June 15, 2015

Commissioner Janet LaBreck
U.S. Department of Education
400 Maryland Avenue SW, Room 5086
Potomac Center Plaza (PCP)
Washington, DC 20202-2800

Re: Docket ID ED-2015-OSERS-0001
CFR 361.18; 361.48

Dear Commissioner LaBreck:

The Rehabilitation Counseling Coalition (RCC) is submitting comment in response to the Notice of Proposed Rulemaking (NPRM) to amend the regulations governing the State Vocational Rehabilitation Services program, as amended by passage of the Workforce Innovation and Opportunity Act (WIOA). The RCC offers these comments as a coalition representing diverse interests across the profession of vocational rehabilitation counseling. Specifically, the RCC is providing comment regarding the Comprehensive System of Personnel Development (CSPD) and Pre-Employment Transition Services (PETS) regulations.

With regard to CFR 361.18-CSPD, the RCC continues to uphold the position established in its February 27, 2015 CSPD Statement to OSERS regarding required skill domains for vocational rehabilitation counselors. These critically important skill domains which vocational rehabilitation counselors must acquire and continually update to reflect an evolving workforce include: (a) competence in counseling and guidance, (b) knowledge and application of the medical and psychological aspects of disability, (c) knowledge and implementation of vocational testing, assessment strategies and application of transferable skills, (d) working knowledge and integration of labor market data and disability employment policy, and (e) competence in providing the services required to develop and implement individualized career plans that assists persons with disabilities in
successful employment in a competitive, integrated work environment. The importance of these skill domains is reflective of a long history of empirical research. The RCC CSPD statement is further supported by an empirical study published in *Rehabilitation Counseling Bulletin (2013)* of vocational rehabilitation counselors in which the following personnel skills, knowledge, and application were found to be of vital importance:

A) Medical, functional and psychosocial aspects of various disabilities;
B) Vocational testing, assessment strategies, interpretation of test and assessment results, and identification and application of an individual’s transferable skills and abilities to establish a plan to meet the individual’s career goals to obtain and retain competitive integrated employment;
C) Individual and group counseling theories, practices, and interventions;
D) Principles and practices for effective case management and utilization of community resources;
E) Advocacy interventions in order to modify environmental and attitudinal barriers;
F) Effective utilization of rehabilitation technology;
G) Development of effective relationships with employers in the public and private sectors, providing consultation to employers on disability employment policy, disability prevention and disability management strategies;
H) Use of labor market data to deliver job development and job placement services that respond to today’s labor market;
I) Use of research, evidence-based practices and program evaluation data in enhancing practice outcomes; and
J) Understanding and applying ethical standards to practice.

With the aforementioned professional skill domains having been empirically established, the RCC strongly supports the long-held educational benchmark for the profession to be a Master’s degree in Rehabilitation Counseling, with the appropriate national professional credential of Certified Rehabilitation Counselor (CRC). Alternatives, including mention in WIOA of a Bachelor’s degree in Business, are fully dismissed by the Coalition, and would potentially place millions of employable Americans with disabilities from culturally diverse backgrounds in jeopardy of receiving sub-par employment services and vocational outcomes.

Pertaining to CFR 361.48-Pre-Employment Transition Services (PETS), the RCC seeks clarification in defining the population described in WIOA. The RCC asks that eligibility be further defined in terms of eligible disability diagnosis. Additionally, there is a lack of clarity in defining the nature of a “student”, and there appears to be discrepancy (reference in WIOA to IDEA) regarding the maximum age a student can remain eligible to receive services. Description of Extended Services (Supported Employment) does not suggest continuity of service between the VR and DD systems, and would likely result in unnecessary disruptions in service plans, and would further extend length of time and size of caseloads.

Of further concern is a lack of rationale and clarity of process related to documentation required for services paid at subminimum wage. We have significant capacity concerns related to: agency staffing levels; growing caseload sizes; lack of State capacity to provide appropriate assessment tools or support personnel/resources; insufficient funds to cover assessment costs; and lack of
specifics for implementation of assessments. Qualifications of assessors are not adequately described, and as such, poses a serious overall validity risk of those being assessed-particularly since they represent individuals from vulnerable and diverse backgrounds and environments.

The RCC requests that the above comments and concerns be received with the intent to offer improvements to WIOA and to strengthen the impact of this historic legislation. The Coalition is pleased to continue offering support, professional expertise, and leadership on issues related to employment such that all people are afforded opportunities to receive effective, professional, and ethical vocational rehabilitation services.

Respectfully Submitted,

Rehabilitation Counseling Coalition (RCC)