

## **Legislative History for the 1998 Amendments Regarding the SRC**

### **Strengthening Partnerships**

The committee recognizes the need for the disability community in a State to play a significant role in ensuring that the vocational rehabilitation program operates effectively. Therefore, the committee, in several respects, significantly strengthens the role of the State Rehabilitation Council (formerly named the State Rehabilitation Advisory Council) in developing policies, planning activities, evaluating program effectiveness, and carrying out other functions related to the vocational rehabilitation program. The committee bill requires that the Council, in conjunction with the State vocational rehabilitation agency, jointly conduct the comprehensive needs assessment of individuals with disabilities in the State, develop (and agree to) the State's annual goals and priorities in carrying out the vocational rehabilitation program, and evaluate the State's performance relative to its goals on an annual basis. Additional sections of the S. 1579, including sections 101(a)(21) and 105 of the Act, build upon the existing Council role by specifying its broad responsibilities to assist the State vocational rehabilitation agency in, for example, developing all portions of the State plan and amendments thereto, as well policies, procedures, and reports related to the vocational rehabilitation program. Through the bill the committee recognizes that the Council's role in some States is not purely advisory and in other States is evolving to reflect a true partnership between the Council and the State vocational rehabilitation agency in ensuring that individuals with disabilities receive appropriate, timely, and effective vocational rehabilitation services.

(Page 17, Report 105-166 of the Senate Committee on Labor and Human Resources, March 2, 1998)

### **State Rehabilitation Council**

The committee makes selected amendments to provisions affecting State Rehabilitation Councils. Regarding Council membership the committee: (a) adds at least one representative from the statewide workforce investment partnership; and, if funded in the State, a representative from a project funded under section 121; and one representative of the State educational agency responsible for the education of students with disabilities under part B of the Individuals with Disabilities Education Act; (b) allows a Council to have fewer than 15 members if it was in existence prior to the 1992 amendments to the Act; (c) clarifies that the Director of the designated State unit is a nonvoting member of the Council; (d) adds a requirement that the appointing authority, to the greatest extent practicable, consider the extent to which minority populations are represented on the Council; (e) allows the Governor to delegate to the Council the authority to fill vacancies on the Council; and (f) removes the time limit on appointments for certain the Council members.

In adding clarifications concerning Council membership, the committee amendments specify that the representative of the Client Assistance Program, and if the State has one, the representative from the American Indian Project funded under part C, are excepted

from the prohibition against Council members serving more than two consecutive terms. This clarification was made in recognition of limited size of staff associated with many of such programs and projects and the value of continuity in representation given the unique functions of these programs and projects. The committee was urged to assign the same exception status to the director of a State's parent information and training center. The committee did not do so. Such centers have employees, sponsors, parents assisted by the center, and volunteers, most of whom are parents or strong advocates for children with disabilities. By requiring parent center representation to rotate on the State Rehabilitation Council, as is required of most Council members, the committee believes that such rotation will bring vitality and diversity to the council with regard to the needs of children with disabilities who some day may need vocational rehabilitation services.

Regarding Council functions, the committee amends current law by: (a) clarifying that the Council analyze and advise the designated State unit regarding its performance helping individuals with disabilities in achieving employment outcomes; (b) specifying that, in partnership with the designated State unit, the Council must develop and review State goals and priorities, evaluate the effectiveness of the vocational rehabilitation program, and submit reports of progress to the Commissioner of the Rehabilitation Service Administration; (c) clarifying that the Council advises the designated State agency and the designated State unit regarding authorized activities, and assists in the preparation of the State plan and amendments to the plan, applications, reports, needs assessments, and evaluations; (d) simplifying the scope of the Council's analysis of the State vocational rehabilitation program's effectiveness and consumer satisfaction with the State vocational rehabilitation program, and requiring the Council address individuals' employment outcomes and the availability of health and other employment benefits in connection with such employment outcomes; and (e) clarifying the Council's functions related to coordination with other entities. The committee intends these amendments to further its goal of creating a consumer-oriented and consumer-driven vocational rehabilitation system.

(Page 26, Report 105-166 of the Senate Committee on Labor and Human Resources, March 2, 1998)