



New York State Comptroller
THOMAS P. DiNAPOLI

Adult Career and Continuing Education Services – Vocational Rehabilitation Supported Employment Program

State Education Department

Report 2020-S-46 | March 2022

Spotlight on Education



Audit Highlights

Objective

To determine whether the Adult Career and Continuing Education Services – Vocational Rehabilitation (ACCES-VR) Supported Employment Program achieved its intended objectives, namely, to provide vocational rehabilitation supported employment services for individuals with a disability. The audit covered the period from April 2017 through December 2020.

About the Program

The State Education Department's (Department) ACCES-VR program provides vocational rehabilitation services for and supports the employment goals of people with a disability. Its mission is to assist individuals with a disability to achieve and maintain employment and to support independent living through training, education, rehabilitation, and career development.

While unemployment rates among New Yorkers with a disability were higher than for the general population over the past decade, they decreased in 2019 just prior to the COVID-19 pandemic. Nevertheless, shortly before the pandemic hit, unemployment rates for people with a disability were still more than double that of the general population. The pandemic and resulting economic shutdown led to soaring unemployment rates in New York, which have slowly but steadily declined since peaking in April 2020. However, for New Yorkers with a disability, unemployment rates increased more quickly and have remained stubbornly high, disrupting whatever progress had been made leading up to the pandemic.

The impact for New Yorkers who face unique challenges due to a disability is significant, and the unique customized services and support provided by ACCES-VR to its clients are more important now than ever.

To help program participants achieve and maintain employment, counselors jointly develop an Individualized Plan for Employment (IPE) with each participant. The IPE is a written plan that identifies the employment goal for the participant, the services that will be provided to help achieve that goal, and how progress will be measured along the way. The Department's Vocational Rehabilitation Policies and Procedures (Policy) call for certain information to be present within each IPE.

Additionally, federal law and the Department's Policy require certain actions to be taken within specific time frames: participant eligibility determination must be made within 60 days of receipt of an application; IPEs must be developed and finalized within 90 days of eligibility determination; and IPEs must be reviewed by the counselor and participant at least annually.

Key Findings

- The Department does not always meet time frames for eligibility determinations, finalization of IPEs, and ongoing annual reviews of IPEs, as required by federal law and the Department's Policy.
- The IPEs do not contain all the required information in sufficient detail. The elements of the IPE that were present often contained vague or boilerplate language rather than using specific, customized, or detailed language as called for in the Policy.

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- The Department did not provide any documented evaluations to show it was adequately monitoring the ACCES-VR program. Inadequate monitoring, incomplete IPEs, and delays in an already complex process can deter participants from gaining employment, which can further result in disruption to the participants' goals of independent living and rising out of poverty.

Key Recommendations

- Develop and implement improved controls to ensure eligibility determinations, IPE finalizations, and IPE annual reviews are being completed timely.
- Develop and implement procedures to ensure that IPEs are fully developed for each participant who requires one and contain sufficient detail.
- Develop a process to periodically evaluate the effectiveness of the ACCES-VR program based on individual participants' goals and achievements to ensure that participants are receiving the full benefit of its services and ACCES-VR is meeting the goals of its mission.



Office of the New York State Comptroller Division of State Government Accountability

March 30, 2022

Betty A. Rosa, Ed.D.
Commissioner
State Education Department
State Education Building
89 Washington Avenue
Albany, NY 12234

Dear Dr. Rosa:

The Office of the State Comptroller is committed to helping State agencies, public authorities, and local government agencies manage their resources efficiently and effectively. By so doing, it provides accountability for the tax dollars spent to support government operations. The Comptroller oversees the fiscal affairs of State agencies, public authorities, and local government agencies, as well as their compliance with relevant statutes and their observance of good business practices. This fiscal oversight is accomplished, in part, through our audits, which identify opportunities for improving operations. Audits can also identify strategies for reducing costs and strengthening controls that are intended to safeguard assets.

Following is a report of our audit entitled *Adult Career and Continuing Education Services – Vocational Rehabilitation Supported Employment Program*. This audit was performed pursuant to the State Comptroller's authority under Article V, Section 1 of the State Constitution and Article II, Section 8 of the State Finance Law.

This audit's results and recommendations are resources for you to use in effectively managing your operations and in meeting the expectations of taxpayers. If you have any questions about this report, please feel free to contact us.

Respectfully submitted,

Division of State Government Accountability

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Glossary of Terms

Term	Description	Identifier
ACCES-VR	Adult Career and Continuing Education Services – Vocational Rehabilitation program	<i>Program</i>
Act	Federal Rehabilitation Act of 1973, as amended	<i>Law</i>
CaMS	Case Management System	<i>Key Term</i>
Counselors	Vocational Rehabilitation Counselors	<i>Key Term</i>
Department	State Education Department	<i>Auditee</i>
FFY	Federal fiscal year	<i>Key Term</i>
IPE	Individualized Plan for Employment	<i>Key Term</i>
Policy	Vocational Rehabilitation Policies and Procedures	<i>Key Term</i>
QAMU	Quality Assurance and Monitoring Unit	<i>Auditee Unit</i>
RSA	U.S. Department of Education’s Rehabilitation Services Administration	<i>Agency</i>
SRC	New York State Rehabilitation Council	<i>Key Term</i>
WIOA	Workforce Innovation and Opportunity Act	<i>Law</i>

Background

According to the 2019 American Community Survey (ACS), there were approximately 1 million working-age adults (ages 21-64) with a disability in New York State in 2018. The employment rate of working-age people with a disability was less than half that for people without a disability. Further, ACS data shows that New Yorkers with a disability are more than twice as likely to live in poverty. While unemployment rates among New Yorkers with a disability were higher than for the general population over the past decade, they decreased in 2019 just prior to the COVID-19 pandemic. Nevertheless, shortly before the pandemic hit, unemployment rates for people with a disability were still more than double that of the general population.

The COVID-19 pandemic and resulting economic shutdown led to soaring unemployment rates in New York, which have slowly but steadily declined since peaking in April 2020. However, for New Yorkers who face unique challenges due to a disability, unemployment rates increased more quickly and have remained stubbornly high, disrupting whatever progress had been made leading up to the pandemic. The State Department of Labor reports that, for the 1-year period between September 2020 and August 2021, unemployment rates for people with a disability averaged 15.2%, an increase of 4.4% over the prior year and still 7.9% higher than pre-pandemic averages. This rate continues to be significantly higher than for the general population.

The State Education Department's (Department) Adult Career and Continuing Education Services – Vocational Rehabilitation (ACCES-VR) program provides vocational rehabilitation services for and supports the employment goals of people with a disability. The Department maintains 15 ACCES-VR district offices with 293 full-time vocational rehabilitation counselors (counselors) and 97 vocational rehabilitation counselor assistants.

ACCES-VR's mission is to assist individuals with a disability to achieve and maintain employment and to support independent living through training, education, rehabilitation, and career development. Its work begins with the presumption that all individuals with a disability can benefit from vocational rehabilitation services and should have opportunities to work in jobs integrated within their communities.

To help program participants achieve and maintain employment, counselors jointly develop an Individualized Plan for Employment (IPE) with each participant. The IPE is a written plan that identifies the employment goal for the participant, the services that will be provided to help achieve that goal, and how progress will be measured along the way. The IPE takes into account each participant's specific employment goal, strengths, abilities, resources, interests, and other unique factors. The employment goal and specific vocational rehabilitation services are determined by an assessment of needs, and the participant is actively involved in the process of developing the IPE, including choosing the employment goal, selecting the services to be received, and choosing the providers of those services. The original IPE, as well as any substantive changes, must be agreed to and acknowledged by the participant's signature.

For new program participants, the Vocational Rehabilitation Policies and Procedures (Policy) requires an eligibility determination to be made within 60 days of receipt of the participant's application. Once an eligibility determination has been made, the Policy requires an IPE to be finalized for the participant within 90 days. Additionally, the finalized IPE should be reviewed by the participant and their counselor as often as necessary but no less than once a year.

The Department uses its Case Management System (CaMS) to record and monitor participant information and progress. CaMS houses information such as the participant's case number and data, case notes, the IPE and accompanying notes used in its development, as well as training and services provided.

Within ACCES-VR, the Quality Assurance and Monitoring Unit (QAMU) was created in 2004 to implement a comprehensive monitoring system of ACCES-VR's compliance with federal and State regulations, terms and conditions of federal awards, and effectiveness of internal controls. QAMU is responsible for overseeing the delivery of vocational rehabilitation services; ensuring those services are appropriate for the participant; measuring performance; and verifying participants receive outside services when deemed necessary by individual circumstances.

Federal legislation supports ACCES-VR's mission and initiatives. Most programs under the Federal Rehabilitation Act of 1973 as amended (Act) are related to the employment and independent living of individuals with a disability, and the Act prohibits discrimination on the basis of disability in programs receiving federal financial assistance.

The Act mandates ACCES-VR to work in partnership with the New York State Rehabilitation Council (SRC). SRC provides advice and support to ACCES-VR on behalf of people with a disability and their families regarding the delivery of effective rehabilitation services. The SRC also reviews, analyzes, and makes observations regarding ACCES-VR's performance and prepares annual amendments to the New York State Combined State Plan, which outlines goals and priorities in providing vocational rehabilitation services. For federal fiscal year (FFY) 2020, SRC made numerous observations to ACCES-VR regarding improving and measuring the quality of programs and services to consumers.

The Workforce Innovation and Opportunity Act (WIOA) was designed to strengthen and improve our nation's public workforce system; help get Americans, including those with significant barriers to employment, into high-quality jobs and careers; and assist employers in hiring and retaining skilled workers. Title IV of WIOA amends the Act and contains an expanded scope of services that address participant needs for customized employment services, communication skills coaching, and extended supported employment for youth.

Additionally, various incentives, including tax credits, are offered to employers for hiring workers with a disability. Despite these incentives, a 2018 Cornell University Annual Disability Status Report indicated that New York State performs poorly in

terms of employing people with a disability, with the employment rate being lower and poverty rate being higher than the national average.

For FFY 2020, ACCES-VR reported that its Supported Employment Program arranged job placements for 5,609 people of a total open caseload of 44,624 people, a decrease of nearly 30% from the prior year.

Audit Findings and Recommendations

We found that the Department does not always meet the time frames for eligibility determinations or finalization and annual reviews of IPEs, as required by WIOA and the Policy. While the Department has recently made progress in improving the timeliness of these submissions, there is still room for improvement. We also found that IPEs – an essential roadmap to employment – do not contain all the required information in sufficient detail. Further, the Department did not provide any documented evaluations to show they were adequately monitoring the ACCES-VR program.

The impact of this for New Yorkers who face unique challenges due to a disability is significant, especially in light of the disproportionate effect the pandemic has had on employment outcomes for this population. The unique customized services and support provided by ACCES-VR to its clients are more important now than ever. Inadequate monitoring and delays in an already complex process can deter participants from gaining employment, which can further result in disruption to participants' goals of independent living and rising out of poverty. Consequently, program oversight – that ensures participant information is complete and timely; actionable items are taken as and when needed; and overall program review and evaluation is performed regularly – is critical in improving employment rates and further reducing the disparity in employment outcomes for people with a disability.

Compliance With Timeliness Requirements

We reviewed participant case files within CaMS to determine whether the Department complied with the timeliness requirements. WIOA and the Policy require compliance with certain time frames for determining eligibility, finalizing IPEs, and reviewing IPEs after finalization. We selected three samples of cases to review for timeliness requirements: one random sample of 100, one random sample of 50, and one judgmental sample of 50. Of the 200 participant cases we reviewed, we found:

- 27 had late eligibility determinations
- 35 had late IPE finalizations
- 47 had late annual reviews

For example, one participant's eligibility was determined 175 days after the application date, or 115 days late. Another participant had their IPE finalized 362 days after the eligibility determination date, or 272 days late.

The U.S. Department of Education's Rehabilitation Services Administration (RSA) provides oversight and resources to assist state and other agencies in providing vocational rehabilitation and other services to individuals with a disability to maximize their employment, independence, and integration into the community and the competitive labor market. RSA reviewed the ACCES-VR program in 2018 and found issues with the timeliness of completing eligibility determinations and IPE finalizations. As part of the review process, the Department submitted a corrective action plan to reach 90% timeliness for these areas. Findings from our review of 200 cases are presented in the following table.

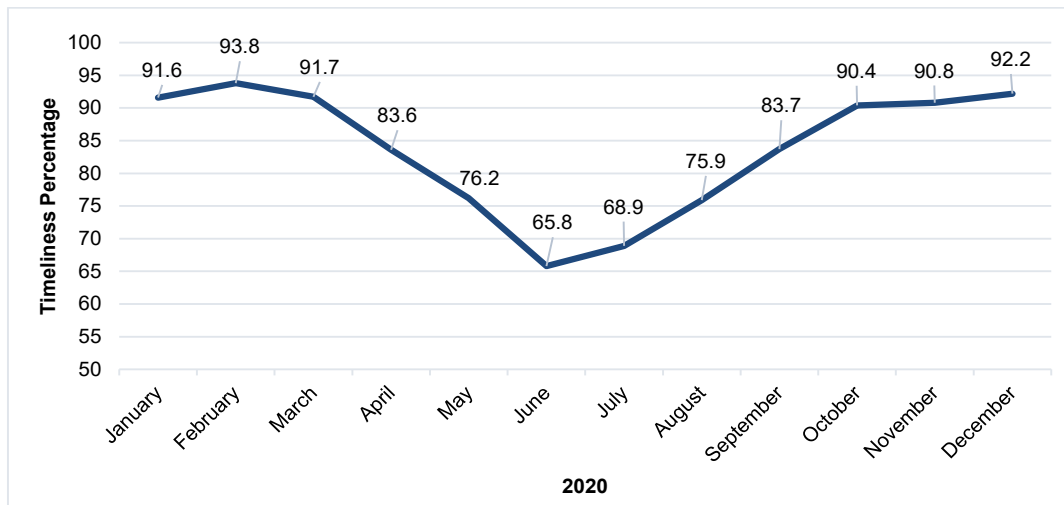
Late Documentation Both Pre- and Post-Corrective Action Plan

	Total Cases Reviewed*	Total Number Late (%)	Pre-Corrective Action Late (%)	Post-Corrective Action Late (%)
Eligibility Determinations	197	27 (14%)	14 of 64 (22%)	13 of 133 (10%)
IPE Finalizations	195	35 (18%)	20 of 64 (31%)	15 of 131 (11%)
IPE Annual Reviews	108	47 (44%)	31 of 50 (62%)	16 of 58 (28%)

*The Total Cases Reviewed column is less than 200 because three cases had not yet reached the 60-day requirement for eligibility determination, five cases had not reached the 90-day requirement for IPE finalization, and 92 cases had not reached the 1-year time frame for reviewing the finalized IPE.

Department officials stated they have reached their corrective action plan requirement of 90% timeliness for eligibility determinations and IPE finalizations. However, there is room for improvement as the annual IPE reviews have still not met this goal. The Department's timeliness was greatly affected by the COVID-19 pandemic; however, Department officials were able to improve their timeliness after a few months, as shown in the figure below. While the drop-off in IPE finalizations returned to normal levels in a relatively short period of time, delays in this critical support step could have compounded issues participants are facing at a time when they are most in need of increased support.

IPE Finalization Compliance Rate by Month



When these required time frames are not met, a participant may be delayed in receiving necessary services or making changes and improvements to their received services; or the services may be completely missed. The extensive customization of these services means that participants who missed or were delayed in receiving these support services could have been further disadvantaged in seeking and obtaining employment.

We found that CaMS has built-in reminders alerting counselors of upcoming deadlines. However, they were insufficient because they are only triggered upon opening a particular individual's case file rather than when the counselor first logs into CaMS. Department officials stated they are in the process of replacing CaMS, and the new system should provide improved functionality to further aid with meeting the timeliness requirements. This system should be operating by November 2022.

Individualized Plan for Employment Content

We reviewed 50 finalized IPEs for the required contents, as defined in the Policy. We found that the IPEs generally contained the majority of the required elements; however, none of the 50 reviewed cases contained all of the required elements. The elements of the IPE that were present often contained vague or boilerplate language rather than using specific, customized, or detailed language as called for in the Policy. This specific, customized, and detailed language would be expected for the wide range of unique situations of the participants, and IPEs that are not highly customized to each participant could create a gap in the support services provided, which could ultimately slow the reversal of the losses in employment rates caused by the pandemic.

A participant's IPE must contain a description of criteria to evaluate progress toward achievement of the employment goal, such as timelines and a description of the steps or benchmarks to be reached by these timelines. While all 50 IPEs contained language in that section of the IPE, an overwhelming number of cases (47 of 50) had language that contained a standard set of non-specific expectations that could not be used to measure the individual's progress. The remaining three cases we reviewed contained some specific criteria that could be used to evaluate the individual's progress, such as identifying supports, resources, or work experiences available to the participant or providing an 11-month timeline for participants to complete the tasks detailed in their IPE.

Similarly, none of the 50 cases reviewed outlined the detailed responsibilities of the participant and counselor to implement the IPE based on the individual needs of the participant. These responsibilities may include the participant maintaining a particular attendance pattern during training or contacting the counselor on an agreed-upon schedule. Yet we found all 50 cases included only a standard set of general program responsibilities for the counselor and participant, such as the participant's responsibility to "Keep all appointments" and "Keep my counselor informed of circumstances that may affect my ability to carry out my plan," as well as ACCES-VR counselor responsibilities to "Keep information confidential" and "Help me find a job."

However, our review found all 50 cases contained the following required information: the participant's employment goal, vocational rehabilitation services to be received, the service provider for the vocational rehabilitation services, and an explanation of anticipated cost.

Overall, ACCES-VR counselors are not following the requirements of the Policy. Department officials reported that, due to the COVID-19 pandemic as well as the

hiring freeze, the counselors are overworked and ACCES-VR is understaffed. They believe these factors have contributed to the IPEs not being fully completed with the required detailed information. Without the detailed performance goals and specific circumstances of the individual participants being documented in the IPEs, the Department cannot appropriately evaluate the success or improvement areas for individual participants or the program overall. Further, when the IPE does not contain all required information, program participants may not be aware of what services they should be receiving or may not have enough information to make informed choices about the selection of their employment goal and the providers of certain services. Above all, the lack of sufficiently detailed IPEs could prevent or at least delay participants making progress in meeting their goals, up to and including obtaining employment.

In addition, the IPE is the agreement between the Department and the participant that both parties are agreeing to. Therefore, the IPE should include all required information in sufficient detail, so that both parties are made fully aware of their responsibilities under the agreement. Department officials stated that, within CaMS, there are additional documents containing some of the missing information. However, it should be documented in the IPE, as required by the Policy, where the participant can see and agree to the information.

ACCES-VR Program Evaluation

Monitoring activities should include the development and review of operational data that allows management to determine whether the program is fulfilling its mission. This can be achieved by periodic comparisons of operational data to the program's strategic plan. Further, plans to correct any identified issues should be developed to aid in meeting the established goals. The Department provides data to different entities, including the RSA and the SRC, which could be used to evaluate program effectiveness. However, the Department did not provide us any documented evaluations to show they were using their data to adequately monitor the ACCES-VR program.

ACCES-VR provided data to RSA as part of the RSA Annual Report to Congress and the President, as required by Sections 13 and 101(a)(10) of the Act. The information collected helps RSA evaluate its programs' effectiveness but does not evaluate the success of the individual states or whether they are meeting the program's mission. The six primary indicators of performance in the RSA report are: Employment Rate 2nd Quarter after Exit; Employment Rate 4th Quarter after Exit; Median Earnings in the 2nd Quarter after Exit; Credential Attainment Rate; Measurable Skill Gains; and Effectiveness in Serving Employers.

These measures were put in place in 2017 by RSA and must be consistent with the common performance accountability measures established under Title 1 of WIOA for the core programs of the workforce development system. However, these measures can be changed or renegotiated periodically. ACCES-VR management stated that the passage of WIOA in 2014 created a transformational shift away from

measuring success exclusively in terms of getting a job to a much broader evaluation of the quality of services provided to individuals with a disability. While this might be reasonable on a national level, ACCES-VR should perform an evaluation to determine if it is achieving its mission. A few of the measures reported to RSA could be used as a start to evaluate the effectiveness of the ACCES-VR program, but it is not a comprehensive list of the necessary information. For example, the employment rate at the end of the 2nd and 4th quarters after closure are useful benchmarks; however, it does not measure whether the individual participant has met their individualized employment goals, which are determined when finalizing their IPE. Determining whether the individual participants have reached their full potential level of employment is critical information to monitor and analyze.

Additionally, ACCES-VR management provided data to the SRC to evaluate the ACCES-VR program using seven preset goals. For FFY 2020, ACCES-VR met four of these goals, including: wages received by participants are above the minimum wage; wages for participants with a significant disability are above the minimum wage; participants have a higher level of self-support at closure compared to when they applied to the program; and the ratio of minority service rate compared to non-minority service rate. However, the evaluation identified the following areas that could be improved:

- ACCES-VR arranged job placement for 5,609 participants for FFY 2020 compared to 7,792 for FFY 2019, a decrease of nearly 30%.
- 26.8% of all ACCES-VR participants achieved an employment outcome (the goal was a minimum of 55.8%).
- The ratio for ACCES-VR wages compared to the average State wage was 0.45 (the goal was 0.52).

While SRC is purely an advisory group and does not have any oversight responsibilities regarding the ACCES-VR program, the evaluation could be used by ACCES-VR to measure its success and find opportunities for improvement. Monitoring is a key component of an effective internal control system and involves the ongoing evaluation of activities toward achievement of the program's goals and mission. Without these steps, the Department cannot determine the overall effectiveness of the ACCES-VR program. In addition, management is unable to ascertain areas where corrective action is needed as well as which strategies are proving successful. Ultimately, the success of ACCES-VR is determined by its ability to achieve increased employment rates and support independent living above the poverty line for people with a disability. With COVID-19 pandemic numbers showing that successes achieved in the years leading up to the pandemic have been reversed, it is crucial to identify and implement proven strategies at a time when this often-marginalized population is in need of even more support.

Recommendations

1. Develop and implement improved controls to ensure eligibility determinations, IPE finalizations, and IPE annual reviews are being completed timely.
2. Develop and implement procedures to ensure that IPEs are fully developed for each participant who requires one and contain sufficient detail.
3. Develop a process to periodically evaluate the effectiveness of the ACCES-VR program based on individual participants' goals and achievements to ensure that participants are receiving the full benefit of its services and ACCES-VR is meeting the goals of its mission.

Audit Scope, Objective, and Methodology

The objective of our audit was to determine whether the ACCES-VR Supported Employment Program achieved its intended objectives, namely, to provide vocational rehabilitation supported employment services for individuals with a disability. The audit covered the period from April 2017 through December 2020.

To accomplish our objective and assess related internal controls, we became familiar with and assessed the adequacy of internal controls as they related to our audit objective. We reviewed State laws and regulations as well as Department policies and procedures. We interviewed Department officials and district office officials to obtain an understanding of their monitoring practices. We analyzed case data related to the programs in CaMS. Based on our audit work, we believe the data was sufficiently reliable for the purposes of this audit.

For testing of compliance with timeliness requirements, we selected three samples of cases to determine if the Department was in compliance with the timeliness requirements: one random sample of 100 from all cases during our scope April 2017 through December 2020, one random sample of 50 from cases between January 2019 and December 2020, and one judgmental sample of 50 based on employment status. Because we reviewed all three samples for the same three milestones, we combined them and reported on the results of all 200 together. As a result, we cannot project the results onto the entire population, even for the random samples. The 200 sampled cases were ones that were active during the audit scope period out of a total population of 117,445. For each case in the sample, we reviewed CaMS for the following dates: application received, eligibility determined, IPE finalized, and IPE reviewed. For eligibility determination and IPE finalization, we calculated the exact number of days elapsed and compared them to the 60- and 90-day requirements, respectively. For the annual IPE review, we compared the IPE finalization date to the date of the review and allowed for up to 13 months for compliance with the annual requirement. For testing of IPE content, we looked only at cases with status codes that would indicate that the participants had achieved successful employment. Of these 3,184 cases, we judgmentally selected and reviewed the 50 most recent, based on the application date.

The findings and conclusions drawn as the results of our judgmental and random samples cannot and were not intended to be projected on the population as a whole.

Statutory Requirements

Authority

The audit was performed pursuant to the State Comptroller's authority as set forth in Article V, Section 1 of the State Constitution and Article II, Section 8 of the State Finance Law.

We conducted our performance audit in accordance with generally accepted government auditing standards. Those standards require that we plan and perform the audit to obtain sufficient, appropriate evidence to provide a reasonable basis for our findings and conclusions based on our audit objective. We believe that the evidence obtained provides a reasonable basis for our findings and conclusions based on our audit objective.

In addition to being the State Auditor, the Comptroller performs certain other constitutionally and statutorily mandated duties as the chief fiscal officer of New York State. These include operating the State's accounting system; preparing the State's financial statements; and approving State contracts, refunds, and other payments. These duties could be considered management functions for purposes of evaluating organizational independence under generally accepted government auditing standards. In our professional judgment, these duties do not affect our ability to conduct this independent performance audit of the Department's oversight and administration of the ACCES-VR Supported Employment Program.

Reporting Requirements

A draft copy of the report was provided to Department officials for their review and formal comment. Their comments were considered in preparing this final report and are attached in their entirety to the end of it. In their response, Department officials generally disagreed with our findings and conclusions. Our State Comptroller's Comments address certain Department remarks, as well as inaccuracies and other issues, and are embedded within the Department's response.

Within 180 days after final release of this report, as required by Section 170 of the Executive Law, the Commissioner of the State Education Department shall report to the Governor, the State Comptroller, and the leaders of the Legislature and fiscal committees, advising what steps were taken to implement the recommendations contained herein, and where recommendations were not implemented, the reasons why.

Agency Comments and State Comptroller's Comments



THE STATE EDUCATION DEPARTMENT / THE UNIVERSITY OF THE STATE OF NEW YORK / ALBANY, NY 12234

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January 13, 2022

Mr. Brian Reilly
Audit Director
NYS Office of the State Comptroller
110 State Street
Albany, NY 12236

Dear Mr. Reilly:

The New York State Education Department (NYSED) appreciates the opportunity to respond to the Office of the State Comptroller (OSC) regarding their audit of the *New York State Education Department's Adult Career and Continuing Education Services - Vocational Rehabilitation (ACCES-VR) Supported Employment Program (2020-S-46)*. There are a few points the Department would like to bring to your attention prior to your finalizing the draft audit report, and are as follows:

Objectives

OSC states its audit objective is to determine if ACCES-VR achieved its objective to provide vocational rehabilitation supported employment services for individuals with disabilities. ACCES-VR does not agree with OSC's judgement and believes they did not use the most appropriate data to adequately evaluate if the objective was met. Pertinent definitions are included in the attached Reference section.¹

State Comptroller's Comment 1 – The Department was made aware of our audit objective at the opening conference. Furthermore, from the beginning of and throughout the audit, OSC requested all data relevant to our audit objective – the basis of our findings is the data that the Department provided to us during the audit.

OSC's audit relies on the number of employment outcomes rather than the quality of services provided. United States Department of Education (USDOE), Rehabilitation Services Administration (RSA) provides federal oversight for all vocational rehabilitation programs nationally including of ACCES-VR. Performance indicators under the Workforce Investment Act (WIA) included the rehabilitation rate (number of employment outcomes) which ended with the reauthorization of the Rehabilitation Act as the Workforce Innovation and Opportunity Act (WIOA) in July 2014. New performance indicators were fully implemented effective July 1, 2017 and no longer include number of employment outcomes. While ACCES-VR continues to consider the number employment outcomes, RSA's current performance indicators now focus on the quality

¹ 34 Code of Federal Regulation (CFR) § 361.5 - Applicable definitions
<https://www.law.cornell.edu/cfr/text/34/361.5>

of services provided along with the types of employment outcomes achieved rather than the number of outcomes.²

Of the thousands of case records opened during 2015 through 2020 that were requested and provided to OSC, OSC elected to judge ACCES-VR's success in providing a Supported Employment Program based on the number of employment outcomes during federal fiscal year (FFY) 2020. During this period, October 1, 2019 through September 30, 2020, the Covid pandemic negatively impacted ACCES-VR's supported employment outcomes, just like it negatively impacted employment for individuals without disabilities across the state and nation. ACCES-VR is still recovering from the impact of Covid and does not believe that OSC's focus on FFY 2020 employment outcomes fairly or accurately reflects ACCES-VR's performance or success in providing a Supported Employment Program.

State Comptroller's Comment 2 – The Department is mistaken. Our audit did not judge the success of the program based solely on data from FFY 2020. Rather, it encompassed a review of sample files from April 2017 through December 2020, including cases that coincided with the Department's 2018 corrective action plan to improve its compliance with timeliness requirements (see pp. 10–11). Furthermore, in the report, we also acknowledge that COVID-19 did have an impact on the program. Despite these ongoing challenges, Department officials were still able to improve their timeliness after a few months.

OSC did not identify their findings based on review of the complete case record.³ Due to Covid, OSC declined to visit NYSED Central Office to review paper files. Together, the paper file, the electronic Case Management System (CaMS), and financial folder make up the complete record. OSC's audit utilized CaMS only.

State Comptroller's Comment 3 – The Department's assertion is false; auditors did not “decline” to visit the Central Office to review paper files. Rather, when we proposed to visit the Central Office, Department officials informed us that it was unnecessary since “all documentation” – which presumably would have included all files that constitute a “complete record” – was stored in CaMS. Furthermore, at no point during the audit did the Department inform us otherwise: during numerous meetings and in the response to our preliminary findings, Department officials repeatedly stated that all documentation was present in CaMS, even going so far as to direct us where it would be found.

Background

The Act mandates ACCES-VR work in partnership with the New York State Rehabilitation Council (SRC). For federal fiscal year (FFY) 2020, the SRC made numerous recommendations to ACCES-VR regarding improving and measuring the quality of programs and services to consumers.

Please be advised that the SRC made no 4.2 recommendations to or regarding ACCES-VR. The following is from their 2020 Annual Report:

“The (SRC) Executive Committee continued to focus on updating its Guiding Principles, creating a resource manual, strengthening our partnership with the National State

² RSA TAC-17-02 Performance Accountability Guidance, pages 4-5
<https://rsa.ed.gov/sites/default/files/subregulatory/tac-17-01.pdf>

³ RSA PD-16-04 Instructions for the Completion of the RSA-911 Report for State VR and Supported Employment Programs <https://rsa.ed.gov/sites/default/files/subregulatory/pd-16-04.pdf>

Rehabilitation Council, and establishing a stronger alignment of SRC work and quarterly presentations with the ACCES-VR WIOA priorities. I am very proud of the reflective practices this year's SRC exhibited as we continued to ebb and flow with the ever-changing world we live in, while remaining positive and focused on our mission. This year, we did not entertain any 4.2 recommendations."

State Comptroller's Comment 4 – Based on the Department's response, we edited the report to clarify that the SRC made no recommendations but rather made observations.

The New York State Rehabilitation Council is an advisory group - not a regulatory group - that meets regularly with ACCES-VR. ACCES-VR maintains a collaborative relationship with the SRC and is very proud of this relationship. As such, SRC feedback and suggestions are discussed as part of regularly scheduled meetings where ACCES-VR staff are represented in SRC sub-committee work groups. The SRC did not make 4.2 recommendations to ACCES-VR in 2019, 2020 or 2021. It is completely inaccurate for OSC to report that the SRC made numerous recommendations to ACCES-VR.

Response to OSC's Recommendations

Recommendation 1: *Develop and implement improved controls to ensure eligibility determinations, IPE finalizations, and IPE annual reviews are being completed timely.*

We disagree with this finding. USDOE Rehabilitation Services Administration (RSA) provides federal oversight for all state VR programs with similar findings from their 2018 Monitoring of ACCES-VR. As a result, ACCES-VR took steps to successfully address the issue of timeliness achieving the federal requirements. Sustained progress has been documented weekly since the fall of 2018 with a high level of compliance for the past two years which was only temporarily interrupted during ACCES-VR's required transition to working remotely due to the pandemic. Subsequent recovery from the impact of the pandemic on service delivery was noted in weekly data reports since April 2021.

State Comptroller's Comment 5 – Our report acknowledged that the Department took steps to address the timeliness for eligibility determinations and IPE finalizations after the 2018 review, which occurred during our audit scope period. However, as we stated in the report and reiterate here, there is always room for improvement – and the Department has fallen short of meeting the requirements for IPE annual reviews.

ACCES-VR has been so successful at improving timeliness and meeting federal regulatory expectations that the RSA corrective action plan findings in these areas have been successfully resolved:⁴

- **Eligibility** - Comply with 34 C.F.R. §361.41(b)(1) by making eligibility determinations within the required 60-day period.

RSA Response to July 2021 Quarterly CAP Update: *This corrective action was resolved on July 31, 2020. The Actual Completion Date has been noted. RSA continues to monitor sustained performance.*

- **IPE** - Comply with 34 C.F.R. §§ 361.45(a)(1) and (e) to ensure IPEs are developed with

⁴ RSA 2018 Monitoring CAP

the 90-day Federal timeframe from the date of eligibility determination.

RSA Response to July 2021 Quarterly CAP Update: *ACCES-VR has sustained performance and timely IPE development within 90-days from the date of eligibility determination for two consecutive quarters. This corrective action has been resolved, and ACCES-VR has been asked to continue to maintain its performance and compliance.*

Recommendation 2: *Develop and implement procedures to ensure that IPEs are fully developed for each participant who requires one and contain sufficient detail.*

ACCES-VR strongly disagrees with this finding and contends that all required components of the IPE are included in each IPE.⁵ It seems that without access to the paper files, OSC's auditors may not have viewed the complete Individualized Plan for Employment (IPE) as it appears when it prints from the CaMS, the electronic case management system.

State Comptroller's Comment 6 – See Comment 3. Department officials' insistence that CaMS contained "all documentation" led us to believe they provided us with access to complete records.

Furthermore, ACCES-VR utilizes several documents to develop the Individualized Plan for Employment (IPE). The IPE Development Note and Background Note together with the IPE provide documentation of the individualized plan, participant input and justification for services and vendor selection. Samples of documents were shared with OSC in response to their preliminary report on August 5, 2021 and we directed the auditors to the specific location where each component was included on the printed IPE.

State Comptroller's Comment 7 – We reviewed the documents shared in response to the preliminary report and adjusted our findings accordingly. However, we found that a number of the sampled IPEs still did not contain sufficient individualized detail, as required in the Department's Policy.

To complete an IPE in the electronic case record, CaMS, all 10 requirements must be included:

1. Employment goal
2. VR services
3. Criteria to evaluate
4. Service providers
5. Costs
6. Individual's responsibilities
7. Counselor responsibilities
8. Post-employment services
9. Information regarding rights and resolution options in case of dissatisfaction
10. Information regarding Client Assistance Program

OSC's specific findings regarding the IPE and ACCES-VR's response:

- 47 (94%) of 50 did not contain any specific criteria to evaluate participant progress.

⁵ 34 Code of Federal Regulation (CFR) 361.46 Content of the Individualized Plan for Employment <https://www.law.cornell.edu/cfr/text/34/361.46>

Response: Please see page 1 of the IPE, Evaluation of Progress Toward the Work Goal.

- 50 (100%) of 50 did not outline responsibilities of the participant and counselor to implement the IPE.

Response: Included on the last page of the IPE above the signature lines, My Responsibilities.

- 36 (72%) of 50 did not list anticipated post-employment services needed.

Response: Post-employment services may not always be included, but for cases with Supported Employment, Extended Services are included on page 2 of the IPE and include the name of the provider agency and funding source.

- 50 (100%) out of 50 named vocational rehabilitation services for the participant; however, these frequently seemed to default to ACCES-VR providing “counseling and guidance” services.

Response: Counseling and Guidance are essential services provided to all applicants and recipients of services and are included on all IPEs.

State Comptroller’s Comment 8 – As we state in Comment 7, upon providing Department officials with our findings, they shared additional documents and directed us to look at different screens within CaMS, and we adjusted our findings accordingly. However, the additional information did not alter our findings listed above.

- 50 (100%) out of 50 listed the service provider(s).
- 50 (100%) out of 50 contained an explanation of anticipated costs.

Response: Four of the ten components of an IPE include: Participant Responsibilities, ACCES-VR Responsibilities, rights, and resolution options when dissatisfied (due process) and information about the Client Assistance Program and rights use of boiler plate language. ACCES-VR determined that use of standardized language is critical for ensuring that accurate information and statements are consistent with regulation and ACCES-VR policy and that this information is provided uniformly and consistently to all participants across the state regardless of which office they receive services.

State Comptroller’s Comment 9 – While the Department may want to use boilerplate language to provide uniformity to all participants, its Policy provides examples of participant and ACCES-VR responsibilities that are tailored to the participant: “the responsibilities of the individual and the counselor to implement the IPE, such as the individual maintaining a particular attendance pattern during training or contacting the counselor on an agreed upon schedule.”

Recommendation 3: *Develop a process to periodically evaluate the effectiveness of the ACCES-VR program based on individual participants’ goals and achievements to ensure that participants are receiving the full benefit of its services and ACCES-VR is meeting the goals of its mission.*

The Quality Assurance and Monitoring Unit (QAMU) was created in 2004 to implement a comprehensive monitoring system of ACCES-VR’s compliance with federal and state statutes, regulations, terms and conditions of our federal awards and effectiveness of internal controls. QAMU may conduct external reviews of ACCES-VR’s vendors and conducts internal case record

reviews, financial reviews and assists with audits and monitoring of ACCES-VR. The purpose of the reviews and monitoring is to measure performance against the standards established in federal and state regulation including state procurement requirements, ACCES-VR policy, and case management procedure.

QAMU conducts both case reviews of district offices, an annual statewide review and monitors vendor agencies that provide services to ACCES-VR participants, including supported employment services. In the last three years, QAMU completed twelve case reviews. In 2021, thirty-seven provider reviews were completed.

On November 9, 2021 QAMU provided the case review instrument to OSC. QAMU updates the review form regularly to make improvements and welcomed input and feedback from OSC. QAMU does not rely on the form alone, but also uses other sources and data to evaluate performance and identify trends.

State Comptroller's Comment 10 – While QAMU may have completed 12 case reviews in the last 3 years, there are thousands of participants in the program and 12 case reviews may not be a sufficient basis for evaluating program performance. Therefore, a process to evaluate the effectiveness of the program based on individual participants' goals and achievements would enable the program to help more individuals and better ensure the program is meeting the goals of its mission.

Conclusion

ACCES-VR appreciates the opportunity to respond to OSC's findings. In conclusion, ACCES-VR contends that OSC's findings have already been successfully resolved.

1. *Timeliness for eligibility determinations and finalization of IPEs.*

As determined by the Rehabilitation Services Administration (RSA) who provides federal oversight of state vocational rehabilitation programs, ACCES-VR's corrective actions regarding timeliness completing eligibilities and IPEs have already been resolved. A robust system of accountability at the District Office and Central Office level is currently in place to sustain compliance. No additional internal controls are needed.

State Comptroller's Comment 11 – Our report acknowledged that the Department met its 90% timeliness goal for IPE eligibility determinations and finalizations. However, that still leaves 10% – among its thousands of program participants – that are not being processed timely, a gap in performance that can be improved upon. Furthermore, annual reviews were still not performed timely.

2. *IPEs do not contain all the required information in sufficient detail.*

ACCES-VR strongly disagrees with this finding. We suggest that:

- OSC did not view the entire Individualized Plan for Employment (IPE).
- All 10 IPE components are included in CaMS and must be completed to finalize the IPE.
- Additional information, justification for services and the individual's informed choice are documented in the IPE Development Note, which must be finalized before the IPE can be created.

-
- ACCES-VR uses standardized language to describe Individual's responsibilities; counselor responsibilities; information regarding rights and resolution options in case of dissatisfaction; and information regarding the Client Assistance Program. The use of standardized language is a best practice used for efficiency, and to ensure consistency in service delivery across the state.
 - Additional procedures are not needed; however, ACCES-VR already plans to implement a new case management system which will enhance our ability to measure progress toward achieving employment outcomes. The scheduled timeline for the new case management system is the end of 2022.

State Comptroller's Comment 12 – As stated previously, for our sample of cases, OSC viewed the entire IPE file that was located in CaMS and any additional information that the Department provided to us. Furthermore, our report acknowledges that the IPEs generally contained the majority of the required elements; however, they often contained vague or boilerplate language rather than specific, customized, or detailed language, as the Department's Policy calls for.

3. *The Department did not provide any documented evaluations to show they were adequately monitoring the ACCES-VR program.*

We disagree with this finding. ACCES-VR provided all documents OSC requested. OSC did not request monitoring reports from ACCES-VR Quality Assurance and Monitoring Unit (QAMU). The QAMU regularly conducts case reviews of the District Offices and vendor reviews including supported employment providers and has considerable documentation of both. Given the robust nature of the reviews conducted by QAMU, creation of an additional evaluation process is unnecessary.

State Comptroller's Comment 13 – The Department is incorrect. On several occasions during the audit, we requested any documentation that could be seen as an evaluation of the effectiveness of the program, which would include monitoring reports from QAMU – which the Department should have provided to us.

Furthermore, the Department stated it only performed 12 case and 37 provider reviews, which may not be sufficient given the number of cases and providers. Therefore, it is still necessary for the Department to evaluate whether the program is fulfilling its mission.

Finally, ACCES-VR strongly refutes the claim that the overall effectiveness of the ACCES-VR Program is not being measured. The transformational federal shift from the Workforce Investment Act (WIA), which focused on employment outcomes, to the Workforce Innovation and Opportunity Act (WIOA), which focuses on the quality and frequency of services, creates a robust set of performance measures that enables New York and other vocational rehabilitation agencies to measure the effectiveness of their program. ACCES-VR is using these performance measures to continuously improve the employment, education, and training services we provide to New Yorkers with disabilities.

State Comptroller's Comment 14 – OSC does not dispute that the quality and frequency of services are important performance measures. However, as the program's mission is to assist individuals with a disability to achieve and maintain employment and to support independent living through training, education, rehabilitation, and career development, determining whether

the individual participants have reached their full potential level of employment is critical information to monitor and analyze.

The New York State Education Department appreciates the opportunity to address concerns and provide feedback to OSC's draft audit report and looks forward to receiving your final audit report. If you have any questions or require additional clarification or information, please contact Monica Toye-Smith at Monica.Toye-Smith@nysed.gov.

Sincerely,

Sharon Cates-Williams

Sharon Cates-Williams

c: Ceylane Meyers Ruff
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References

Footnote Number:

1. Code of Federal Regulation (CFR) § 361.5 - Applicable definitions
<https://www.law.cornell.edu/cfr/text/34/361.5>

Definitions

Supported employment means competitive integrated employment, including customized employment, or employment in an integrated work setting in which an individual with a most significant disability, including a youth with a most significant disability, is working on a short-term basis toward competitive integrated employment that is individualized, and customized, consistent with the unique strengths, abilities, interests, and informed choice of the individual, including with ongoing support services for individuals with the most significant disabilities -

For whom competitive integrated employment has not historically occurred, or for whom competitive integrated employment has been interrupted or intermittent as a result of a significant disability; and

Who, because of the nature and severity of their disabilities, need intensive supported employment services and extended services after the transition from support provided by the designated State unit, in order to perform this work.

Supported employment services means ongoing support services, including customized employment, and other appropriate services needed to support and maintain an individual with a most significant disability, including a youth with a most significant disability, in supported employment that are -

- (i) Organized and made available, singly or in combination, in such a way as to assist an eligible individual to achieve competitive integrated employment;
- (ii) Based on a determination of the needs of an eligible individual, as specified in an individualized plan for employment;
- (iii) Provided by the designated State unit for a period of time not to exceed 24 months, unless under special circumstances the eligible individual and the rehabilitation counselor jointly agree to extend the time to achieve the employment outcome identified in the individualized plan for employment; and
- (iv) Following transition, as post-employment services that are unavailable from an extended services provider and that are necessary to maintain or regain the job placement or advance in employment.

Supported employment requirements. An individualized plan for employment for an individual with a most significant disability for whom an employment outcome in a supported employment setting has been determined to be appropriate must -

- (1) Specify the supported employment services to be provided by the designated State unit;
- (2) Specify the expected extended services needed, which may include natural supports;
- (3) Identify the source of extended services or, to the extent that it is not possible to identify the source of extended services at the time the individualized plan for

2. *RSA TAC-17-02 Performance Accountability Guidance*
(<https://rsa.ed.gov/sites/default/files/subregulatory/tac-17-01.pdf>)

The six primary indicators of performance are listed below and described on pages 4-5.

1. Employment Rate 2nd Quarter after Exit

-
2. Employment Rate 4th Quarter after Exit
 3. Median Earnings in the 2nd Quarter after Exit
 4. Credential Attainment Rate
 5. Measurable Skill Gains (5 types)-
 - o HS Diploma or Equivalency;
 - o HS or Post-Secondary transcript;
 - o Educational Functional Level Gain;
 - o Progress toward Milestones;
 - o Passing Technical/Occupational Knowledge Based Exam
 6. Effectiveness in Serving Employers
3. *RSA PD-16-04 Instructions for the Completion of the RSA-911 Report for State VR and Supported Employment Programs*
(<https://rsa.ed.gov/sites/default/files/subregulatory/pd-16-04.pdf>)

Supporting Documentation

The requirements in 34 CFR 361.47 and 34 CFR 361.56, taken together, require VR agencies to maintain verifying documentation in an individual's case file, particularly regarding eligibility determinations, development of the individualized plan for employment, services provided, and case closure. It is important to note that the use of an electronic case management system, does not remove the requirement for the agency to maintain either hard copies or scanned copies of required supporting documentation in the individual's service record. An electronic case management system is merely a data entry process that is susceptible to data entry errors. Requiring staff to note the source of the employment data also does not provide documentation necessary to ensure data validity and reliability.

4. *RSA 2018 Monitoring CAP - Agency Planned Corrective Action Steps*

Corrective action 1.1 (In report, corrective action 2.1.1)

Action: Comply with 34 C.F.R. § 361.41(b)(1) by making eligibility determinations within the required 60-day period.

Standard to be met and method of evaluation: ACCES-VR developed weekly monitoring reports on the 60-day eligibility determination requirement from date of application, based on new applicants, in September 2018. ACCES-VR has been monitoring progress towards the 90% compliance rate based on new applicants as this is reflective of systemic improvement and maintenance of compliance.

ACCES-VR will complete 90% or more of the eligibility determinations for new applicants within the 60-day period from date of application for two consecutive quarters to substantiate resolution of this corrective action.
Planned start date: 09/24/2018

RSA Response to July 2021 Quarterly CAP Update: This corrective action was resolved on July 31, 2020.

The Actual Completion Date has been noted. RSA continues to monitor sustained performance.

- PY 2020, Quarter 1: 86.72 percent of eligibility determinations were completed within 60-days from the date of application.
- PY 2020, Quarter 2: 92.9 percent of eligibility determinations were made within 60-

days from the date of application.
Corrective action 2.1 (In report, corrective action 2.2.1)

Action: Comply with 34 C.F.R. §§ 361.45(a)(1) and (e) to ensure IPEs are developed with the 90-day Federal timeframe from the date of eligibility determination.

Standard to be met and method of evaluation: ACCES-VR developed weekly monitoring reports on the requirement for completion of the IPE within 90-days from the date of eligibility determination, based on new applicants, in September 2018. ACCES-VR has been monitoring progress towards the 90% compliance rate based on new applicants as this is reflective of systemic improvement and maintenance of compliance.

ACCES-VR will complete 90% or more of the IPEs for new applicants within 90 days from the date of eligibility determination for two consecutive quarters to substantiate the resolution of this corrective action.

RSA Response to July 2021 Quarterly CAP Update: RSA reviewed ACCES-VR's performance specific to the timely development of IPEs within 90-days of eligibility determination. In PY 2020, Quarter 2, 91.3 percent of IPEs and in Quarter 3, 93 percent of IPEs were developed within 90-days from the date of eligibility determination per ACCES-VR's quarterly RSA-911 submissions.

ACCES-VR has sustained performance and timely IPE development within 90-days from the date of eligibility determination for two consecutive quarters. This corrective action has been resolved, and ACCES-VR has been asked to continue to maintain its performance and compliance.

ACCES-VR achieved consecutive and sustained performance with respect to 90 percent (or greater) of IPEs developed within the 90-day Federal IPE standard.

5. 34 Code of Federal Regulation (CFR) 361.46 *Content of the Individualized Plan for Employment* (<https://www.law.cornell.edu/cfr/text/34/361.46>)

(a) *Mandatory components.* Regardless of the approach in [§ 361.45\(c\)\(1\)](#) that an eligible individual selects for purposes of developing the individualized plan for employment, each individualized plan for employment must -

(1) Include a description of the specific [employment outcome](#), as defined in [§ 361.5\(c\)\(15\)](#), that is chosen by the eligible individual and is consistent with the individual's unique strengths, resources, priorities, concerns, abilities, capabilities, career interests, and informed choice consistent with the general goal of [competitive integrated employment](#) (except that in the case of an eligible individual who is a student or a [youth with a disability](#), the description may be a description of the individual's projected post-school employment outcome);

(2) Include a description under [§ 361.48](#) of -

(i) These specific rehabilitation services needed to achieve the [employment outcome](#), including, as appropriate, the provision of assistive technology devices, assistive technology services, and [personal assistance services](#), including training in the management of those services; and

(ii) In the case of a plan for an eligible individual that is a student or [youth with a disability](#), the specific [transition services](#) and supports needed to achieve the individual's [employment outcome](#) or projected post-school [employment outcome](#).

(3) Provide for services in the most [integrated setting](#) that is appropriate for the services involved and is consistent with the informed choice of the eligible individual;

-
- (4) Include timelines for the achievement of the [employment outcome](#) and for the initiation of services;
- (5) Include a description of the entity or entities chosen by the eligible individual or, as appropriate, the [individual's representative](#) that will provide the [vocational rehabilitation services](#) and the methods used to procure those services;
- (6) Include a description of the criteria that will be used to evaluate progress toward achievement of the [employment outcome](#); and
- (7) Include the terms and conditions of the individualized plan for employment, including, as appropriate, information describing -
- (i) The responsibilities of the [designated State unit](#);
 - (ii) The responsibilities of the eligible individual, including -
 - (A) The responsibilities the individual will assume in relation to achieving the [employment outcome](#);
 - (B) If applicable, the extent of the individual's participation in paying for the cost of services; and
 - (C) The responsibility of the individual with regard to applying for and securing [comparable services and benefits](#) as described in [§ 361.53](#); and
 - (iii) The responsibilities of other entities as the result of arrangements made pursuant to the comparable services or benefits requirements in [§ 361.53](#).
- (b) *Supported employment requirements.* An individualized plan for employment for an [individual with a most significant disability](#) for whom an [employment outcome](#) in a [supported employment](#) setting has been determined to be appropriate must -
- (1) Specify the [supported employment services](#) to be provided by the [designated State unit](#);
 - (2) Specify the expected [extended services](#) needed, which may include natural supports;
 - (3) Identify the source of [extended services](#) or, to the extent that it is not possible to identify the source of [extended services](#) at the time the individualized plan for employment is developed, include a description of the basis for concluding that there is a reasonable expectation that those sources will become available;
 - (4) Provide for periodic monitoring to ensure that the individual is making satisfactory progress toward meeting the weekly work requirement established in the individualized plan for employment by the time of transition to [extended services](#);
 - (5) Provide for the coordination of services provided under an individualized plan for employment with services provided under other individualized plans established under other Federal or [State](#) programs;
 - (6) To the extent that job skills training is provided, identify that the training will be provided on site; and
 - (7) 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.

(c) *Post-employment services.* The individualized plan for employment for each individual must contain, as determined to be necessary, statements concerning -

(1) The expected need for [post-employment services](#) prior to closing the record of services of an individual who has achieved an [employment outcome](#);

(2) A description of the terms and conditions for the provision of any [post-employment services](#); and

(3) If appropriate, a statement of how [post-employment services](#) will be provided or arranged through other entities as the result of arrangements made pursuant to the comparable services or benefits requirements in [§ 361.53](#).

(b) *Supported employment requirements.*

An individualized plan for employment for an [individual with a most significant disability](#) for whom an [employment outcome](#) in a [supported employment](#) setting has been determined to be appropriate must -

(1) Specify the [supported employment services](#) to be provided by the [designated State unit](#);

(2) Specify the expected [extended services](#) needed, which may include natural supports;

(3) Identify the source of [extended services](#) or, to the extent that it is not possible to identify the source of [extended services](#) at the time the individualized plan for employment is developed, include a description of the basis for concluding that there is a reasonable expectation that those sources will become available;

(4) Provide for periodic monitoring to ensure that the individual is making satisfactory progress toward meeting the weekly work requirement established in the individualized plan for employment by the time of transition to [extended services](#);

(5) Provide for the coordination of services provided under an individualized plan for employment with services provided under other individualized plans established under other Federal or [State](#) programs;

(6) To the extent that job skills training is provided, identify that the training will be provided on site; and

(7) 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.

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