

STATE OF NEBRASKA  
NEBRASKA COMMISSION FOR THE BLIND AND VISUALLY IMPAIRED  
Pearl Van Zandt, Ph.D.  
Executive Director

June 13, 2007

U.S. Department of Education  
Office of Special Education and Rehabilitative Services  
Rehabilitation Services Administration  
Attention: Pedro Romero  
400 Maryland Avenue, S.W., PCP Room 5007  
Washington, D.C. 20202-2800

Dear Dr. Edward Anthony:

We have completed electronic submission of the Annual Updates, for Fiscal Year 2008, to the State Plan for Vocational Rehabilitation Services Program and State Plan Supplement for the State Supported Employment Services Program. The document submitted electronically contains Section 1: Legal Basis and State Certifications, Sections 2 through 8 ("Pre-Print"), the attachment updates required, and forms ED 80-0013 (Certifications Regarding Lobbying) for Title I and for Title VI, Part B.

I herewith transmit for your review and approval this cover letter with my signature and Section 1 of our State Plan, also with my signature. No further review of these documents is required under Nebraska administrative procedures.

We have held Public Forums at Public Commission Board Meetings and meetings of Consumer Organizations to inform consumers and obtain feedback from them regarding these annual updates. With my signature on this transmittal letter and on the certifications, I request approval of this submittal from the Regional Office of the Rehabilitation Services Administration.

Sincerely yours,

Dr. Pearl Van Zandt Executive Director Nebraska Commission for the Blind  
and Visually Impaired Our Mission: Empowering Blind Individuals,  
Promoting Opportunities, and Building Belief in the Blind.  
cc: NCBVI Board of Commissioners

## CERTIFICATION REGARDING LOBBYING

Applicants must review the requirements for certification regarding lobbying included in the regulations cited below before completing this form.

Applicants must sign this form to comply with the certification requirements under 34 CFR Part 82, "New Restrictions on Lobbying." This certification is a material representation of fact upon which the Department of Education relies when it makes a grant or enters into a cooperative agreement.

As required by Section 1352, Title 31 of the U.S. Code, and implemented at 34 CFR Part 82, for persons entering into a Federal contract, grant or cooperative agreement over \$100,000, as defined at 34 CFR Part 82, Sections 82.105 and 82.110, the applicant certifies that:

(a) No Federal appropriated funds have been paid or will be paid, by or on behalf of the undersigned, to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with the making of any Federal grant, the entering into of any cooperative agreement, and the extension, continuation, renewal, amendment, or modification of any Federal grant or cooperative agreement;

(b) If any funds other than Federal appropriated funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with this Federal grant or cooperative agreement, the undersigned shall complete and submit Standard Form - LLL, "Disclosure Form to Report Lobbying," in accordance with its instructions;

(c) The undersigned shall require that the language of this certification be included in the award documents for all subawards at all tiers (including subgrants and contracts under grants and cooperative agreements) and that all subrecipients shall certify and disclose accordingly.

As the duly authorized representative of the applicant, I hereby certify that the applicant will comply with the above certification.

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#### Attachment 4.9(c)(1): Cooperation with Agencies that Are Not in the Statewide Workforce Investment System and with Other Entities.

Nebraska Commission for the Blind and Visually Impaired (NCBVI) works across the state to establish interagency cooperation with, and utilization of all relevant services, including organizations, agencies and other entities which are not within the Statewide Workforce Investment System. NCBVI Administrative personnel address representatives of the statewide or corporate level of such entities. Counseling and other staff of our District and Area rehabilitation offices do so at the local level.

In each office, our personnel identify and become acquainted with a wide range of entities in both the public and the private sectors. In doing so, we serve several purposes. NCBVI personnel become well-versed in the resources and opportunities available to blind consumers across the state. We also are able to make ourselves and our services known to those same entities, to educate them about the tremendous resource available to them from blind and visually impaired community members. NCBVI rehabilitation counselors and teachers participate in local Chambers of Commerce, Commissions on Aging, Community Networking Councils, community growth organizations, etc.

A systematic plan is in place for outreach to minority populations across Nebraska. The plan assures that NCBVI staff will contact agencies and organizations which impact the lives of individuals of underserved and unserved populations. Some of the relevant organizations include the Urban League, Malone Center, Center of las Americas, Indian Center, N.A.F. (an entity for immigrants), the Asian Center, Indian Nations (Omaha, Santee Sioux, Winnebago, Ponca), Asian Center, Mexican American Commission and the Native American Commission.

The United States Rural Development Agency administers a number of programs related to self-employment, business opportunities, housing, and other community economic development activities. NCBVI continues its collaboration with the Nebraska rural economic development agency.

Our purpose is to assist blind and visually impaired Nebraskans to access funds available for developing self-employment and business opportunities, in particular. NCBVI supervisors and rehabilitation counselors have information about the local and regional USDA programs. In addition, we continue to assure that all the programs of the USDA Rural Development Agency in Nebraska are made available to our clients. We work together to maximize opportunities for participants in both service systems.

NCBVI maintains contractual agreements with Mediation Centers across Nebraska. Through the agreements, NCBVI provides the opportunity for individuals to use mediation services whenever a Fair Hearing is requested. Mediation is always voluntary and is provided at no cost to the consumer. The process is suggested as a step to allow for resolving issues in timely manners and in an informal setting. It is never used to deny or delay any rights under the Rehabilitation Act.

Easter Seals of Nebraska is another resource for our staff and clients. Easter Seals provides “benefits planning” in relation to how employment will impact Social Security benefits. We refer individuals to this resource, our staff network with them for information needed to assist clients, and the Easter Seals organization has provided training at NCBVI statewide and local meetings.

As a separate state agency, NCBVI maintains connections with a wide range of State programs. These include Social Services, Developmental Disabilities, Community Support, Individual and Community Services, Behavioral Health, Aging Services, Special Services for Children and Adults, Protection and Safety, Parole, Community-Based Juvenile Services, Child Care, Child Support, Preventive Health and Public Wellness, and many other related programs. Such agencies and programs do not directly carry out activities through the statewide workforce investment system. It is important, therefore, to establish meaningful mechanisms for mutual cooperation so that in the long run, blind and visually impaired Nebraskans will be full participants in a wide range of jobs and activities.

The NCBVI Executive Director participates in monthly meetings of state agency directors as another of many ways to educate other agencies of our work and to learn more about resources from agencies which are not in the statewide workforce investment system.

## Attachment 4.(c)(2): Coordination with Education Officials

NCBVI works together with education officials to facilitate the transition of students who are blind or visually impaired and deaf-blind, including those with multiple disabilities, from school to the receipt of vocational rehabilitation services and the adult world of work. NCBVI counselors statewide work with their local school districts; coordinating education and rehabilitation services with generic and special education teachers, program administrators, school counselors and principals, etc. This coordinated effort includes attending Individual Education Program (IEP) meetings, when invited by the family, student or other IEP team members.

A Transition Team is comprised of NCBVI's Deputy Director for VR Services, the Director of the state Center for the Education of Children who are Blind or Visually Impaired (NCECBVI), state Deaf-Blind Project Coordinator, VR Counselors, consumers, parents, and persons representing divisions of the Nebraska Department of Education, Nebraska Parent Training Institute, and educators.

We have a Memorandum of Understanding between NCBVI, NCECBVI, and the Department of Education which articulates our intent to coordinate effectively with entities representing education for the primary benefit of the students whom we mutually serve. The administrative agencies have the responsibility to develop a practical and efficient means for coordinating transition services. When agencies work jointly, the interest of the individual being served shall prevail. To help facilitate the Cooperative Agreement, the administrative agencies support the continued activities of the Nebraska Transition Team.

During the past year, the Transition Team expanded to include more school district representatives, special education teachers, parents, consumers, etc. for a specific project to improve the cooperation between education and vocational rehabilitation for the blind. The group worked through issues and challenges facing the field with a professional facilitator.

Two primary products will result from this work: the Memorandum of Understanding will be fine-tuned and updated, and there will be a “protocol” document to provide understanding of the roles and duties of NCBVI, NCECBVI, NDE and school districts, and “best practices” in serving blind infants, toddlers, and students, from birth through Transition to adulthood. During FY08, the nearly-completed products will be finalized. The Transition Team will develop training mechanisms to disseminate the protocol and best practice information and scenarios to educators, NCBVI staff, and other organizations and agencies throughout the state.

Communication amongst the education stakeholders is crucial to assure that children who are blind, deaf-blind, and multiply-disabled, have the best possible opportunities and informed choices about their future. Work with families is also important in this process. The NCBVI Executive Director is a member of the NCECBVI Stakeholders Group. This group meets quarterly to work on aspects of the NCECBVI state plan, mission, services and programs. It is yet another opportunity for NCBVI to cooperate with education officials and to positively impact possibilities for blind and visually impaired students.

NCBVI has official Memorandums of Understanding with every public institution of higher education in Nebraska. The agreements formalize requirements in statute regarding how colleges and universities must work together to assure that blind students will have access to the best possible continuing education of their choice so that they will be able to achieve their personal employment goals.

NCBVI provides a number of programs for blind students. Information about the programs is disseminated on a regular basis to educators, education officials, parents/families and the students themselves. In all our work, both individualized and in group settings, building high expectations is emphasized and integrated into the activities. Among the opportunities provided by NCBVI for transition age clients and younger blind individuals are the following.

Project Independence (PI) is a five day summer program for pre-transition age students. PI provides counseling on attitudes toward blindness, self-esteem building, and recreational and social activities, and enables students to develop and to utilize relevant skills in conjunction with those activities. The opportunity to be with other blind and visually impaired children is a vital factor to the success of this program.

Winnerfest retreats are twice per school year on Thursday evening through Friday afternoon. Transition-aged students from across the state participate in the opportunity for fellowship with peers. The curriculum focuses on personal achievement, goal setting and communication skills. Through videos, role play activities and group discussion, young people explore a variety of topics relative to their everyday lives and to their career aspirations. Participants have the opportunity to learn from and with each other about how to be competent and successful in all aspects of their lives.

The College Workshop focuses on job seeking and job development skills. It is not limited to Transition-aged clients, since some older clients are considering a return to college, but many of the participants are still in the school system. The workshop provides discussions of blindness as a factor in educational settings, strategies for working with college officials to assure that materials and activities are accessible, and opportunities to network with other blind or visually impaired students. Consumer groups of the blind participate to provide experiences and information about themselves and their organizations.

Work and Gain Experience in the Summer (WAGES) is a summer work programs for students as they approach graduation. WAGES provides students with work experience, peer interaction, and the opportunity to enhance independent living skills. Participants are trained in job-readiness skills, are placed in a work setting, have opportunity to gain confidence in themselves as a future member of the adult workforce. They gain a realistic understanding of the skills and techniques needed to perform a job, and practice the behaviors needed to remain employed. WAGES also enhances entities within the workforce system, particularly those participating employers who learn the value of employees who are blind or visually impaired.

The NCBVI Program Specialist for Transition works with the Workforce Youth Council to inform them of the program and to develop the funding (WAGES was formerly funded in part by JTPA) required to augment funds from Title I, Part B, community employers, and additional NCBVI funding.

## Attachment 4.9(c)(3): Cooperative Agreements with Private Non-profit Vocational Rehabilitation Service Providers

Other private non-profit service providers in Nebraska do not serve the blind or visually impaired, specifically. Generally, they do not focus only on vocational rehabilitation services, although that is sometimes a component of services geared to independent living or other purposes. When specific client needs and interests dictate, agreements are developed for the provision of relevant services.

NCBVI contracts with service providers such as Employment Works in Norfolk, Career Solutions in Omaha, and ServiceLinc in Lincoln. We collaborate with other such entities across the state, in areas with fewer blind individuals, from time to time as needed.

One primary focus in the workforce development environment is to increase the level of awareness and cooperative efforts with other private non-profit entities. NCBVI is very active in communicating our mission to such entities and in learning about what is available in communities around the state.

The existence and continued strengthening of reciprocal knowledge and understanding of each others' scope of service will enable all parties to quickly access appropriate resources for individuals whom we serve. Many parts of Nebraska have few resources of any type available, or at least nearby. Thus we work to access whatever components of resources would apply to the individual client's needs and will augment opportunities for that person to achieve their own employment goals.

#### Attachment 4.9(c)(4): Evidence of Collaboration Regarding Supported Employment Services and Extended Services

NCBVI enters into agreements with providers of Supported Employment (SE) services when specific clients are identified as candidates for those services. The agreements are based on a model utilized for the purpose of providing supported employment, including the assurance of long term extended services.

The Deputy Director for Independent Living services has lead responsibility for the provision of supported employment services for clients with the most significant disabilities. He interacts regularly with professionals in the developmental disabilities service system and in programs providing direct supported employment services. He represents NCBVI to identify and make arrangements, including entering into cooperative agreements and contracts, with other State agencies and entities with respect to the needs of persons with the most significant disabilities.

Individuals who become eligible before age 21 have a case manager/service coordinator employed by the Health and Human Services Developmental Disabilities Services (DDS). The case manager is responsible for developing an IPP (Individual Program Plan) for each client, which includes provision for ongoing support from DDS when the supported employment is involved. SE clients with the onset of disability occurring after age 21 are not eligible for DDS services. We work with them to develop other mechanisms for the ongoing support, such as a PASS (Plan to Achieve Self Sufficiency) or to find other natural supports.

When a transition-age student may require supported employment services at age 21 or graduation, information is provided to the team about the scope and nature of services that will be available. NCBVI works with DDS, special education teachers, and others on the team, to assure the individual with a plan best suited to the individual.

## Attachment 4.10: Comprehensive System of Personnel Development

The Designated State Agency, Nebraska Commission for the Blind and Visually Impaired (NCBVI) has established policies, procedures and activities to maintain a comprehensive system of personnel development. These mechanisms are designed to ensure an adequate supply of qualified rehabilitation professional and paraprofessional personnel for the Designated State Agency.

### State Personnel Standards for Counselors

Nebraska has a State Certification for Vocational Rehabilitation Counselors for the Blind. This law is the highest standard for the discipline of rehabilitation counseling for the blind in Nebraska.

Certified vocational rehabilitation counselor for the blind means a person who is certified to practice vocational rehabilitation counseling for blind persons and holds a certificate issued by the commission. Vocational rehabilitation counseling for the blind means the process implemented by a person who operates a comprehensive and coordinated program designed to assist blind persons to gain remunerative employment, to enlarge economic opportunities for blind persons, to increase the available occupational range and diversity for blind persons, and to stimulate other efforts that aid blind persons in becoming self-supporting.

The qualifications to be a certified vocational rehabilitation counselor for the blind in Nebraska are: (a) to have a bachelor's degree from an appropriate educational program approved by the NCBVI Executive Director; (b) to have completed six hundred (600) hours of intensive training under sleep shades at the NCBVI Orientation Training Center; and (c) to have completed appropriate training as approved by the NCBVI Executive Director.

Intensive systematic training of six hundred (600) hours is provided by NCBVI for all newly hired counselors, followed by three months of training specific to their new position. This training provides an orientation to the agency's understanding of blindness and the strategy of service delivery that grows out of that understanding. The training includes reading and discussion of various articles and documents in the blindness field, and skills training in non-visual techniques and technologies through hands-on experiences. When possible, paraprofessional or support personnel receive four to six weeks of intensive pre-service training.

Following Center Training, newly hired rehabilitation personnel continue with two to three months involving on-the-job training activities for specific job duties including agency policies and procedures, accessing local resources, sensitivity training, social security, vocational counseling techniques, consumer group information, etc. In-Service training sessions are provided to all staff at least once every year. The topics covered include a wide range of policies and procedures, counseling techniques, teaching modalities, etc.

Each certified vocational rehabilitation counselor for the blind shall, in the period since his or her certificate was issued or last renewed, complete continuing competency requirements as set forth by the commission under the executive director's approval. Annually, each employee and supervisor establish a plan for individualized training. The goals include activities to renew abilities in blindness skills or to refresh philosophical concepts, as well as opportunities for training specific to rehabilitation counseling for specific positions. Discussions of philosophical issues are held in local offices and by the Administrative Team in Central office. Employees are also encouraged to spend time with other staff to learn new practices and to stimulate ongoing improvement.

#### Extent to Which Counselors Meet the Standard

Our annual collection and analysis of data on qualified personnel needs and personnel development reveals the following data.

NCBVI currently employs forty-seven full-time staff persons and three permanent part-time. Thirteen are vocational rehabilitation counselors, including three field supervisors; fourteen point five are rehabilitation teachers; three are program specialists in technology; seven are vocational rehabilitation technicians. There are also eight full-time and one part-time administrative and support personnel. Also, the Business Enterprise program consists of two full-time and one part-time person. All the NCBVI Vocational Rehabilitation Counselors meet the state standard. Others have completed some hours toward a Master's degree, are working toward a graduate degree, or are investigating application to graduate programs. Eight other staff members hold graduate degrees of a masters or higher.

### Staffing Levels and Projections

We project the number of applicants for vocational rehabilitation services and eligible individuals to be served by VR during FY 2008 to total 700. The ratio of applicants and eligible individuals served to all personnel will be 14.5 to 1. The current staffing level does enable NCBVI to provide core services to customers. When the numbers of referrals increase, we work to find ways to effectively streamline our processes to enable us to continue meeting customer needs.

### Identified Factors that Inhibit Ability to Hire Qualified Staff

The State law establishing standards for Certified Vocational Rehabilitation Counselor for the Blind enables NCBVI to hire and maintain qualified staff. This is especially important because there is no Master's degree program in Rehabilitation Counseling within Nebraska. We almost never have job applicants who have their CRC, and rarely have applicants with the MS in Rehabilitation Counseling specifically. There is no need for a personnel development data system, since there are no institutions of higher education in Nebraska receiving funds under Title III of the Rehabilitation Act, to prepare vocational rehabilitation professionals in the disciplines designated in the Act [29 usc 771(b)(1)(B)].

## Objectives & Activities for Achieving the Plan

Supervisors have provided data regarding their subordinates' education, including degrees held. As mentioned above, the Certification requirement is a Bachelor's degree approved by the Executive Director, and 600 hours of intensive training at the NCBVI Orientation Center. In addition, we encourage VR Counselors to pursue additional academic work. NCBVI has six offices across the State of Nebraska. Some of these locales are many hours away from colleges or universities with graduate programs relevant to this endeavor. Distance learning is an option for some parts of a degree program, but may not fulfill all requirements for such a program.

NCBVI coordinates efforts with institutions of higher education, organized consumer groups and professional associations to recruit, prepare, and retain qualified personnel, including personnel from minority backgrounds, and personnel who are individuals with disabilities. We work to ensure that all personnel are adequately trained and prepared to meet standards that are based on the highest requirements in the State and to become certified in accordance with State Law. NCBVI also works to ensure the availability of personnel internally (or from external resources) who are, to the maximum extent feasible, trained to communicate in the native language or mode of communication of an applicant or eligible individual. Ongoing staff development activities will ensure that all NCBVI personnel receive appropriate and adequate training.

## Resource Plan

Funds from several segments of the NCBVI budget are committed to developing personnel, including funding the intensive Center training, as well as tuition and related expenses for expanding the capacities of NCBVI staff. The In-Service Training Grant will assist in accomplishing CSPD Objectives. It will be utilized to increase the skills and competencies of all staff, particularly in areas such as job development and job placement that directly relate to goals and priorities of the Workforce Investment Act and other issues related to delivery of vocational rehabilitation services in general, and for the blind, in particular.

Ongoing training is made available to all staff on relevant and timely topics. Retaining qualified personnel is particularly important because of the investment we make with the intensive Center Training as well as our willingness to reimburse tuition for course work and other continuing education efforts. A key focus will be on building capacity in the areas of job development and job placement. Building leadership and networking with consumer groups are also important components to ongoing staff training. Our Executive Director, Deputy Directors for Vocational Rehabilitation and for Independent Living Services, and a Field Supervisor have completed the University of Oklahoma's Leadership Academy Training. The Deputy Director for Vocational Rehabilitation has also completed the Leadership Curriculum administered by San Diego State University.

Topics of focused training sessions will include:

- the Rehabilitation Act
- the Workforce Investment Act
- methods to help clients achieve successful employment in high-quality positions with benefits and opportunities for advancement
- using data to measure success of concentrated efforts for achieving goals of high quality employment outcomes
- ways to work effectively with the increasing number of older individuals who are losing vision but still wanting to be a part of the workforce
- maximizing effectiveness in the group training or counseling setting
- Social Security information, including PASS plan development
- supported employment
- workplace policies
- philosophical and positive understandings of blindness
- diversity awareness and sensitivity training
- multiple disabilities, including deaf-blindness
- general services to older individuals

The long-range plan for ongoing development of staff is based upon needs identified by the former State Rehabilitation Council's study of clients closed both successfully and unsuccessfully. The plan is updated and kept current with ideas or issues identified from ongoing client satisfaction surveys, employees' requests for additional training on specific topics, and analyses of agency performance on the RSA Standards and Indicators.

It is also a result of priorities established by the Workforce Investment Act and the 1998 Amendments to the Rehabilitation Act.

## Evaluation

The evaluative segment of the plan is both quantitative and qualitative. We track the training sessions attended by all NCBVI staff members and the costs for such training (including registration, tuition, books/materials, lodging, transportation, and related costs). Individuals are asked for their assessment of the value of each event. They also provide reports and share resource materials with other NCBVI staff members, thus expanding the value of each training event to others not able to attend.

## Non-Discriminatory Plan

NCBVI always strives to be non-discriminatory in hiring, retention, and promotion of staff from minority backgrounds and with disabilities. To recruit qualified personnel including those from minority backgrounds and those with disabilities, NCBVI utilizes the Department of Administrative Services' Division of Personnel Affirmative Action resource bank, a database record of members of the four protected groups who are seeking employment or advancement within the State of Nebraska. We also recruit via national consumer groups of blind individuals. To prepare and retain all personnel, including those from minority backgrounds and those with disabilities, the initial training and the ongoing training plan are individualized according to each person's specific training needs and also encompasses training issues that will maximize the agency's effectiveness and efficiency.

## Attachment 4.11(a): Comprehensive Statewide Assessments

The Designated State Agency, NCBVI is an independent commission that is responsible under State law for operating, or overseeing the operation of, the vocational rehabilitation program for the blind in Nebraska. It is consumer-controlled by persons who are blind or visually impaired and who represent individuals who are blind. NCBVI undertakes the functions set forth in section 105(c)(4) of the Act, to review and analyze the effectiveness of services and consumer satisfaction with services provided by the Commission, vocational rehabilitation services provided by other states, public and private entities, and employment outcomes achieved by eligible individuals receiving vocational rehabilitation services from NCBVI, to assure high quality, career track employment outcomes, with health and other employment benefits, wages comparable to state wages for non-disabled persons, and equity for persons of minority status.

Every year, NCBVI conducts a comprehensive, statewide assessment on an ongoing basis. Throughout each year, NCBVI holds public forums to elicit opinions and comments from consumers regarding the services currently being provided and the needs of consumers that are not being addressed. In some cases, the forums are conducted jointly with other providers (e.g. the general vocational rehabilitation agency, centers for independent living, education, health and human services, etc.). Other forums are conducted as a part of our presentations to statewide meetings of consumer or peer support groups of the blind: National Federation of the Blind of Nebraska, American Council of the Blind of Nebraska, Nebraska Association of the Blind, and others. The NCBVI Board of Commissioners also holds quarterly public meetings during which they encourage consumers and interested persons to make comments and suggestions.

Consumers are informed that the current NCBVI State Plan is posted on the website and is otherwise available to anyone requesting a copy in alternate format. The forums serve as focus groups to solicit consumer input. The event locations and logistics are scheduled to best elicit input from and ideas about the needs of persons with the most significant disabilities, disabled individuals of minority or ethnic background, areas that

may be underserved, and those who may be served by other entities such as the Nebraska Workforce System or other partner entities.

During this past year, we have held or participated in forums in the following locations throughout Nebraska: Columbus, North Platte, Omaha, Lincoln, Nebraska City, Grand Island, and Scottsbluff/Gering. During Federal Fiscal Year 2007, the Commission Board will have held meetings in Lincoln, Omaha, and Norfolk. The consumer-controlled Commission Board handles all functions previously performed by the State Rehabilitation Council, with added responsibility for governance in accordance with State Law.

Notes are taken at each forum or meeting to track consumers' ideas. Following such sessions, action is taken to research ideas to determine what will help to improve services provided by NCBVI and when appropriate and possible, to implement new strategies. Some of the comments and questions expressed as a part of this year's assessment included: the growing numbers of blind people, especially as the elderly population increases; how we will provide services to the growing numbers of the blind; NCBVI Rules and Regulations; the continued need for more computer and assistive technology training in all parts of the state; the need for more public awareness of NCBVI; details of the State Plan; the need for more funding, more staff, and continued availability of staff to travel to consumers' homes statewide, despite concerns about rising costs of fuel; how to find additional resources; transportation problems, especially in the rural areas; NCBVI services to transition-age clients; and other aspects of our services or issues important to blind consumers. It is very common for individuals at public forums to have questions specific to services, thus generating referrals. We respond by connecting the person with NCBVI staff in their area.

Three assessment tools are also used on an ongoing basis to evaluate service effectiveness. Doing so adds depth to the ongoing statewide needs assessment, as the service evaluations may point to unmet needs which had not been articulated in the more public settings.

Clients of the Orientation and Training Center are asked to participate in a confidential telephone interview three months after completing their Center training. Surveys are conducted by an objective individual to explore the client's perspectives about various aspects of their training. Results of the surveys are shared with the Center Director and Staff, the NCBVI Executive and Deputy Directors, and the Governing Board. In general, most clients are satisfied or enthusiastically positive with the training and state that they greatly benefited from it. Many comment that the staff are too busy, but most feel that is part of the nature of the Center. Occasionally, problems are mentioned. Center Staff and the Executive Director follow up on such comments to examine the problems and improve service delivery where possible.

We contract for telephone interviews with Vocational Rehabilitation clients, four months after closure in statuses 26, 28, and 36. These interviews are also done by a non-staff, objective individual. These interviews are used in the same way as the interviews following Center training. The comments help to assure quality services, correct any problems not discovered earlier, and to work on continuous improvement. The former client is assured that content of the interview will be confidential and that the results will be used to help evaluate and improve services provided to blind Nebraskans.

Another assessment tool is a basic satisfaction survey, mailed to all independent living clients after case closure. Approximately 95% of the respondents state that the services they received were excellent. Some make no comments at all. It is rare that we receive negative responses on these surveys. These surveys are also confidential. If the individual does include their name, and if they have any questions or negative comments, a follow-up contact is made to determine whether it is appropriate for any additional service delivery to address the unmet need. If no name is given, but negative comments are made, we discuss and remind counseling staff of issues to which they need to be sensitive. Assessments from persons served through the agency's IL services do help to assure that the ongoing statewide assessment is comprehensive.

In addition to the ongoing mechanisms already in place to assess needs, NCBVI has contracted with the Mississippi State University Research Unit to conduct a systematic, comprehensive statewide needs assessment. The survey instruments have been developed in consultation with the researchers, NCBVI staff and blind consumers in Nebraska. The study will be conducted during the summer months of 2007 and will be completed by September 30, 2007.

## Attachment 4.11(b): Annual Estimates of Individuals to Be Served and Costs of Services

The prevalence of visual impairment and blindness has been established based upon causes of blindness and occurrence in various age cohorts. Computing those rates with total population figures for Nebraska, we project that there are approximately 4,500 persons who are legally blind and approximately 25,300 persons with a severe visual impairment. The basis for services is a functional definition of blindness; thus, the potential target population includes persons who are not legally blind, but who have significant limitations to functions and activities of daily life and vocation due to vision loss. It is also the case that not everyone with legal, or even total, blindness is in need of vocational rehabilitation services and that some individuals who could benefit from services remain in a state of denial of their vision loss or do not want state services for other reasons.

The majority of blind and visually impaired people are in the older age ranges: one in twenty between ages 65 to 74 has a significant visual impairment; one in ten in the 75 to 84 age range, and 1 in 4 in the 85-plus population. Thus, many needed services are provided through Title VII Chapter 2 funds. As people live longer, healthier lives, there is a trend to continue working longer and retiring later or to retire and then return to full or part time work. Obviously, Title I Vocational Rehabilitation services are appropriate for such individuals, regardless of their age. NCBVI places an emphasis upon enabling persons of all ages to understand their full range of choices. Neither age, ability to see, nor additional disabilities need to limit the options and life choices open to the individual. Transition services are provided to younger persons while still in school, to facilitate a smooth transition from school to work, despite blindness, visual impairment or multiple disabilities.

The total number of persons served in all Vocational Rehabilitation statuses during fiscal year 2006 was 602. Total number served in all Independent Living statuses for the same time period was 701. It is not uncommon for persons, even of the traditional working age range, to enter our system requesting only basic assistance or financial support. We have found that with the initial onset of blindness, it is common to limit one's expectations and to seek "charitable help" or basic independent living skills. As people learn about vision loss, develop non-visual skills, and gain confidence in their own abilities, they are likely to expand their personal expectations and move to the vocational rehabilitation track of service delivery.

The cost of services can range between \$900 and \$80,000 for an individual client. This portrays an inaccurate image, however, since the program is so highly individualized. Many people require only basic information, marking of appliances, and being set up with ancillary resources such as talking books. Many others require much more, including orientation teaching; guidance and counseling; tuition, books and other expenditures related to achieving their vocational goal; and so on. The increased need for technological aids and devices, particularly computer adaptive software and hardware, has increased the level of case service expenditures for some individuals. We work on an ongoing basis to assure the best possible services, addressing each individual's personal goals and aspirations, while maximizing the efficient appropriation of resources toward that end.

Given the Nebraska Commission's commitment to improving overall services and high quality employment placement, in particular, it is expected that the total number of clients served will continue to rise over the next several years.

Based upon previous years, we project that in FY 2007 there will be 700 persons served by Title I funds, and up to 30 persons served by Title VI, Part B. NCBVI is not under an order of selection. At present, we do not anticipate the need to establish an order of selection unless the State budget shortfall increases in the future and the Commission budget is impacted dramatically. We do have provisions in the NCBVI Rules and Regulations for instituting order of selection if the need arises.

## Attachment 4.11(c)(1): State's Goals and Priorities

The mission of Nebraska Commission for the Blind and Visually Impaired (NCBVI) is "Empowering Blind Individuals, Promoting Opportunities, and Building Belief in the Blind." Our primary priority is to enable persons who are blind and visually impaired, including those who also have multiple disabilities, to achieve their individual goals for competitive employment (including supported employment). Our secondary priority is to enable persons who are blind and visually impaired, including those who also have multiple disabilities, to achieve their individual goals for independent living and full inclusion in society.

NCBVI Goals are based on factors identified through analysis of the ongoing comprehensive statewide assessment, as well as the federal standards and indicators.

1. Increase the number and percentage of clients achieving full-time (31+ hours per week) competitive employment outcomes; from 109 to 115 persons, and from 56.16% to 68.9%.
2. Increase the ratio of average hourly earnings of clients who become employed compared to average earnings in the state, to at least .70.
3. Increase the rehabilitation rate for transition aged clients, from 29.20% to 35%.
4. Improve the quality assurance system.

To achieve the goals and priorities of achieving high-quality successful employment for clients, we are using many creative approaches. Each situation is individualized, thus the strategies and solutions for each client is unique.

This approach is productive in itself. It also helps to model for the individual that throughout life, one can accomplish new things by thinking creatively and having the confidence to try new approaches.

The overall priority of high-quality employment includes the “traditional” working age client, persons in transition from school to work, persons with multiple disabilities (e.g. Deaf Blind) or other special needs (e.g. Supported Employment candidates). Older applicants or persons who express interest in NCBVI’s Independent Living programs are encouraged to explore vocational rehabilitation.

When competitive employment without ongoing support is not an option, particularly for individuals with developmental disabilities in addition to blindness, supported employment is explored as an option that may be more conducive to that person. There are also some persons who could benefit from ongoing support, but who do not have developmental disabilities. For the most part, these individuals have traumatic brain injuries or mental health issues with the onset of disability occurring after age 21. NCBVI works to enhance the potential to achieve employment outcomes in many cases which often require maximizing resources and creativity.

Overall, each individual is encouraged to examine whether, if not for a visual impairment, he or she would still be in the workforce. If so, counselors help individuals to understand blindness and to raise personal expectations and aspirations. This process often does lead to employment goals for individuals who otherwise would not have believed it possible.

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

The primary goal for the Title VI, Part B program of NCBVI is to develop appropriate individualized Supported Employment (SE) placements for persons who experience the additional involvement of a developmental disability. A system is in place to provide both the expertise and resources, including ongoing support, to develop and sustain individualized services within the Nebraska Health and Human Services System.

A small number of blind and visually impaired persons with non-developmental complications, primarily those with traumatic brain injuries or mental health issues occurring after age 21, might benefit from supported employment services. Generally, however, funding for extended support beyond eighteen (18) months to such persons is not available in Nebraska. In such cases, the Deputy Director of Independent Living, Supported Employment Administrator, works with the NCBVI Counselor involved to identify possible resources for the ongoing support, such as developing a PASS (Plan to Achieve Self Sufficiency) with the assistance of Easter Seals. The Deputy Director also works to keep NCBVI Counselors informed and updated on the Supported Employment program, so that eligible clients do, in fact, obtain the services they require. Continued training regarding Supported Employment services is provided to counselors, statewide.

Our chief approach to achieve the planned goals for Title VI, Part B services is to enter into formal agreements with providers in the Nebraska Developmental Disability Service system, or other private providers of job coaching and related services. As appropriate, additional funding will be available from Title I funds. The total amount of Title VI, Part B funds that we project to expend in FY 2008 is \$30,000. We expect to provide SE services to approximately 16 clients in FY 2008.

It is difficult to establish meaningful measures for the Title VI, Part B program. SE clients can require extremely high expenditures to accomplish successful supported placements. The funds are limited and fixed. The NCBVI Title VI, Part B budget has been at \$30,000 per year since the inception of the program. One client may require all or most of the total funds available. In some years, we have several clients identified as SE, with initial work done toward an SE placement. By the end of the year, however, they might all have ended their service plan due to a wide range of complicating factors. Some or all might continue in preliminary stages to supported job placement, again due to complicating factors beyond our control.

We collaborate with the state's Developmental Disabilities Services (DDS) to identify potential clients, coordinate service plans and share funding for those individuals in the System who are described as blind and visually impaired. For the most part, job coaching to SE clients is provided through contracts with community rehabilitation programs. DDS provides ongoing funding for the job supports.

We train persons with experience in blindness and alternative techniques as short term Job Coaches, to work specifically with blind and visually impaired clients of NCBVI's Title I vocational rehabilitation services. These individuals also provide short term job coaching for SE clients, especially for blindness specific alternatives needed on the job. Seven Commission staff positions are currently classified as Vocational Rehabilitation Technicians. It is the Voc Rehab Techs who serve as Job Coaches when necessary. Overall, NCBVI Management staff will work to implement creative strategies to most effectively utilize Title VI, Part B funds to maximize the benefit for those individuals in the program's target population.

## Attachment 4.11(d): Strategies and Use of Title I Funds for Innovation and Expansion Activities

### Strategies to Achieve the Goals

Strategies are designed to achieve each agency goal, as mentioned in Attachment 4.11(c)(1). The first two goals are closely related, in terms of the strategies. The strategies that will be implemented by NCBVI are likely to have a positive impact on both goals at the same time.

Goal 1. Increase the number and percentage of clients achieving full-time (31+ hours per week) competitive employment outcomes; from 109 to 115 persons and from 56.16% to 68.9%.

Goal 2. Increase the ratio of average hourly earnings of clients who become employed compared to average earnings in the state, to at least .70.

### Strategies:

A. Identify ways to increase counselors' focus on achieving quality employment outcomes for their clients.

B. Facilitate District/Office staff in the development of procedures specific to each environment, which will lead to increased numbers and percentage of clients achieving competitive employment outcomes. Support the implementation of the new practices.

C. Deputy Directors meet regularly with each District/Office Supervisor and Counselors to review best practice procedures and performance data, improve communication between administrators and field counselors, and to improve overall performance.

D. Present data per District for the past three years, related to employment outcomes, wages earned, hours worked per week by clients, client wages as compared to the state's average hourly wage, economic changes such as inflation, etc.

E. In August of each year, each District/Office will review progress to date and will establish objectives to achieve in the upcoming year.

Goal 3. Increase the rehabilitation rate for transition aged clients, from 29.20% to 35%.

Strategies:

A. Implement the protocol of best practices for improving services to children and youth in concert with education officials, school districts, and the Nebraska Center for the Education of Children who are Blind and Visually Impaired (NCECBVI).

B. Upgrade data collection system to track rehabilitation rate for students participating in Transition programs.

C. Establish benchmarking system to track progress throughout the transition years; including but not limited to, involvement in transition programs, continuation of education beyond high school, scholarships awarded, summer employment, full time employment, community involvement, etc.

D. Analyze results of Statewide Needs Assessment Survey with Transition age clients for insights to enhancing agency strengths and minimizing weaknesses.

Goal 4. Improve the quality assurance system.

Strategies:

A. Implement an electronic, fully accessible client information tracking system.

B. Document the procedures used for measuring compliance and performance outputs and for disseminating measures to improve performance.

C. Test a service record review system statewide.

Additional strategies apply more generally to NCBVI'S overall goals and priorities. NCBVI draws upon our experience with services provided, outcomes achieved, challenges and roadblocks to success, and input from consumers gleaned from the various and ongoing assessments to develop and fine-tune practices for service delivery.

Assistive technology is crucial to blind individuals, in all walks of life, but particularly in employment. We collaborate with other entities to assure that technologies used are accessible, wherever possible. NCBVI's Technology Specialists provide skilled and knowledgeable consultation to employers in the private and the public sector regarding software systems and equipment that might be used by blind employees. When clients become employed, the Technology Specialists and VR Counselors work with the individual and the employer to deal with any technology issues.

During the past federal fiscal year, NCBVI worked with the Assistive Technology Program (ATP) to obtain a wide range of equipment and devices. The items are all posted to a website, "AT4ALL.com," which can be accessed by consumers, professionals, and anyone interested.

The site provides access to many items for people with all types of disabilities, to have demonstrated, to borrow, or to purchase. This project is especially valuable in that it enables clients to receive training on technology devices and try them out before the VR Counselor purchases the technology for the client. Equipment and adaptive technology are provided to clients of NCBVI on a statewide basis.

During fiscal year 2007, NCBVI established a mechanism to systematically track the outreach we have done for many years, to identify and to serve blind and visually impaired individuals from minority populations, including those who are deaf-blind or have other multiple disabilities. Counselors in all six offices of the state have a regular schedule for meeting with potential referrals in areas with populations who otherwise might not avail themselves of vocational rehabilitation services for the blind. Minority populations in Nebraska include African American, Hispanic, Native American, and Asian Americans.

Staff work directly with the organizations and associations, including Native American tribes and the Reservations across the state. The proportion of minorities served by NCBVI is higher than the proportion of minorities in the state overall, an indication that our outreach efforts are effective.

NCBVI also helps to improve and expand community rehabilitation programs statewide, by helping to fund a Center for Independent Living in the far western portion of Nebraska, the Panhandle Independent Living Services (PILS). PILS does not yet receive any Federal funding. The NCBVI Deputy Director for Independent Living is a member of the Statewide Independent Living Council (SILC). SILC works to address outreach, legislative advances, and to improve community rehabilitation programs in the state.

NCBVI has strategies at all levels to continuously improve state agency performance on the federal standards and performance indicators for vocational rehabilitation outcomes. Administrators assess the performance on an ongoing basis.

We compare progress each year to previous years to determine if service delivery is resulting in the best outcomes in each performance area. If there are weaknesses, we look at factors involved and consider strategies for improvement.

In some cases, a temporary decrease in a measure is due to changes which will result in higher performance in the future. For example, a few years ago, a major emphasis was placed upon decreasing the number of homemaker outcomes. During the initial counseling stages, especially with older referrals, the counselor and client were more likely to determine that a person would be better served in the IL track, if they did not have a goal of competitive employment. Thus, number of persons achieving employment outcomes went down, rather than increasing. NCBVI examines all aspects of performance to work on building from the past. If a temporary negative shift will better serve the goals in the future, we can put into place practices and procedures that will help to assure the positive results.

NCBVI has provided training on the Standards and Indicators to supervisors and direct service staff. The discussion of our expectations for performance has helped counselors to better understand and deliver services which do lead to high quality employment outcomes for their clients. The rehabilitation professional must help individuals to overcome the negative aspects of blindness and to build their personal expectations to levels they might not have believed possible for a blind person. This process can be complicated within the framework of informed choice. A common example is for the client to settle for part-time work, due to lack of confidence, lack of skills, etc. NCBVI services help clients to build the skills and confidence so that they can have real choices based on high expectations.

The agency also works on a statewide basis with other components of the workforce investment system to assure effectiveness in job placement efforts for individuals with disabilities. The NCBVI Executive Director is a Governor-appointed member of the Nebraska Statewide Workforce Investment Board (NWIB) and the NWIB's Compliance Committee. There are three local area WIBS, each with it's own Youth Council. NCBVI staff serve on all the Youth Council in all three areas. One NCBVI Supervisor

also serves on the Lincoln Area WIB, the second most populated in the state and the center for state and university employment opportunities. The agency also has cooperative agreements with each of the local area one-stops, which formalize the working relationship.

Statewide, VR Counselors and other NCBVI personnel work with the workforce centers. We refer and take clients to the centers, we receive referrals from the centers, we provide training and consultation on blindness, etc. The Counselors also meet with employers and other components of the workforce system to promote opportunities for blind job-seekers and to help those entities and individuals to understand the features and benefits available to them from NCBVI and from the blind job candidates themselves.

#### Use of Title I Funds for Innovation and Expansion Activities

NCBVI uses a portion of Title I funds, each fiscal year, to develop and implement innovative approaches to expand and improve services to individuals with disabilities. One area of need which has been apparent from public forums and ongoing assessments of client satisfaction relates to the importance of meeting and learning from other individuals who are blind, deaf-blind, and have other multiple disabilities.

Mentoring is an activity which has been found to have very positive impacts upon individuals of all ages. It is particularly important for consumers in the transition from school to the world of work. NCBVI currently uses funds for innovation & expansion activities for a mentoring project. The project matches forty transition-aged blind youth with forty older blind role models who serve as individual mentors. Half the matches were made during the first project year and half in year two; each group will be in the program for two years. The project includes activities in group settings and one-to-one. As a group, the mentors and mentees have participated in community activities, challenge course retreats, blind consumer organization meetings and conventions, rock climbing, picnic and camp fire, seminars about blindness skills, job seeking skills, and giving back to society.

The individual activities vary according to the two people involved, such as shopping (including exploring a mall to see find stores, grilling out/picnic, attend a concert to use mobility skills, volunteering, teaching computer to each other, and visiting local businesses.

The project has clear advantages for expanding opportunities for those involved. The youth benefit from having a personal role model who is blind and who is a successful adult, with family, a job, and community involvement. These experiences reinforce the concept that a blind person really can live and love, learn and earn, just like their sighted peers.

## Attachment 4.11(e)(2): Evaluation and Reports of Progress in Achieving Identified Goals & Priorities, and Innovation and Expansion Activities

### Mission, Goals, and Priorities

The mission of NCBVI is “Empowering Blind Individuals, Promoting Opportunities, and Building Belief in the Blind.” Our priorities are to enable persons who are blind and visually impaired, including those who also have multiple disabilities, through vocational rehabilitation and supported employment services, to achieve their individual goals for employment, and to achieve their individual goals for independent living and full inclusion in society.

NCBVI has evaluated effectiveness of its vocational rehabilitation program in several different ways; using data and input from Rehabilitation Services Administration (RSA), employers, consumers and the general public, staff members, the Client Assistance Program, and private or other public entities with whom we collaborate. Most importantly, service recipients are asked for their evaluation of services provided at several stages as detailed in Attachment 4.11(a). We gather identified needs of Nebraskans who are blind or have visual impairments on a statewide basis through our public forums and meetings, our surveys of clients after completion of Center training and after case closure, and in an ongoing fashion through communication with our consumer-controlled Governing Board of Commissioners and our accessible website.

During fiscal year 2008, NCBVI will begin the use of a comprehensive client information system. This will enable much more systematic assessment of progress of all aspects of service delivery.

## Federal Standards and Indicators

The system of Standards and Indicators established by RSA is the benchmark we have used to measure the effectiveness of our program. The following are results of our status in meeting those parameters for quality vocational rehabilitation services to blind and visually impaired Nebraskans.

Standard 1.1: Change in number of Employment Outcome - Difference must be greater than previous year. For 2004 NCBVI had 148 closures with employment outcomes; 2005 Data show 164 closures with employment outcomes. The difference is 16 more than the previous year. NCBVI did pass this standard. We plan to continue increasing the number of employment outcomes during the coming years.

Standard 1.2: Percentage of persons receiving services who become employed must be 68.9% or better. For 2005, 164 of 292 served achieved employment outcomes, or 56.16 %. This result was below the standard, so NCBVI did not pass. It will be noted that the number served was much larger than the numbers served in previous years. We will be working to assure that a higher percentage of people served do achieve employment outcomes. We will also examine the factors involved with the standard, to identify trends that might be impacting the outcomes as well as to strengthen our ability to help individuals achieve their employment goals.

Standard 1.3: Percent of Employment Outcomes that were Competitive Employment. The percentage must be 35.40% or better. In 2005, total Competitive Closures equaled 109, or 66.46 %. NCBVI achieved almost double the required level and also exceeded the percentage level from previous years, thus passing the standard. Continuing with this strong focus on competitive outcomes will help to assure that we pass the standard during the next year, so that the clients we serve will continue to obtain competitive jobs.

1.4: Significant Disabilities served from NCBVI was 100%. The level required is to serve at least 89% with significant disabilities. This standard was passed, as it has been every year since the standards and indicators were implemented. The nature of our clientele is that nearly all persons served by vocational rehabilitation services do have significant disabilities.

1.5 Average Hourly Earnings: Ratio must be .59 or better. In 2005, the average hourly wage for NCBVI clients achieving competitive employment outcomes was \$10.25; the weighted average hourly wage in Nebraska was \$15.21. Thus, the ratio of wages our clients earned compared to the average in the state was .674. NCBVI did pass this standard. We will continue to work with clients and employers to assure that the outcomes achieved are high quality job placements, with good wages or salaries.

1.6 Self Support at Closure compared to Application: Percentage must be 30.4% or better. For 2005, of the 109 with Competitive Employment Outcomes, there were 37 who had been primarily self-supporting at application. At closure, 71 were self-supporting. The difference between the percent self-supporting at closure and at application was 31.19%. This did pass the standard by a small percentage, but was lower than the previous year. We will continue to emphasize the importance of achieving job placements which help individuals to become self-supporting as a result of the newly achieved earnings.

2.1 Minority Ratio - all agencies must attain a ratio level of .80. The NCBVI ratio for 2005 was 1.278, much higher than the required standard. If a DSU has fewer than 100 individuals from a minority background exit the program during the reporting period, which is the case for NCBVI, we must describe the policies adopted or that will be adopted and the steps we have taken or will take to ensure that individuals with disabilities from minority backgrounds have equal access to VR services, in lieu of calculating the ratio.

NCBVI does serve persons from minority backgrounds, at a high proportion than are present in Nebraska's population overall. We work to assure that individuals from a minority background are aware of vocational rehabilitation services for the blind. To assure that persons from minority backgrounds do have equal access to our services, NCBVI utilizes a statewide plan for outreach and tracking. The plan is specific to each geographic area, targets the minority populations present in that area, and indicate frequencies and specific types of contact which will occur for each identified group, organization, or other community resource relevant to the target populations. Reports are reviewed by a NCBVI Deputy Director every six months. If any follow-up is needed, he will take the steps necessary to assure that the plan is implemented systematically. In the case of specific items which did not meet the standards of the plan, another check will be done three months after the initial follow-up. This process will be repeated as necessary. Aspects of the plan which are implemented and reported correctly and in a timely manner will continue to require the six month follow-up assessments.

### Additional Evaluation Processes

Ongoing communication between NCBVI client and NCBVI counselor provides an informal mechanism for evaluation. Counselors are trained in working with clients to be receptive to changes that need to be made in order to better meet the needs of individuals. Caseload reviews between Counselors, Supervisors, and Administrators (the Deputy Directors in charge of Vocational Rehabilitation and Independent Living services) provide a vehicle for additional evaluation and input regarding services delivered. Ideas from the discussions often impact the direct service offered, improving the likelihood of achieving goals and priorities, and accomplishing positive outcomes for clients.

NCBVI obtains data on level of satisfaction with services from individuals closed from Vocational Rehabilitation services through telephone interviews. We contract with an outside person who conducts the interviews four months after closure in statuses 26, 28, and 36. Calls are made to 100% of the persons closed from those statuses.

The comments help to assure quality services, to correct any problems not discovered earlier, and to ensure continuous improvement. Results of the interviews have proven to be very useful for assessing all aspects of our service system: field services, counseling, teaching, support for training and education, and of course, job placement and success in achieving the individual placement goal. We make note of both positive strengths and problem areas; then follow-through to reinforce what is working and to remediate issues to prevent future problems.

A satisfaction survey is sent in Large Print format to all Independent Living clients, upon case closure. The surveys go to IL clients under age 55, as well as to clients of the Older Blind Program, over age 55. These are returned to us on a voluntary and anonymous basis, unless the respondent chooses to self-identify. Generally, responses are positive. When there are specific issues mentioned, the Deputy Director follows up to resolve the issues involved. In these cases, it is not unusual for the individual to list his/her own name or to identify the staff person involved. If no name is given, but negative comments are made, we discuss the issue with supervisors and remind counseling staff of issues to which they need to be sensitive. This allows us to make changes if needed to facilitate better services in the future.

Another assessment procedure has been initiated in the past few years. NCBVI operates an Orientation and Training Center providing intensive training in the skills of blindness and attitude adjustment for building self-confidence. Many clients from across the State come to the Center for this training. Three months after students leave the Center, they receive a telephone call and are asked to answer questions related to Center training. This occurs whether or not the individual completes the training.

In some cases, a student may leave because of health or other personal reasons. The Deputy Director of Vocational Rehabilitation Services trains objective interviewers who conduct the telephone interviews. Results of each interview are provided to the Center Director who then changes the client name to a code number and forwards the results to Center Staff, the Executive Director of NCBVI, and to the Board of Commissioners.

These interviews have proven to be a very useful tool for assessing a major component of our overall service system. In addition to evaluating our Center program, comments sometimes relate to Field Services which individuals receive in preparation for attending the Center, or which occur during the months following training. The interviewee is assured that comments will be held in confidence. Much of the feedback is very positive regarding the productive impact felt as a result of attending the Orientation Center. The more negative comments have included the need for more one-on-one training or are specific to the student's personal expectations and needs. When trends are noticed or issues of concern are raised, we discuss the issue with the Center Director and find ways to revise our approach so that services continue to be improved.

During FY07, NCBVI has contracted with Mississippi State University for a research study which will assess the comprehensive needs of blind and visually impaired consumers in Nebraska. The study will survey 100% of NCBVI clients who were closed during FY06 in status 26 and status 28. It will also survey all open clients in the Transition Age Group, from age 19 to 26. Age 19 is the legal age of adulthood in Nebraska; for research purposes, the study deals with adults only. Finally, there will be a staff survey component to obtain data about the needs identified by rehabilitation professionals employed by NCBVI. The study is scheduled to be completed by September 30, 2007. Although findings from the survey cannot be incorporated into this plan specifically, we will analyze the data, results and implications, and will incorporate its findings into the service plan as appropriate.

## Innovation and Expansion

Each fiscal year, a percentage of Title I funds is used to develop and implement innovative approaches to expand and improve services to individuals who are blind, deaf-blind or have multiple disabilities. The Mentoring Project is NCBVI's I&E funded activity.

The NCBVI Mentoring project is part of a multiple-state program. Louisiana Tech University-Institute on Blindness is conducting a study to determine results of the overall program after a two-year period. Therefore, we do not have quantitative measures available yet. We do, however, have qualitative data from the mentors and mentees:

### Statements from Mentees

It is great to have an adult role model who went through the same difficulties I am having now. It is making my life much easier.

I have a better perspective and higher expectation for my future.

I like the challenging activities because it helps me to elevate my self-esteem.

I like to talk to my mentor about my future.

My mentor is my friend and I can count on him.

If my mentor does not have an answer, she will help me to find one.

It is great to get together in groups and discuss blindness issues.

I know that nothing will stop me.

## Statements from Mentors

I feel good helping a young person to have better chances than I had when I was growing up.

My mentee helps me to challenge myself to do different activities.

My mentee ask me questions regarding blindness, but also about life in general. It helps me to reflect upon myself and realize that I can still do many things.

The comments made thus far by participants in the project demonstrate the positive impact that is being experienced by the youth and the adults who are involved.

# STATE PLAN FOR THE STATE VOCATIONAL REHABILITATION SERVICES PROGRAM AND STATE PLAN SUPPLEMENT FOR THE STATE SUPPORTED EMPLOYMENT SERVICES PROGRAM

STATE: Nebraska

AGENCY: Commission for the Blind and Visually Impaired

AGENCY TYPE: GENERAL BLIND X COMBINED

## SECTION 1: STATE CERTIFICATIONS

1.1 The Commission for the Blind and Visually Impaired (name of designated state agency or designated state unit) is authorized to submit this State Plan under Title I of the Rehabilitation Act of 1973, as amended<sup>1</sup> and its supplement under Title VI, Part B of the Act.

1.2 As a condition for the receipt of federal funds under Title I, Part B of the Act for the provision of vocational rehabilitation services, the Commission for the Blind and Visually Impaired (name of the designated state agency)<sup>3</sup> agrees to operate and administer the State Vocational Rehabilitation Services Program in accordance with the provisions of this State Plan<sup>4</sup>, the Act, and all applicable regulations<sup>5</sup>, policies, and procedures established by the secretary. Funds made available under Section 111 of the Act are used solely for the provision of vocational rehabilitation services under Title I of the 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 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<sup>6</sup>, the Act, and all applicable regulations<sup>7</sup>, 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.

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.

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

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

1.7 The State Treasurer (title of state officer) 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 Executive Director of the Commission for the Blind and Visually Impaired (title of state officer) 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.

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, "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 Act may be awarded without an approved State Plan in accordance with Section 101(a) of the 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 Act may be awarded without an approved supplement to the Title I State Plan in accordance with Section 625(a) of the Act.

7 Applicable regulations include the EDGAR citations in footnote 5, 34 CFR Part 361, and 34 CFR Part 363.

## SECTION 2: PUBLIC COMMENT ON STATE PLAN POLICIES AND PROCEDURES

2.1 Public participation requirements. (Section 101(a)(16)(A) of the 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.

## 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 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 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 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 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 Act, 34 CFR 361, or 34 CFR 363.

3.2 Supported employment State plan supplement. (Sections 101(a)(22) and 625(a) of the 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 Act that provides for the use of funds under that part to supplement funds made available under Part B of Title I of the 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.

#### SECTION 4: ADMINISTRATION OF THE STATE PLAN

4.1 Designated state agency and designated state unit. (Section 101(a)(2) of the 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 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 Commission for the Blind & Visually Impaired

4.2 State independent commission or State Rehabilitation Council.  
(Sections 101(a)(21) and 105 of the Act; 34 CFR 361.16 and .17)  
The State Plan must contain one of the following assurances.

(a) X 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 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 Act and 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 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 Act and 34 CFR 361.17(h)(5), the review and analysis of consumer satisfaction described in Section 105(c)(4) of the 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 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 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 Act; 34 CFR 361.5(b)(47) and .15)

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

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 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 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. Yes No X

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 Act; 34 CFR 361.25, .26, and .60(b)(3)(i) and (ii))

(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 Act; 34 CFR 361.22, .23, .24, and .31, and 363.11(e))

(a) Cooperative agreements with other components of statewide workforce investment system.

The designated state agency or the designated state unit has cooperative agreements with other entities that are components of the statewide workforce 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 service delivery system or other activities through the statewide workforce 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 workforce 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 non-profit 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 Act and 34 CFR 364, and the independent living centers described in Part C of Title VII of the 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 Act for the provision of vocational rehabilitation services for American Indians who are individuals with disabilities residing on or near federal and state reservations.

Yes No X

(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 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 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 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 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 Act of 1968, Section 504 of the 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 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 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.

(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 timelines 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 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 3 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 workforce 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 Act and under Part B of Title VI of the 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 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 Act; and

(E) Strategies for assisting other components of the statewide workforce 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 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 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 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 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 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 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.

## 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 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 workforce investment system in the state.

5.2 Residency. (Section 101(a)(12) of the 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 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 Act and 34 CFR 361.48, as appropriate, to all eligible individuals with disabilities in the state who apply for services.  
Yes X 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 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 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 Act;

(3) Referral and other services to secure needed services from other agencies, including other components of the statewide workforce investment system, through agreements developed under Section 101(a)(11) of the 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 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 workforce investment system to ensure the provision of the vocational rehabilitation services identified in Section 103(a) of the 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 Act; 34 CFR 361.45 and .46)

(a) An individualized plan for employment meeting the requirements of Section 102(b) of the 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, an individualized plan for employment 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 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 Act and 34 CFR 361.52.

5.7 Services to American Indians. (Section 101(a)(13) of the 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 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 2 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 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 Act for that fiscal year.

(b) The provisions of Section 306 of the 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.

(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 Act, upon the determination by the designated state agency that for-profit organizations are better qualified to provide vocational rehabilitation services than non-profit agencies and organizations.

(b) Cooperative agreements with private non-profit organizations.

Attachment 4.8(b)(3) describes the manner in which the designated state agency establishes cooperative agreements with private non-profit vocational rehabilitation service providers.

STATE PLAN SUPPLEMENT FOR THE STATE SUPPORTED  
EMPLOYMENT SERVICES PROGRAM  
SECTION 6: PROGRAM ADMINISTRATION

6.1 Designated state agency. (Section 625(b)(1) of the 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 Act.

6.2 Statewide assessment of supported employment services needs. (Section 625(b)(2) of the 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 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 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 non-profit 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 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 Act.

6.5 Evidence of collaboration with respect to supported employment services and extended services. (Sections 625(b)(4) and (5) of the 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 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 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 Act.

## SECTION 7: FINANCIAL ADMINISTRATION

7.1 Five percent limitation on administrative costs. (Section 625(b)(7) of the 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 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 Act; 34 CFR 363.6(c)(2)(iv), .11(g)(1) and (4))

(a) Funds made available under Title VI, Part B of the 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 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 Act are not used to provide extended services to individuals who are eligible under Part B of Title VI or Title I of the Act.

## 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 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 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 Act and funded under Title I of the 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 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 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.