fully addressed and truly resolved in order to achieve long-term success.*
- *The willingness of a person to open up and express concerns, hesitations, fears, frustrations, anger, and feelings of loss, is likely to be increased by a positive, friendly, collaborative relationship and to be decreased by an evaluative, hierarchical, or coercive relationship. So is their willingness to pursue services with specific service providers.*
- *Individuals are free to make their own choices and we shouldn't get too obsessed with the idea that we are "letting" consumers do things we believe are not in their best interests. Allowing individuals to pursue their own means of change increases the likelihood of long-term success, even if individuals choose goals or means that do not lead to immediate success.*
- *While rehabilitation philosophy supports informed consent it can be a challenge to fulfill. The determination of when a client is legally or ethically competent to provide informed consent is of critical consideration.*

*We recommend that research and training dollars be applied to further the understanding and expertise of rehabilitation professionals at all levels as well as individuals with disabilities. The intent is to further our learning of how to facilitate a system that is motivational in nature and cognizant of the potential pitfalls of a system where there are inherent power differentials.*

## **WIA PARTNERSHIP**

Regarding the preamble statement that cites “increased employment of individuals with disabilities can be achieved through implementation of statewide workforce investment systems under title I of the Workforce Investment Act of 1998 that provide meaningful and effective participation for individuals with disabilities in workforce investment activities and activities carried out under the vocational rehabilitation program established under title I, and through the provision of independent living services, support services, and meaningful opportunities for employment in integrated work settings through the provision of reasonable accommodations;”

...and

Sec. 100. Declaration of Policy; Authorization of Appropriations  
(a) Findings; Purpose; Policy

(1) Findings

(F) the provision of workforce investment activities and vocational rehabilitation services can enable individuals with disabilities, including individuals with the most significant disabilities, to pursue meaningful careers by securing gainful employment commensurate with their abilities and capabilities; and

...and

(2) Purpose

The purpose of this title is to assist States in operating statewide comprehensive, coordinated, effective, efficient, and accountable programs of vocational rehabilitation, each of which is--

(A) an integral part of a statewide workforce investment system; and

(B) designed to assess, plan, develop, and provide vocational rehabilitation services for individuals with disabilities, consistent with their strengths, resources, priorities, concerns, abilities, capabilities, interests, and informed choice, so that such individuals may prepare for and engage in gainful employment.

**Recommendation:**

5. *In an ideal world, people will find programs, services and opportunities fully accessible to them. Universal access is our goal. In fact, it should also be our goal as rehabilitation counselors to “work ourselves out of jobs.” May there really be a day where individuals with disabilities are not disenfranchised, do not find themselves at the mercy of our society’s beliefs and biases about what it requires to have power and value in our world – and do not find themselves in need of rehabilitation professionals. Until that day arrives, rehabilitation counselors and those working in rehabilitation and disability services and advocacy must have the support of legislation to make REAL accessibility a fact of life. This holds true as we work to partner with other employment programs identified in the workforce investment system. In many states, the vocational rehabilitation system is not invited to be a player at the policy level. Anecdotal stories show, when considering individuals with a vocational rehabilitation background for positions of authority in workforce systems, state administrators of employment programs do not understand that employment is at the base of what we do. In fact, one person was told “You are a rehab person, you know nothing of work and employment requires that other systems be at a point of contemplating that there is a problem with current practice. Legislation can assist with bringing people into the stage of contemplation and on to determination of action.*
6. *There is no real plan for ensuring the provision of workforce investment activities are more than just accessible and that they will act to meet the needs of individuals with disabilities. We recommend that the partnership of WIA must include addressing qualifications of one stop center staff to meet the needs of individuals with disabilities. The funding for this effort should not be made the responsibility of OSERS.*

## MEANINGFUL PROGRAM EVALUATION

**Sec. 14. (a)** For the purpose of improving program management and effectiveness, the Secretary, in consultation with the Commissioner, shall evaluate all the programs authorized by this Act, their general effectiveness in relation to their cost, their impact on related programs, and their structure and mechanisms for delivery of services, using appropriate methodology and evaluative research designs. The Secretary shall establish and use standards for the evaluations required by this subsection. Such an evaluation shall be conducted by a person not immediately involved in the administration of the program evaluated.

***Recommendation:***

*Ensure funding for continuing longitudinal studies of vocational rehabilitation service delivery. The longitudinal study is comprehensive in nature and will inform individuals with disabilities, educators, training personnel, administrators and counselors. Research that is utilized can improve practice and preparation of rehabilitation counselors. The dissemination of these findings is equally important for legislative attention.*