

## **VR 101: History, System & Process**

### **Transcript of Presentation of The Rehabilitation Act**

The current Rehabilitation Act stands as one of the defining documents for the relationship between the US government and its citizens with disabilities.

The Act is divided into seven sections, called Titles, and a preamble that comes before the titles.

This initial section defines important terms used in the Act and describes the basic intent and principles of the Act.

In effect, it lays out the philosophical framework for all that is to follow.

And, according to Jan La Belle of the Florida State Rehabilitation Council, this section says some fundamental things about why the Act exists:

*Jan La Belle:* I think that it is an implementation of our constitution; it is a way of realizing and operationalizing our constitution. I think it declares that every human being has value and every human being can be productive. And some people may need additional services on their way to getting there. But it doesn't mean that's not where they are going to go.

Narrator: This section of the Act also establishes RSA and identifies its administrative responsibilities, especially with regard to the VR program.

Title One of the Rehab Act describes the basic structure of the public rehabilitation system.

It establishes the role of state VR agencies and authorizes a special program for Native Americans - sometimes called the One-Twenty-One Program - to meet the unique rehabilitation needs of Native Americans with disabilities.

Title One also establishes two advocacy programs - Client Assistance Programs - or "CAPs" - to make sure people with disabilities know about the support options the state will provide; and State Rehabilitation Councils - or SRCs - to act as citizens' advisory groups to State VR agencies.

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Title Two of the Act covers Research and Training issues related to disability and rehabilitation.

This title establishes the National Institute on Disability and Rehabilitation Research - usually called NIDDR.

Title Three of the Act authorizes funding for Special Projects and Demonstrations related to VR services and training.

This includes funding for a variety of academic scholarships, development projects, and educational programs.

It also includes a set of continuing education centers for working rehabilitation counselors - called RRCEPs - and a similar set of centers for community rehabilitation providers - called CRP-RCEPs.

Title three also funds projects to expand or improve VR services and projects to provide VR services to migrant and seasonal farm workers.

Title Four of the Act establishes a National Council on Disability.

This council acts as the voice of people with disabilities at a national level, similar to the State Rehabilitation Councils on an agency level.

Title Five addresses the rights and advocacy of people with disabilities.

It describes how the Federal Government and the projects it funds will protect the rights of people with disabilities and not allow discrimination toward them.

This title is the civil rights section of the Act and is a forerunner of the ADA.

Title Six establishes two specific approaches to promote employment opportunities for people with disabilities.

The first is Projects With Industry and the second is Supported Employment.

The Projects With Industry grants program promotes corporate hiring of qualified people with disabilities into competitive jobs.

The Supported Employment Program helps people with the most significant disabilities find competitive, community-based jobs.

This title of the Act makes sure the Public Rehabilitation System includes the business community.

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Title Seven establishes several support systems for independent living of people with disabilities.

The first is a program called Independent Living Services, which provides funds for states to help people with disabilities live independently.

Title Seven also establishes the system of Independent Living Centers - or ILCs - that provide referral, advocacy, and guidance services to promote independent living.

The third program is Independent Living Services for Older Individuals Who Are Blind.

Title Seven also establishes the State Independent Living Councils as a key administrative part of the independent living programs.

These "Silks" - as some people call them - often work closely with the State Rehabilitation Councils.

With that basic structure in mind, it is worth looking more closely at Title One and a few of its subsections.

At the front of Title One is a set of definitions and policy principles, similar to the preamble.

After that is some language about required funding for the programs - which seems minor at first, but which makes a huge difference.

Other titles in the Rehab Act simply say Congress will appropriate necessary funds to carry them out.

Title One says Congress will appropriate the same amount as the year before plus a cost of living increase.

This makes the amount of funding for Title One mandatory - Congress cannot reduce - or eliminate - the funding unless it changes the law.

The funding for all other titles is discretionary - which means Congress can reduce or eliminate them if needed.

The next section, Section 101, requires that each state develop a State Plan, describing how it will provide

VR services to its citizens and naming the Designated State Unit - or D-S-U - to carry out the plan on a day-to-day basis.

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The State Plan acts as a contract between the State and Federal governments about the delivery of VR services.

This section of the Act also requires that the state plan address Order of Selection (if necessary), the training of VR personnel under a Comprehensive System of Personnel Development - also called "C-S-P-D" - and the Individualized Plan for Employment forms - or "I-P-E"s - that counselors and consumers in that state will use.

Section 102 discusses eligibility and the I-P-E.

Section 103 outlines the elements of VR service to individuals and groups.

Section 105 establishes the State Rehabilitation Councils, or "S-R-C" s.

It outlines the specific composition of S-R-C membership, the duties of the council, and the resources available to it.

Section 106 requires R-S-A to create a set of Standards and Indicators, which state agencies and R-S-A will use to measure progress towards program goals.

Section 107 outlines the monitoring responsibilities of R-S-A to ensure that state agencies are complying with the Rehab Act. It also outlines the available penalties and appeals process for states judged non-compliant.

Section 112 requires states to establish a Client Assistance Program, or "Cap." And, as mentioned,

Section 121 provides an alternative VR system for Native Americans.

Taken together, Title One and the other Titles of the Rehab Act represent the accumulated wisdom of more than eighty years experience helping and promoting people with disabilities to achieve basic independence.

The Act creates a public rehabilitation system that is, at it's core, flexible, individualized, and comprehensive, focused on doing whatever it takes. Carl Suter, Director of the Council of State Administrators of Vocational Rehabilitation, says it is a model for other laws around the world.

*Carl Suter:* I think that what we have with this law is - there's nothing we can't do on behalf and with a consumer in order to help them achieve their goals, their ambitions for success in becoming self sufficient. You know, there's not a cap on services, there's not a limitation on what you can or can't buy. And that's really unique. And, I think, is one of the things that makes our program so unique is that it is so individually tailored.

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