



Office of Children and Family Services

ANDREW M. CUOMO
Governor

SHEILA J. POOLE
Acting Commissioner

August 21, 2017

U.S. Department of Education
Attn: Hilary Malawer, Assistant General Counsel
400 Maryland Avenue, SW
Room 6E231
Washington, DC 20202

Comments Submitted Electronically to: <http://www.regulations.gov>

Re: Evaluation of Existing Regulations; Department of Education Task Force on
Regulatory Reform Under E.O. 13777; Comment Request
Federal Register Docket ID: ED-2017-OS-0074

Dear Ms. Malawer:

The New York State Office of Children and Family Services (OCFS) is pleased to submit this letter in response to the Federal Register June 22, 2017 request for public comment regarding suggestions for Department of Education (DOE) regulations that may be appropriate for repeal, replacement, or modification.

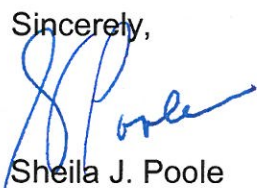
OCFS is responsible for the functions performed by the New York State Commission for the Blind (NYSCB), which provides vocational rehabilitation and other direct services to legally blind New York State residents, including children, adults, and elderly persons. NYSCB is required to jointly report data to enable the Federal government to evaluate Workforce Innovation and Opportunity Act (WIOA) core program partners' achievement on federal mandated performance measures. However, federal regulations at 34 CFR 361.38(b) provide that information containing identifiable personal information may not be shared with advisory or other bodies that do not have official responsibility for administration of the program. It is respectfully submitted that this regulation be modified to authorize the sharing of information containing identifiable personal information with WIOA program partners for joint reporting purposes.

In addition, it is recommended that 34 CFR 361.5(c)(15) be modified to allow the uncompensated employment outcome of "homemaker." The Rehabilitation Act of 1973 grants the Secretary of Education with broad discretion to define "additional acceptable employment outcomes." Yet, the regulatory definition of "employment outcome" at 34 CFR 361.5(c)(15) fails to include "homemaker." This disadvantages individuals who are legally blind and engaged as a homemaker from being able to receive needed vocational

rehabilitation through the federal program. Services to enable individuals to manage their homes promote independence and may lead to individuals seeking paid employment in the future.

Thank you for your consideration.

Sincerely,

A handwritten signature in blue ink, appearing to read 'Sheila J. Poole', is written over the word 'Sincerely,'.

Sheila J. Poole
Acting Commissioner