

August 21, 2017

Honorable Edward Anthony

Deputy Commissioner, Rehabilitation Services Commission

U.S. Department of Education

400 Maryland Ave. SW, RM 5086

Washington, DC 20202

RE: Comments for WIOA

Dear Deputy Commissioner Anthony,

AS the private, non-profit organization in Florida representing 17 private, non-profit direct service providers covering the entire State, we take special interest in the Workforce Innovation and Opportunity Act and any efforts to improve it. On behalf of our members, the hundreds of clients served each year, and those persons representing the unmet need in Florida, I urge you to consider the following comments.

Section 361.5(c)(9)

Individuals who are blind or visually impaired seeking to return to the workplace primarily are looking for opportunities to use skills already built or painstakingly added since vision loss, plus those that meet interests and personal goals. Not the least of their considerations is income. This section of the Act severely limits a client’s options for employment and earning potential. It is detrimental to deny a client the opportunity to earn more or grow professionally simply because a setting is deemed to be non-integrated. Especially for persons who have had careers to which they cannot return due to vision loss, the composition of the workforce at a place offering a good job is not critically important since they have other avenues for interacting with a diverse group of people including sighted individuals. Even for those workers who are starting out in a first job, the opportunity to use skills, build “soft skills” and find a career path is the most important thing. The emphasis of the Act on making a career, not just a job placement, should support our argument that Section 361.5 (c)(9) is inappropriate and inconsistent with that larger and very important goal.

Section 361.5(c)(15)

The removal of the “uncompensated outcomes” from the regulations can have very negative repercussions for clients desiring to return to the workforce. One of the most likely effects of this action will result in alienating those who could potentially work but have not found the confidence or support to do so prior to participating in a program of one of the members of Florida Agencies Serving the Blind. Through interacting with blind and visually impaired persons who are working and living an active life, individuals who had lost hope and given up on vocational goals can regain confidence and switch to a vocational rehabilitation program. Removing “uncompensated outcomes” denies these clients the opportunity to gain critical skills and confidence to return to the workplace.

Section 361.18(c)(1)(ii)

The United States Government has classified blindness as a “catastrophic disability” (ICD-9-CM Code 369.4) because of the traumatic and unique nature of the condition which takes away one’s ability to carry out the activities of daily living. Blindness and low vision issues involve needs that are different from those of most disabilities. Experts in Vision Rehabilitation receive a different education and a specialized certification that addresses the unique learning and psychological issues posed by the onset of severe vision loss.

Organizations that focus solely on the blind/visually impaired population are able to provide services by staff trained in specialized areas—braille, orientation and mobility safe travel skills, adaptive computer skills, psychological needs of the client and the family—and can keep up with the constantly changing technological, environmental and educational advances in the field.

It is this combination of having to address the technical, lifestyle social and emotional barriers a person faces that makes specialized service delivery organizations so important. Providing services for blind and visually impaired persons through other types of organizations may seem to increase options, but in reality such a course of action decreases the quality of services by diluting the availability of specialized-care professionals.

Florida Agencies Serving the Blind urges the adoption of a new sub-section (c), to state: Services to individuals who are blind or have severe vision loss (or other individuals who possess barriers to independence and require unique training) should be provided by professionals with a complement of work experience and specialized training or certification, gained through either advanced higher education or through a legitimately recognized association that provides specialized training.

Section 361.48(a)

Although the intent seems to be to ensure that visually impaired youth aged 14 – 24 are set up to become adults who do not need further rehabilitation services, the truth is that many such young clients do come back for services especially in new technology or to acquire skills related to a new job.

At the same time, this goal should not be promoted at the expense of services to adults in the far larger 25 – 64 demographic. Many studies predict a startling increase in vision-related disease in this group over the next 15 years because the main causes of vision loss in the U.S. affect this population predominantly. Without adequate funding to provide services to help adults regain their confidence and independence, many will face a life dependent on family, expensive caregivers, or public assistance despite being very eager to return to the workplace.

Florida Agencies Serving the Blind urges the provision of exemptions allowing funds for adults with a disability when a State’s allotment for youth eligible for Pre-Employment Transition Services does not reach 15% and the need remains to serve individuals at risk of losing their jobs due to the onset of a disability. Such a change could be established in Section 361.37 (b) where priority selection is given to individuals at risk of losing employment.

Section 363.22

Similar to our concerns regarding Section 361.48(a) above, Florida Agencies Serving the Blind urges that adequate funding be made available to disabled adults who are able to work. As in the proposed revision put forth in the previous section, we suggest a change that would allow for funding to assist individuals who have developed a disability to retain employment. Such funds could be made available in situations where the allotted 50% for youth and students has not been depleted and could be redirected.

Section 363.53(b)(ii)

Supported employment services are a valuable tool in helping disabled individuals become independent, decrease reliance on public assistance, and experience the dignity of work. However, depending on the type and severity of a disability, six months may be much too short a time to ensure an individual is properly prepared—technically and emotionally—to retain employment. Additionally, once an individual starts employment, he or she may face unanticipated obstacles that will need to be assessed and overcome, which takes time.

We endorse substituting the instruction “not to exceed 18 months” over the current “six months” when it comes to this issue. This length of time gives flexibility to adjust to unique situations or challenges, which improves the odds for job retention, but still allows for accountability.

In conclusion, the Florida Agencies Serving the Blind appreciate your attention to ensuring the efficiency and effectiveness of the Workforce Innovation and Opportunities Act. We share this goal as well and hope you will adopt our suggestions.

Please do not hesitate to contact me if you have any questions regarding the proposals in this letter.

Yours truly,

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Executive Director

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