

**FEDERAL FISCAL YEAR 2018
MONITORING REPORT
ON THE
NEW YORK STATE COMMISSION FOR
THE BLIND
VOCATIONAL REHABILITATION
AND
SUPPORTED EMPLOYMENT PROGRAMS**



**U.S. Department of Education
Office of Special Education and
Rehabilitative Services
Rehabilitation Services Administration**

October 1, 2019

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SECTION 1: THE FEDERAL MANDATE AND SCOPE OF THE REVIEW

A. Background

Section 107 of the Rehabilitation Act of 1973 (Rehabilitation Act), as amended by Title IV of the Workforce Innovation and Opportunity Act (WIOA), requires the Commissioner of the Rehabilitation Services Administration (RSA) to conduct annual reviews and periodic on-site monitoring of programs authorized under Title I of the Rehabilitation Act to determine whether a vocational rehabilitation (VR) agency is complying substantially with the provisions of its State Plan under Section 101 of the Rehabilitation Act and with the evaluation standards and performance indicators established under Section 106 of the Rehabilitation Act subject to the performance accountability provisions described in Section 116(b) of WIOA. In addition, the Commissioner must assess the degree to which VR agencies are complying with the assurances made in the State Plan Supplement for Supported Employment Services under Title VI of the Rehabilitation Act.

Through its monitoring of the State Vocational Rehabilitation Services program (VR program) and the State Supported Employment Services program (Supported Employment program) administered by the New York State Commission for the Blind (NYSCB) in Federal fiscal year (FFY) 2018, RSA:

- Assessed the performance of the VR and the Supported Employment programs with respect to the achievement of quality employment outcomes for individuals with disabilities, including those with significant and most significant disabilities;
- Identified strategies and corrective actions to improve program and fiscal performance related to the following focus areas:
 - Performance of the VR Program;
 - VR Services, including Transition Services and Pre-Employment Transition Services, for Students and Youth with Disabilities;
 - Supported Employment Program;
 - Allocation and Expenditure of VR and Supported Employment Program Funds; and
 - Joint WIOA Final Rule Implementation.

In addition, RSA reviewed a sample of individual case service records to assess internal controls for the accuracy and validity of RSA-911 data, and provided technical assistance to the VR agency to enable it to enhance its performance.

The nature and scope of this review and the process by which RSA carried out its monitoring activities, including the conduct of an on-site visit from April 9 through April 13, 2018, is described in detail in the [FFY 2018 Vocational Rehabilitation Program Monitoring and Technical Assistance Guide](#).

B. Review Team Participants

Members of the RSA review team included Tonya Stellar and Jessica Davis (Vocational Rehabilitation Unit); Christopher Pope, Andy Kerns, and Vernita Washington (Data Collection and Analysis Unit); Terrance Martin (Technical Assistance Unit); and David Miller (Fiscal Unit). Although not all team members participated in the on-site visit, each contributed to the gathering and analysis of information, along with the development of this report.

C. Acknowledgements

RSA wishes to express appreciation to the representatives of NYSCB for the cooperation and assistance extended throughout the monitoring process. RSA also appreciates the participation of others, such as the State Rehabilitation Council (SRC), the Client Assistance Program (CAP), advocates, and other stakeholders in the monitoring process, including partners from the New York State Department of Labor, and the New York Adult Career and Continuing Education Services (ACCES-VR).

SECTION 2: FOCUS AREA – PERFORMANCE OF THE STATE VOCATIONAL REHABILITATION SERVICES PROGRAM

A. Purpose

Through this focus area, RSA assessed the achievement of employment outcomes, including the quality of those outcomes, by individuals with disabilities served in the VR program by conducting an in-depth and integrated analysis of core VR program data and review of individual case service records. The analysis below, along with any accompanying observations, recommendations, or findings, is based on a review of the programmatic data contained in Tables 1 through 9 found in Appendix A of this report. The data used in the analysis are those collected and reported by VR agencies based on Policy Directive 14-01, which was implemented prior to changes in reporting requirements in Section 101(a)(10) of the Rehabilitation Act made by WIOA, as well as the establishment in Title I of WIOA of common reporting requirements and performance indicators for all core programs in the workforce development system, including the VR program.

B. Analysis of the Performance of the VR Program

RSA reviewed NYSCB's performance during FFYs 2015, 2016, and the first three quarters of FFY 2017, with particular attention given to the number and quality of outcomes achieved by individuals with disabilities in the State. Additionally, the review addressed the number of individuals who were determined eligible for VR services and who received services through the VR program. The data used in this review were provided by NYSCB to RSA on the Quarterly Cumulative Caseload Report (RSA-113) and the Case Service Report (RSA-911).

The VR Process

Resources: Program Performance Data Table 1 Summary Statistics from RSA 113: FFYs 2015-2017; Program Performance Data Tables 2a, 2b, and 2c Agency Case Status Information, Exit Status, and Employment Outcomes—FFYs 2015–2017; and Program Performance Data Tables 3a, 3b, and 3c Source of Referral—FFYs 2015-2017.

The total number of applicants for VR services decreased from 1,128 individuals in FFY 2015 to 925 individuals in FFY 2017. During the same time period, the number of individuals determined eligible for VR services decreased from 1,655 individuals to 972 individuals. Conversely, the total number of individuals with an individualized plan for employment (IPE) who received services increased from 4,453 individuals in FFY 2015 to 4,713 individuals in FFY 2017. As a result, the percentage of individuals determined eligible for services who received no services declined from 9.0 percent to 6.9 percent during the period under review.

The total number of individuals who exited from the VR system as applicants decreased from 41 individuals, or 4.2 percent, in FFY 2015, to 39 individuals, or 2.2 percent, in FFY 2017. Over the review period, of the 145 individuals who exited as applicants, 16 individuals, or 11 percent, were under the age of 25 at exit.

During the same time period, the number of individuals who exited from the VR system without employment outcomes, after eligibility determination, but before an IPE was signed and VR services provided, decreased from 149 individuals, or 15.4 percent, in FFY 2015, to 58 individuals, or 3.3 percent, in FFY 2017. Over the review period, of the 301 individuals who exited at this stage of the VR process, 78 individuals, or 26 percent, were under the age of 25 at exit. The percentage of individuals whose service records were closed and who were under the age of 25 at exit decreased from 39.3 percent in FFY 2015 to 9.1 percent in FFY 2017.

NYSCB attributed the decline in the number of total applicants and the number of total eligible individuals for VR services to changes in statutory provisions that eliminated uncompensated employment outcomes (i.e., homemaker and unpaid family worker). NYSCB reported that effective September 19, 2016, any individual who applied for VR services, and did not wish to pursue competitive employment, was referred to either the Assistive Living Program (ALP) program, if over 55 years of age, or to the State independent living (IL) program. To that end, the NYSCB case management system was updated on September 19, 2017, to exclude homemaker as an allowable employment goal on new IPEs. However, the case management system allowed a successful homemaker closure through June 30, 2017 for individuals with such goals on existing IPEs.

To increase its outreach efforts and to address its declining applicant pool, NYSCB developed and implemented contract guidelines that include an outreach or “case finding” component. The goal of this new service was to promote the availability of VR services to New Yorkers who are legally blind and not yet known to NYSCB. One hundred and twenty-two individuals met the criteria for “case finding” during FFY 2016 and FFY 2017. These individuals were not previously known to NYSCB, and after submitting an application, were determined eligible for VR services.

At the time of the review, NYSCB was not on an order of selection (OOS), nor did it indicate any consideration of implementing an OOS.

Employment Outcomes

Resources: Program Performance Data Tables 2a, 2b, and 2c Case Status Information, Exit Status, and Employment Outcomes—FFYs 2015–2017.

The number of individuals served whose service records were closed after achieving an employment outcome decreased from 542 individuals in FFY 2015, to 375 individuals during the first three quarters of FFY 2017. Of these individuals, competitive employment was achieved by 84 percent during FFYs 2015 and 2016, and by 61.1 percent during the first three quarters of FFY 2017.

During the period of performance reviewed, the number of individuals served who did not achieve employment and whose service records were closed increased from 224 individuals in FFY 2015, to 1,263 individuals during the first three quarters of FFY 2017. As such, the

employment rate for all individuals served whose service records were closed decreased from 70.8 percent in FFY 2015 to 22.9 percent during the first three quarters of FFY 2017.

The number of individuals who achieved supported employment outcomes decreased from 50 individuals in FFY 2015 to 42 individuals in FFY 2016, with a substantial decrease to 15 individuals in the first three quarters of FFY 2017. Of these supported employment outcomes, 98 percent were in competitive employment in FFY 2015, which decreased slightly to 97.6 percent in FFY 2016, and decreased still further to 93.3 percent in FFY 2017.

From FFY 2015 through the first three quarters of FFY 2017, the median hourly earnings for individuals who achieved competitive employment outcomes increased from \$13.79 to \$14.83 per hour. The median hours worked for individuals who achieved these outcomes also remained at 35 hours per week during the same period. The percentage of competitive employment outcomes with employer-provided medical insurance decreased from 33.8 percent in FFY 2015 to 32.8 percent in the first three quarters of FFY 2017.

The number of individuals under the age of 25 whose service records were closed after achieving an employment outcome decreased from 29 individuals in FFY 2015, to 22 individuals during the first three quarters of FFY 2017. During the same period, the number of individuals under the age of 25 who did not achieve employment and whose service records were closed substantially increased from 26 individuals in FFY 2015, to 141 individuals in FFY 2017. As a result, NYSCB's employment rate decreased from 52.7 percent in FFY 2015, to 13.5 percent during the first three quarters of FFY 2017 for individuals under the age of 25 at exit.

From FFY 2015 through FFY 2016, the median hourly earnings for individuals under the age of 25 who achieved competitive employment outcomes increased from \$10.62 per hour in FFY 2015 to \$12.26 per hour during the first three quarters of FFY 2017. Unlike all individuals served whose service records were closed, the median hours worked for individuals who achieved these outcomes increased from 30 hours per week in FFY 2015 to 38.5 hours per week in the first three quarters of FFY 2017.

NYSCB reported a transition to an agency focus on competitive integrated employment. During the onsite review, NYSCB reported it closed all IPEs with the goal of "homemaker" prior to July 1, 2017, and no longer has any open cases with services on an IPE to achieve the goals of "homemaker" or "unpaid family worker". NYSCB attributed the increase in unsuccessful closures for individuals who did not achieve employment to the closure of cases with an IPE goal of "homemaker" or "unpaid family worker".

VR Services Provided

Resources: Program Performance Data Tables 7a, 7b, and 7c VR Services Provided—FFYs 2015–2017.

VR Services: All Eligible Individuals Served

Over the reviewed period, training services most frequently provided to all individuals served whose cases were closed in FFY 2016, included disability-related skills training (83.5 percent),

job readiness training (27 percent), bachelor's degree training (15 percent), and occupational/vocational training (12.8 percent). In terms of career services provided to all individuals served whose cases were closed in FFY 2016, 30 percent received job placement assistance, 19 percent received job search assistance, and 8 percent received short term on the job support; no individuals were reported to have participated in apprenticeship training and only 2.3 percent participated in junior or community college training.

VR Services: Youth under Age 25 Served

With regard to serving individuals below the age of 25, NYSCB provided a greater percentage of individuals under the age of 25 with job readiness training (67.6 percent) and bachelor's degree training (45.9 percent) compared to individuals served over the age of 25 at service record closure (22.7 percent and 11.8 percent, respectively) in FFY 2016.

A greater percentage of individuals under the age of 25, whose service records were closed, received graduate degree training (4.1 percent) when compared to all individuals served (2.0 percent), while the same percentage received junior or community college training in FFY 2016.

Although NYSCB provided a greater percentage of individuals under the age of 25 at service record closure with short-term on-the-job supports (20.3 percent) and customized employment (1.4 percent), zero percent of this population received supported employment on-the-job supports in FFY 2016.

Compliance with the Statutory Time Frame for Application to Eligibility Determination

Resources: Tables 5a, 5b, and 5c Number of Days from Application to Eligibility Determination—FFYs 2015–2017.

From FFY 2015 to FFY 2016, the percentage of all individuals who were determined eligible within 60 days from the date of application decreased from 91.0 percent to 88.7 percent. NYSCB completed timely eligibility determinations for 90.1 percent of all individuals during the first three quarters of FFY 2017.

The percentage of individuals served who were age 25 and older at service record closure and determined eligible for VR services within 60 days from the date of application decreased from 92.2 percent in FFY 2015 to 90 percent in FFY 2016. For the first three quarters of FFY 2017, NYSCB completed timely eligibility determinations for 90.4 percent of individuals age 25 and older at service record closure.

From FFY 2015 to FFY 2016, the percentage of individuals below the age of 25 at service record closure who were determined eligible for VR services within 60 days from the date of application decreased from 81.4 percent to 78.5 percent, respectively. For the first three quarters of FFY 2017, NYSCB reported that 87.2 percent of individuals under the age of 25 were determined eligible for VR services within 60 days from the date of eligibility determination.

Compliance with the Statutory Time Frame from Eligibility Determination to IPE Development

Resources: Tables 6a, 6b, and 6c Number of Days from Eligibility Determination to IPE—FFYs 2015–2017.

The percentage of all individuals served whose IPE was developed within 90 days from the date of eligibility determination remained consistently high, decreasing slightly from 100 percent in FFY 2015 to 97.9 percent in FFY 2016. For the first three quarters of FFY 2017, NYSCB developed timely IPEs for 96.7 percent of the individuals served whose service records were closed. Since the performance data for all individuals served is inclusive of individuals age 25 and older, and individuals under age 25 at service record closure, it is important to analyze NYSCB's performance for both populations served.

The percentage of individuals who were age 25 and older at service record closure, and had an IPE developed within 90 days from the date of eligibility determination remained consistently high, decreasing slightly from 100 percent in FFY 2015 to 98 percent in FFY 2016. For the first three quarters of FFY 2017, NYSCB developed timely IPEs for 96.6 percent of the individuals 25 and older whose service records were closed.

Although over 96 percent of individuals age 25 and older at service record closure had IPEs developed within 90 days from the date of eligibility determination during the period of review, a smaller percentage of individuals under 25 at service record closure had IPEs developed within the required timeframe.

Specifically, the percentage of IPEs developed within 90 days from the date of eligibility determination for individuals under the age of 25 at service record closure decreased from 100 percent in FFY 2015 to 90.9 percent in FFY 2016. For the first three quarters of FFY 2017, NYSCB developed timely IPEs for 97.8 percent of the individuals under age 25 at service record closure.

Types of Occupational Outcomes for Individuals Who Achieved Employment

Resources: Tables 8a, 8b, and 8c Standard Occupational Classification (SOC) Codes Percentages of Employment Outcomes and Median Hourly Earnings for Individuals Who Achieved Competitive Employment Outcomes at Closure—FFYs 2015-2017.

A review of the employment outcomes achieved by all individuals served whose service records were closed during the period of review identified the most common standard occupational classification (SOC) codes as office and administrative support occupations; and education, training, and library occupations. Similarly, a greater percentage of individuals below the age of 25 at service record closure also achieved employment within office and administrative support occupations with an increase from 10.7 percent in FFY 2015 to 31.8 percent in the first three quarters of FFY 2017. The median hourly earnings for those who achieved employment in this occupational field were \$11.51 for all individuals served whose service records were closed, and \$10.84 for individuals below the age of 25 at service record closure.

Education, training, and library occupations comprised approximately 10 percent of employment outcomes for each year under review, with a decrease in median hourly wage from \$20.94 in FFY 2015 to \$18.00 in the first three quarters of FFY 2017 for all individuals served whose service records were closed. Of the individuals served under the age of 25 at exit, 13.6 percent achieved employment in the field of education, training and library occupations, and earned a median hourly wage of \$11.00 in the first three quarters of FFY 2017.

At the time of the review, NYSCB stated that it provides services to individuals that support the pursuit of a career in the fields of science, technology, engineering, or mathematics (STEM), including computer science, medicine, law, or business advanced training. During the period of performance, NYSCB reported a significant increase in percentages of individuals below the age of 25 who achieved an employment outcome in such fields. Computer and mathematical occupations increased from 2.0 percent in FFY 2016 to 9.1 percent during the first three quarters of FFY 2017. Legal occupations increased from 0 percent in FFY 2015 to 9.1 percent in the first three quarters of FFY 2017. Life, physical, and social science occupations increased from 0 percent in FFY 2015 to 4.5 percent in the first three quarters of FFY 2017 for individuals served who were under the age of 25 at service record closure.

Reasons for Exit for Individuals Who Did Not Achieve an Employment Outcome

Resources: Tables 9a, 9b, and 9c Reason for Exit for All Individuals Who Did Not Achieve an Employment Outcome at Closure- FFYs 2015-2017.

From FFY 2015 through the first three quarters of FFY 2017, 2,149 individuals exited the VR program without achieving an employment outcome. Of those individuals who exited without employment, 36 percent exited due to NYSCB not being able to locate or contact them, and 34 percent were reported as having their service record closed because the individual was “no longer interested in receiving services”.

From FFY 2015 through the first three quarters of FFY 2017, 291 individuals under the age of 25 exited the VR program without achieving an employment outcome. Of those individuals under the age of 25 who exited without employment, NYSCB reported 38 percent as “unable to locate or contact”; 25 percent as “no longer interested in receiving services”; and 21 percent as “for all other reasons”.

While onsite, NYSCB reported that prior to closing an individual’s case due to lack of contact, the VR counselor is required to make multiple attempts to reach the individual via various modes of communication (e.g., telephone, mail and email), and may also outreach to case file contacts (e.g., an individual’s family or representative). VR counselors are to document in a service record case note the attempts to contact the individual, individual’s family or representative. If contact cannot be re-established, the VR counselor is required to send a letter notifying the individual that his or her service record will be closed.

C. Internal Controls

The RSA review team assessed performance accountability in relation to the internal control requirements in 2 C.F.R. §200.303. Internal controls mean a process, implemented by a non-Federal entity, designed to provide reasonable assurances regarding the achievement of objectives in the effectiveness and efficiency of operations; reliability of reporting for internal and external use; and compliance with applicable laws and regulations. Internal controls are established and implemented as a measure of checks and balances to ensure proper expenditure of funds. Internal controls serve to safeguard assets and prevent fraud, waste, abuse, and mismanagement. They include methods and procedures the grantee uses to manage the day-to-day operations of grant-supported activities to assure compliance with applicable Federal requirements and that performance goals are being achieved.

Policies and Procedures

NYSCB generates the RSA-911 Case Service Report through a purchased case management system. While onsite, RSA confirmed that the agency's case management system has been updated to reflect the RSA-911 data elements and data collection requirements in accordance with the RSA-911 Reporting Manual (issued June 2017). Edit checks and application settings within the system provide internal controls for data accuracy.

VR counselors must update and certify that the required quarterly data have been reviewed and updated on a "Current Quarterly Certification Form." A pre-defined query is available for staff to identify consumer cases that need the quarterly information updated and certified for a given quarter. Once the counselor updates data and certifies the form, the data cannot be edited by VR staff other than a system administrator after the last date of that quarter. This allows NYSCB to verify that data submitted in a report are not updated after the report is submitted to RSA.

NYSCB reported to RSA that quality and compliance case service record reviews are conducted by supervisors during scheduled supervision of VR counselors. The agency has implemented procedures that require senior level VR counselors to review VR cases at various points in the VR process (e.g., IPE development, IPE amendments, job placement, and case closure). NYSCB reported that its current case management system has the capability to run queries in order to identify critical case information. NYSCB's Quality Assurance Team also reviews case service records regularly to ensure quality and appropriate case management.

Data Verification Review

RSA conducted a review of 30 service records comprised of individuals who did and did not achieve employment and whose service records were closed. The purpose of this review was to verify and ensure that the documentation in the case service record was accurate, complete, and supported the data entered into the RSA-911 with respect to the date of application, the date of eligibility determination, date of IPE, start date of employment in primary occupation at exit or closure, hourly wage at exit or closure, employment status at exit or closure, type of exit or closure, and date of exit or closure.

Of the 30 service records reviewed, 93 percent included a signed application, 100 percent of the service records contained adequate documentation of an eligibility determination, and 93 percent of all service records met the necessary documentation requirements for the IPE.

Of the service records reviewed wherein the individual achieved employment, 40 percent did not include verification of the start date for employment, 40 percent did not include verification of the individual's employment status at closure, and 40 percent did not include documentation of the weekly earnings at employment. By contrast, 97 percent of the service records included adequate documentation of the type of closure, and 93 percent included adequate documentation for the date of closure.

D. Observations and Recommendations

RSA's review of the performance of NYSCB in this focus area resulted in the identification of the following observations and recommendations to improve performance.

Observation 2.1: Applicants and Eligible Individuals

The total number of applicants and eligible individuals declined steadily from FFY 2015 to FFY 2017.

- The total number of applicants decreased from 1,128 individuals in FFY 2015 to 925 individuals in FFY 2017; and
- The total number of eligible individuals decreased from 1,655 individuals in FFY 2015, to 972 individuals in FFY 2017.

Recommendation 2.1: Applicants and Eligible Individuals

RSA recommends that NYSCB:

- 2.1.1 Conduct an analysis of the reasons for the decline in applicants and eligible individuals, including outreach strategies, sources of referrals, and collaboration with other agencies and organizations;
- 2.1.2 Based on the information obtained through this analysis, develop strategies and goals with measurable targets to increase the number of applicants for the VR program; and
- 2.1.3 Ensure VR counselors are engaging potentially eligible students with disabilities, as well as engaging youth who may be seeking subminimum-wage jobs, to inform them of the availability of VR services to assist them in achieving quality competitive integrated employment.

Agency Response: The Workforce Innovation and Opportunity Act (WIOA), enacted in July 2014, eliminated the use of uncompensated employment outcomes such as Homemaker and Unpaid Family Worker as vocational goals. NYSCB has performed an analysis of the reasons for the decline in applicants and eligible individuals and believes that the decline is a result of implementing the requirement to close existing cases with vocational goals of Homemaker and Unpaid Family Worker. NYSCB will collaborate with other agencies and organizations to

implement outreach strategies and increase referral sources. NYSCB will also develop goals and strategies with measurable targets to increase applicants to the VR program. In addition, NYSCB will ensure that its VR counselors continue to engage potentially eligible students with disabilities and work with youth interested in seeking sub-minimum wage employment. This includes educating eligible students about VR services and how those services can support individuals in obtaining competitive integrated employment.

Request for Technical Assistance: None at this time.

Observation 2.2: Employment Outcomes and Rehabilitation Rate

From FFY 2016 through the first three quarters of FFY 2017, the percentage of individuals who exited the VR program with employment decreased, while the number of individuals exiting the VR program without employment increased.

All Individuals

- In FFY 2016, 60.5 percent of individuals exited the VR program with employment compared to 21.6 percent in the first three quarters of FFY 2017; and
- In FFY 2016, 21.9 percent of individuals exited the VR program without employment compared to 72.6 percent in the first three quarters of FFY 2017.

Individuals under the age of 25

- In FFY 2016, 50.5 percent of individuals under the age of 25 exited the VR program with employment, compared to 11.8 percent in the first three quarters of FFY 2017; and
- In FFY 2016, 24.2 percent of individuals under the age of 25 exited without employment, compared to 75.8 percent in the first three quarters of FFY 2017.

As a result, the employment rate for all individuals and individuals under the age of 25 decreased from FFY 2016 through the first three quarters of FFY 2017.

- For all individuals, the employment rate decreased from 73.4 percent in FFY 2016 to 29.9 percent in the first three quarters of FFY 2017; and
- For individuals under the age of 25, the employment rate decreased from 67.6 percent in FFY 2016 to 13.5 percent in the first three quarters of FFY 2017.

Recommendation 2.2: Employment Outcomes and Rehabilitation Rate

RSA recommends that NYSCB:

- 2.2.1 Develop measurable goals and strategies to improve the agency's employment rate; and
- 2.2.2 Evaluate the decline in performance, and determine if the necessary VR services, including effective job search and placement services and other supports, are being provided to assist individuals with achieving employment.

Agency Response: NYSCB will continue to develop goals and strategies to improve our employment rate. In addition, NYSCB will evaluate the performance decline. Specifically, NYSCB will work to understand if and how VR services such as job search, job placement, and additional employment supports are being provided to assist individuals in achieving employment. Also, new placement contracts effective January 1, 2020 will include incentives for placements with new NYSCB employers and placements that provide an employee with an income high enough to no longer be eligible for Social Security Disability benefits.

Request for Technical Assistance: None at the time.

Observation 2.3: Competitive Employment Outcomes

According to data reported on the RSA-911 for FFY 2016, 84.4 percent of the individuals who exited the VR program after achieving an employment outcome were working in competitive employment. For the first three quarters of FFY 2017, 61.1 percent of employment outcomes achieved were reported as competitive employment outcomes.

RSA-911 data for the first three quarters of FFY 2017, indicate that out of 375 employment outcomes, 229 of the employment outcomes had a wage at or above \$9.00. The Minimum Wage Act (Article 19 of the New York State Labor Law) requires that all employees in New York State receive at least \$9.70 an hour beginning December 31, 2016; \$10.40 an hour beginning December 31, 2017; and \$11.10 an hour beginning December 31, 2018.

The RSA team facilitated a discussion about the requirements for competitive integrated employment found in 34 C.F.R. § 361.5(c)(9)(i), which indicates that in order to be considered competitive integrated employment, an individual must receive a compensated rate that is not less than the higher of the rate specified in Section 6(a)(1) of the Fair Labor Standards Act of 1938, or the rate required under the applicable State or local minimum wage law for the place of employment. New York's minimum wage rate is higher than the Federal minimum wage; therefore, NYSCB must use the New York State minimum wage standard, or a local minimum wage where the employer is located, if higher, to ensure that the competitive earnings requirement is met.

NYSCB reviewed the cases identified as not meeting the minimum wage requirements and determined that incorrect wage information was entered in the RSA-911 report. After the onsite portion of the review, NYSCB verified and communicated to RSA that all of the individuals who exited the VR program with an employment outcome were in competitive employment during FFY 2017.

NYSCB reported it has developed a process to verify that an employment outcome satisfies all the criteria for competitive integrated employment contained in 34 C.F.R. § 361.5(c)(9). Specifically, the agency explained that before an individual exits the VR program, after obtaining employment, a supervisor is required to review the individual's case to ensure that the wages meet or exceed the Federal, State or local minimum wage, whichever is higher; that the employment opportunity is in an integrated location; and that the employment outcome has advancement opportunities similar to those of employees without disabilities in similar positions.

Recommendations 2.3: Competitive Employment Outcomes

RSA recommends that NYSCB:

- 2.3.1 Identify all areas that may not be entered or coded correctly by staff and correct coding inaccuracies using an internal inspection of the agency's data, as well as feedback provided during the onsite review;
- 2.3.2 Develop a training curriculum to address the proper coding of services and entry of these services in the case management system; and provide this training to all staff;
- 2.3.3 Develop internal controls that provide for the inspection and evaluation of the accuracy of all data prior to submission to RSA;
- 2.3.4 Following the inspection of the data using the internal controls process, correct any errors or anomalies identified; and
- 2.3.5 Make the necessary changes to the case management system following the identification of any system or programming errors.

Agency Response: Through an internal inspection of our data, NYSCB will continue to analyze, identify, and correct all areas entered or coded incorrectly. RSA's feedback on how to conduct data analysis during the onsite monitoring will be incorporated into our internal inspection process.

NYSCB has developed a training curriculum to ensure the proper coding of services and to demonstrate how to appropriately enter these codes into NYSCB's electronic case management system. This training will be provided to all staff.

NYSCB will develop and implement internal controls to evaluate the accuracy of, and make corrections to, required data entries in the electronic case management system prior to the data being submitted to RSA. Data errors can originate from the use of the case management system. When errors are made by the case management system, changes to the system will be made and incorporated in collaboration with the case management system vendor.

Request for Technical Assistance: None at this time.

Observation 2.4: Untimely Eligibility Determination

RSA analyzed the length of time it took for NYSCB to make eligibility determinations for VR applicants under the age of 25 at service record closure. According to data reported on the RSA-911, NYSCB did not make eligibility determinations within the required 60-day period for those individuals under the age of 25, whose service records were closed during the period of review.

- In FFY 2015, 81.4 percent of individuals under the age of 25 whose service records were closed had an eligibility determination made within the required 60-day period;
- In FFY 2016, 78.5 percent of individuals below the age of 25 whose service records were closed had an eligibility determination made within the required 60-day period; and
- For the first three quarters of FFY 2017, 87.2 percent of individuals under the age of 25 whose service records were closed had an eligibility determination made within the required 60-day period.

Recommendations 2.4: Untimely Eligibility Determination

RSA recommends that NYSCB:

- 2.4.1. Assess and evaluate VR counselor performance and identify effective practices that ensure timely eligibility determinations are made within 60 days from the date of application, including the use of case management tools for, and supervisory review of, timely eligibility determinations; and
- 2.4.2. Develop procedures for VR counselors and supervisors to track and monitor timely and untimely eligibility determinations.

Agency Response: NYSCB will assess and evaluate VR counselor performance and work to identify effective practices to ensure timely eligibility determinations. These practices will include case management tools and supervisory reviews. NYSCB will also develop and implement procedures for VR counselors and supervisory staff to monitor timely and untimely eligibility determinations.

Request for Technical Assistance: None at this time.

Observation 2.5: Attrition of Individuals under the Age of 25 at Exit

In FFY 2015, 78 individuals below the age of 25 exited the VR program without achieving an employment outcome. Of those individuals, 41.0 percent were reported as being unable to locate or contact and 25.6 percent were no longer interested in receiving services. In FFY 2016, 49 individuals below the age of 25 exited the VR program without achieving an employment outcome. Of those individuals, 38.8 percent were reported as being unable to locate or contact and 30.6 percent were no longer interested in receiving services. For the first three quarters of FFY 2017, 163 individuals below the age of 25 exited the VR program without achieving an employment outcome. Of those individuals, 37.8 were reported as being unable to locate or contact and 24.4 percent were no longer interested in receiving services.

Recommendations 2.5: Attrition of Individuals Under the Age of 25 at Exit

RSA recommends that NYSCB:

- 2.5.1 Conduct surveys of individuals, particularly of those under the age of 25, who exit the VR program as applicants, before eligibility is determined, and after eligibility is determined, but before IPEs are developed, to determine the reasons why these individuals are withdrawing from the VR program;
- 2.5.2 Based on the information obtained through these surveys, develop goals with measurable targets to decrease the number of individuals exiting the VR program at these stages of the process; and strategies to achieve these goals; and
- 2.5.3 Engage students and youth in the group transition process as described in Section 103(b)(7) of the Rehabilitation Act and 34 C.F.R. § 361.49(a)(7).

Agency Response: NYSCB will conduct surveys of individuals under the age of 25 who exit the VR program before IPE development (regardless of whether they leave before or after an eligibility determination) to better understand their reasons for withdrawal. NYSCB will use this information to develop measurable goals and strategies to decrease the number of individuals exiting at these points in the VR process. NYSCB has also developed goals and strategies to better engage students and youth in group transition services.

Request for Technical Assistance: None at this time.

E. Findings and Corrective Actions

RSA's review of the performance of NYSCB in this focus area resulted in the identification of the following finding and the corresponding corrective actions to improve performance.

Finding 2.1 Internal Controls for Case File Documentation

Issue: Do NYSCB's internal controls ensure that case files adhere to the record of service requirements at 34 C.F.R. § 361.47. Specifically, in fulfilling these requirements, do the internal controls ensure that NYSCB adheres to the requirements for closing the record of services of an individual who has achieved an employment outcome pursuant to 34 C.F.R. § 361.56.

Requirement: Pursuant to 34 C.F.R. § 361.47(a), VR agencies must maintain for each applicant and eligible individual a record of services that includes, to the extent pertinent, documentation including, but not limited, to the individual's application for VR services, the individual's IPE, and information related to closing the service record of an individual who achieves an employment outcome. Further, VR agencies, in consultation with the State Rehabilitation Council, if the State has such a Council, must determine the type of documentation that the VR agency must maintain for each applicant and eligible individual in order to meet these requirements in accordance with 34 C.F.R. § 361.47(b).

Pursuant to 34 C.F.R. § 361.56, the service records for individuals who have achieved an employment outcome may only be closed if the—

- Employment outcome described in the individual's IPE in accordance with 34 C.F.R. § 361.46(a)(1) has been achieved and is consistent with an individual's unique strengths, resources, priorities, concerns, abilities, capabilities, interests, and informed choice;
- Employment outcome is maintained for an appropriate period of time, but not less than 90 days, to ensure stability of the employment outcome and that the individual no longer needs VR services;
- Outcome is considered to be satisfactory and agreed to by the qualified VR counselor employed by the DSU and the individual who must agree that he or she is performing well in the employment; and
- Individual has been informed of post-employment services through appropriate modes of communication.

Under 34 C.F.R. § 361.47(a)(15), prior to closing a service record, VR agencies must maintain documentation verifying that the provisions of 34 C.F.R. § 361.56 have been satisfied. More specifically, under 34 C.F.R. § 361.47(a)(9), VR agencies must maintain documentation verifying that an individual who obtains employment is compensated at or above minimum wage and that the individual's wage and level of benefits are not less than that customarily paid by the employer for the same or similar work performed by individuals without disabilities.

Analysis: During the on-site portion of the review process, RSA requested 30 case service records for review. NYSCB did not maintain adequate source documentation in participants' case files for employment start dates, weekly earnings, and employment status at exit or closure. Of the service records reviewed wherein the individual achieved employment, 40 percent did not include verification of the start date for employment, the individual's employment status at closure, and the weekly earnings at employment. VR counselors did not document any requests to obtain supporting documentation (e.g., pay stubs or other forms of income verification) to substantiate the individual's employment data reported. RSA clarified that the case service record should contain supporting documentation of these requirements.

For the individuals whose service records were closed with an employment outcome, results of the service record review demonstrated that the documentation maintained in NYSCB service records was insufficient in terms of verifying the employment status of the individuals at the time of closure.

NYSCB must maintain documentation (either hardcopy or electronic documents) to verify the accuracy of reporting in accordance with Federal requirements, including the individual's date of application, the date VR services began under the IPE, and specific information related to the employment outcome. For some of the service records reviewed, NYSCB did not maintain case files that substantiated these reporting requirements, indicating that internal controls specific to service record documentation must be improved. Therefore, without documentation that the data elements were valid, RSA was unable to verify whether the employment outcome data reported (e.g., employment start dates, weekly earnings, and employment status at closure) on the RSA-911 were accurate.

Conclusion: As a result of the analysis, RSA determined that NYSCB's internal controls specific to service record documentation did not ensure that service record requirements at 34 C.F.R. § 361.47 were met. Additionally, NYSCB's internal controls did not ensure that the requirements for closing the service records for individuals who achieved employment in 34 C.F.R. § 361.56 were met.

Corrective Action Steps:

RSA requires that NYSCB:

- 2.2.1 Develop policies and procedures to obtain and maintain supporting documentation in an individual's case service record pursuant to the requirements of 34 C.F.R. § 361.47 and PD-16-04; and

2.2.2 Develop and implement internal control procedures to ensure that case service records contain the required supporting documentation for data elements submitted through the RSA-911 report.

Agency Response: NYSCB will continue to develop policies and procedures to ensure that supporting documentation in an individual's case service record is maintained. NYSCB is currently developing an internal review process. Cases will be reviewed internally prior to the submittal of the RSA-911 each quarter. This will ensure that data elements indicated as being achieved in a case have the supporting documentation required by the PD-16-04.

Request for Technical Assistance: None at this time.

F. Technical Assistance

During the course of monitoring activities, RSA provided technical assistance to NYSCB as described below.

- RSA provided technical assistance and provided sub-regulatory guidance on the requirements set forth in Section 116 of WIOA, related to the implementation and operation of the performance accountability system, as well as technical assistance specific to implementing joint regulations in accordance with 20 C.F.R. Part 677 and 34 C.F.R. Parts 361 and 463;
- RSA provided technical assistance on the use of supplemental wage information, when appropriate, to assist in carrying out the performance accountability requirements under Section 116 of WIOA; and
- RSA clarified that service records must contain supporting documentation that includes verification of the start date for employment and documentation of weekly earnings at employment.

SECTION 3: FOCUS AREA – VR SERVICES, INCLUDING PRE-EMPLOYMENT TRANSITION SERVICES AND TRANSITION SERVICES, FOR STUDENTS AND YOUTH WITH DISABILITIES

A. Purpose

The Rehabilitation Act, as amended by WIOA, places heightened emphasis on the provision of services to students and youth with disabilities, including pre-employment transition services under Section 113 to students with disabilities, to ensure they have meaningful opportunities to receive training and other VR services necessary to achieve employment outcomes in competitive integrated employment. Pre-employment transition services are designed to help students with disabilities to begin to identify career interests that will be explored further through additional VR services, such as transition services. Through this focus area RSA assessed the VR agency's performance and technical assistance needs related to the provision of VR services, including transition services to students and youth with disabilities, and pre-employment transition services to students with disabilities; and the employment outcomes achieved by these individuals.

B. Service Delivery Overview

The VR agency must consider various requirements under the Rehabilitation Act and its implementing regulations in designing the delivery of VR services, including pre-employment transition services and transition services. For example, pre-employment transition services provided under Section 113 of the Rehabilitation Act, and 34 C.F.R. § 361.48(a) are available only to students with disabilities. However, transition services provided for the benefit of a group of individuals under Section 103(b)(7) of the Rehabilitation Act and 34 C.F.R. § 361.49(a)(7) may be provided to both students and youth with disabilities. Youth with disabilities who are not students may receive transition-related services identified in an individualized plan for employment (IPE) under Section 103(a) of the Rehabilitation Act, but may not receive pre-employment transition services because these services are limited to students with disabilities. On the other hand, students with disabilities may receive pre-employment transition services with or without an IPE under Section 113 of the Rehabilitation Act or may receive pre-employment transition services and/or transition services under an IPE in accordance with Section 103(a)(15) of the Rehabilitation Act. A discussion of NYSCB's service delivery system and implementation of VR services, including pre-employment transition services and transition services, follows.

Structure of Service Delivery

NYSCB provides transition services to students and youth with disabilities and pre-employment transition services to students with disabilities who are blind or visually impaired in coordination with families and school districts.

Transition services and all five required activities under pre-employment transition services are provided Statewide through community rehabilitation providers (CRPs), local education agencies (LEAs), and NYSCB's VR counselors for those students with disabilities who have applied or been determined eligible for VR services.

NYSCB currently employs 53 VR counselors, of whom eight are transition counselors and seven are children's consultants who work exclusively with students and youth with disabilities. The children's consultants are responsible for serving children from birth through 14 years of age, and the transition counselors are responsible for individuals from 14 through 21 years of age.

Both children's consultants and transition counselors are VR counselors who specialize in assisting students and youth who are legally blind. NYSCB children's consultants and transition counselors provide schools with technical support, vocational guidance and counseling, resource information, and the preparation of the "student exit summary". The purpose of the student exit summary is to provide the student with a written report that provides essential information to consider as the student transitions from secondary school to postsecondary opportunities. The student exit summary summarizes individual student abilities, skills, needs and limitations and provides recommendations to support successful transition to adult living, learning, and working. The student exit summary is designed to assist the student in establishing eligibility for reasonable accommodations and supports in postsecondary settings, the workplace and community to aid the student in accessing adult services, as appropriate. In addition, NYSCB transition counselors provide job-related occupational tools, purchase low vision aids, and assist individuals with obtaining employment.

NYSCB transition counselors work closely with the New York Education Department (NYSED) transition specialists who work at one of ten Regional Special Education Technical Assistance Support Centers (RSE-TASC) throughout the State. The RSE-TASC was established to act as a coordinated Statewide network of special education technical assistance centers. RSE-TASC provides training targeted for parents, school districts, and other agency providers on topics such as transition and the individualized education program (IEP), measurable post-secondary goals, and work-based learning.

NYSCB is involved in collaborative relationships with local, regional, and Statewide teams to support and improve systems to better serve children and youth.

The New York Deaf-Blind Collaborative (NYDBC) is a five-year (October 1, 2013 to September 30, 2018) Federally funded project which provides technical assistance to improve services for children and youth who are deaf-blind (ages 0-21). The NYDBC is housed at Queens College in Flushing, New York and is funded by the United States Department of Education, Office of Special Education Programs (OSEP). NYSCB has agreed to collaborate on specific initiatives with NYDBC. Specifically, NYSCB assisted NYDBC in disseminating a Statewide needs assessment to increase the early identification of children who are deaf-blind in New York State. NYSCB staff also receive considerable technical assistance and training from NYDBC that will increase knowledge and skills in addressing the developmental and educational needs of children who are deaf-blind.

NYSCB is on the steering committee for New York State Promoting the Readiness of Minors in Supplemental Security Income (PROMISE), a research project developed to improve transition to adulthood outcomes for eligible youth who receive supplemental security income (SSI). This five-year initiative strives to increase access to services for eligible youth and their families to improve academic and employment outcomes, increase financial stability, and reduce reliance on SSI.

Outreach and Identification of Students and Youth

NYSCB reported to RSA that most students and youth who are legally blind are already known to NYSCB through the agency's Children's Program. Once a student nears 14 years of age, the children's consultant transfers the case to the VR program. The children's consultant's familiarity with students allows for a more effective transition to the VR program.

NYSCB has assigned VR counselors as liaisons to all high schools in order to inform educators of NYSCB services and application processes. In addition, VR counselor liaisons frequently participate in transition career fairs and attend high school open house sessions. NYSCB staff also participate in transition conferences and work closely with LEA personnel to provide consultation and technical assistance regarding the scope of services available through VR; facilitate the transition process; and provide an overview of NYSCB policies and procedures.

School districts may make formal referrals for students to NYSCB at any time for those students with disabilities, specifically students with severe visual impairments for whom additional services are needed to meet post-secondary goals in the IEP that are not otherwise available through mandated district-based or funded programs, or when the student is in need of services provided by adult agencies.

NYSCB uses an outreach packet that provides a comprehensive overview of services, including information for potential consumers of all ages; an application for VR services; frequently asked questions; and additional resource materials. These packets have been distributed to multiple health care providers. Follow up presentations to case managers are provided by NYSCB staff to answer more specific questions related to VR services. Outreach packets have also been distributed to various rural areas, as well as agencies that serve individuals with visual disabilities.

Provision of Pre-Employment Transition Services

At the time of the onsite review, pre-employment transition services were provided to students who were applicants of and eligible for VR services. NYSCB's case management system is unable to track students who have not applied or been determined eligible for VR services. NYSCB reported that due to the system's limitations, pre-employment transition services and expenditures can only be tracked for students who have applied and been determined eligible for VR services. As a result, NYSCB has required all students with disabilities to apply for VR services prior to receiving pre-employment transition services.

Pre-employment transition services are provided through a combination of fee-for-service contracts and VR counselors. VR counselors provide limited pre-employment transition services to students with disabilities who have applied or been determined eligible for VR services,

including: job exploration counseling, counseling on opportunities for enrollment in comprehensive transition or postsecondary educational programs at institutions of higher education, and instruction in self-advocacy.

NYSCB, in collaboration with its CRPs, provides the five required activities described in Section 113(b) of the Rehabilitation Act and 34 C.F.R. § 361.48(a)(2) to students with disabilities who have applied or been determined eligible for VR services in both group settings and on an individual basis. The provision of these services is tracked through a separate module within its case management system and through the agency's accounting system.

In addition, NYSCB contracted with two private agencies to provide pre-college programs for NYSCB consumers entering their senior year of high school. Instruction includes individual, small group and large group sessions depending upon the topic and student needs/abilities. The goal of the program is to provide the student participants with the opportunity to refine their independent living skills before beginning college. The four-week program began in the summer of 2013 and ended the summer of 2017. The students were housed on a college campus and participated in the following non-credit courses: an "Introduction to College" course; College "Survival" Skills (e.g., how to self-advocate for books in alternate formats, accommodations, and important resources on a college campus); and a "Developmental Writing/Technology Seminar" where students received individual and group writing instruction using an online webinar format; and were introduced to web conferencing and discussion forums. Thirty-eight students attended the program in 2017. All students received assistive technology to access the program requirements and obtained training on the required technology prior to the program. The VISIONS Pre-Employment Transition Services program is administered by VISIONS staff and provides all required activities through a pre-employment transition curriculum specific to the specialized needs of blind and visually impaired students.

In January of 2017, NYSCB contracted with J.A. Strategies, LLC to conduct a comprehensive Statewide needs assessment (CSNA) in order to assess the needs of individuals with disabilities in the State of New York, including the need for pre-employment transition services and transition services. The CSNA also focused on understanding the indicators for successful case closure for youth served by NYSCB.

Provision of Transition Services

At the time of the onsite review, NYSCB transition services and pre-employment transition services policies were being revised to align with the statutory provisions of the Rehabilitation Act, as amended by WIOA, and VR program regulations. The policy provides requirements specific to transition planning; outreach, referral and application processes; the scope and provision of pre-employment transition services and transition services; and the roles and responsibilities of VR counselors in preparing students with disabilities for successful employment. RSA and NYSCB reviewed and discussed the draft transition-related policies, and procedures during the monitoring review. Although NYSCB's transition policies were still in draft, NYSCB has provided staff training on the Federal requirements related to the provision of pre-employment transition services.

Individualized VR services, including transition services, are provided to students and youth with disabilities who have applied and been determined eligible for the VR program, under an approved IPE. Transition services include assessments; vocational guidance and counseling; vocational training; postsecondary education; job development, search and placement services.

NYSCB and RSA reviewed the provision of group transition services available to students and youth who may not have applied for VR services under Section 103(b) of the Rehabilitation Act and 34 C.F.R. § 361.49(a)(7). At the time of the onsite portion of the review, NYSCB had not implemented group transition services.

State Educational Agency (SEA) Agreement

At the time of the on-site review, NYSCB and NYSED, OSEP, were updating the SEA agreement. NYSCB provided RSA with a draft SEA agreement that was reviewed and discussed during the onsite monitoring review. The draft SEA agreement is consistent with requirements in Section 101(a)(11)(D) of the Rehabilitation Act, as amended by WIOA, and 34 C.F.R. § 361.22(b), including the requirements related to Section 511 of the Rehabilitation Act.

The draft formal interagency agreement clarifies roles and responsibilities of the LEAs and VR agency. Specifically, the agreement clarifies that school districts have the primary planning and programmatic responsibilities for the provision of transition services for their students in school. School districts are financially responsible for the provision of transition services mandated by applicable Federal and State statutory and regulatory requirements. NYSCB personnel currently consult with schools to ensure that adult services are part of the planning and decision-making process for students with disabilities in transition.

NYSCB staff are responsible only for providing agreed upon services written into the IEP by the committee on special education representatives with the direct knowledge and agreement of the NYSCB VR counselor. Transition services for youth are aligned with labor market needs, integrated community living opportunities, and coordinated with the adult providers to facilitate employment, postsecondary education, and community living outcomes. NYSCB provides consultation and technical assistance, including vocational evaluation interpretation; occupational opportunities; decision making with the committee on special education; coordination with adult services; and job placement analysis.

NYSCB is responsible for the provision of pre-employment transition services to students with disabilities, if such services are beyond the scope of the special education program and within the scope of VR services. Assessments for students with disabilities may be purchased by NYSCB when existing assessments fail to provide adequate information for the VR counselor to determine NYSCB eligibility or to develop plans for NYSCB services. In addition, if the student needs specific vocational services to prepare for employment upon exiting school, NYSCB will fund these services.

Individualized Plan for Employment (IPE) Development for Students and Youth with Disabilities

The NYSCB transition policy requires that IPEs for students be developed within 90 days of eligibility determination. In addition, for those students with disabilities who receive special education and related services under IDEA, the IPE must be developed and approved no later than the time each VR eligible student leaves the school setting. The IPE is jointly developed by the VR counselor and the student and formalizes the planning process through which the vocational goal, service delivery and time frames for service delivery are determined. Information in the IPE is written to be consistent with the content of the IEP, including vocational goals, educational and rehabilitation objectives, projected dates and responsibilities for participation in the transition process. The IPE identifies the individual's unique strengths, resources, priorities, concerns, abilities, capabilities, career interest, and informed choice consistent with the general goal of competitive integrated employment.

NYSCB has not yet included in its policies the use of a projected post-school employment outcome in an IPE for a student or youth with a disability in accordance with 34 C.F.R. § 361.46(a)(1).

C. Observations and Recommendations

RSA's review of the NYSCB's performance in this focus area did not result in the identification of any observations or recommendations.

D. Findings and Corrective Actions

RSA's review of the NYSCB performance in this focus area resulted in the identification of the following finding and corresponding corrective actions to improve performance.

3.1 Pre-Employment Transition Services to Potentially Eligible Students with Disabilities

Issue: Does NYSCB provide pre-employment transition services to students who are potentially eligible for VR services in accordance with 34 C.F.R. § 361.48(a).

Requirement: In accordance with 34 C.F.R. § 361.48(a)(1), pre-employment transition services must be made available Statewide to all students with disabilities, regardless of whether the student has applied or been determined eligible for VR services.

Analysis: The term "potentially eligible" as used in Section 113 of the Rehabilitation Act is specific to the provision of pre-employment transition services; however, it is not defined in the Rehabilitation Act. The regulations in 34 C.F.R. § 361.48(a)(1) clarify that all students with disabilities, regardless of whether or not they have applied or been determined eligible for VR services, are potentially eligible to receive pre-employment transition services.

During the on-site portion of the review, NYSCB informed RSA that its case management system is unable to track students who have not applied or been determined eligible for VR services. As a result of its system's limitations, NYSCB reported that pre-employment transition services and expenditures are only tracked and reported for students who have applied and been

determined eligible for services, with an approved IPE. To that end, NYSCB requires all students with disabilities to apply for VR services, prior to receiving pre-employment transition services.

If a student with a disability, who is potentially eligible for VR services, has not applied and been determined eligible for VR services, with an approved IPE that reflects “pre-employment transition services” as a service to be provided in NYSCB’s case management system, NYSCB is unable to provide pre-employment transition services to the student through any of its CRPs.

RSA discussed the need for NYSCB to develop a system to report on all students with disabilities receiving pre-employment transition services throughout the State, including those potentially eligible students who have not applied for VR services, as well as those students determined eligible for VR services without an approved IPE. Specifically, pre-employment transition services can be provided prior to and after the development of an IPE. Regardless of whether or not the individual has applied for VR services, VR agencies are required to identify all pre-employment transition service required activities provided to a student with a disability (in-house by NYSCB staff or purchased); the total amount expended for each purchased required activity; the entity that provided the service; and the start date of the service(s) provided, in accordance with the instruction manual for the RSA-911 in RSA-PD 16-04 and 2 C.F.R. §200.302.

During the on-site portion of the review, NYSCB stated that it will continue working with its contractor to revise its case management system to ensure it has the capacity to collect the required data for students with disabilities for the RSA-911 report, in accordance with RSA-PD 16-04.

Conclusion: As a result of the analysis, RSA determined that NYSCB is not in compliance with Section 113 of the Rehabilitation Act and 34 C.F.R. § 361.48(a)(1) that require VR agencies to provide, or arrange for the provision of, pre-employment transition services to students with disabilities who are eligible or potentially eligible for VR services, regardless of whether or not a student has applied for VR services.

Corrective Action Steps:

RSA requires that NYSCB:

- 3.1.1 Make available all required pre-employment transition services activities to students with disabilities throughout the State who are potentially eligible for VR services, regardless of whether or not the student has applied or been determined eligible for VR services;
- 3.1.2 Revise its policies to align with the Federal statutory provisions in Section 113 of the Rehabilitation Act, as amended by WIOA, to allow for the provision of pre-employment transition services to students who are not only eligible for VR services, but also to those students who are potentially eligible for VR services; and
- 3.1.3 Ensure that its case management system has the capacity to track and report programmatic and fiscal data for students with disabilities who are potentially eligible and have not applied for VR services and in receipt of pre-employment transition services.

Agency Response: In New York State, individuals with visual impairments, who do not meet the requirements to be classified as legally blind, are provided VR services through ACCES-VR, New York State’s general VR agency. NYSCB has implemented policies and procedures to make available all required pre-employment transition services to students with disabilities who are potentially eligible for VR services, regardless of whether they have applied or been determined eligible for services. It is imperative to note, however, that the identification of potentially eligible individuals is hampered because, pursuant to State statute, NYSCB can only provide services to applicants who are legally blind. Despite this, NYSCB’s State-funded children’s services have identified potentially eligible individuals as young children (in many cases children as young as 10 years old have been identified to commence VR services).

NYSCB’s case management system has the ability to track potentially eligible students. The case management system currently captures all necessary information regarding demographics and payments processed for inclusion in the RSA-911 quarterly report.

RSA Response: RSA appreciates the agency’s efforts to address the compliance finding and corrective action items. NYSCB will need to revise its policies to align with the Federal statutory provisions, as amended by WIOA, that allow for the provision of pre-employment transition services to eligible and potentially eligible students with disabilities in need of such services (Section 113 of the Rehabilitation Act).

Request for Technical Assistance: None at this time.

E. Technical Assistance

During the course of monitoring activities, RSA provided technical assistance to NYSCB as described below.

RSA reviewed NYSCB’s draft policies and procedures specific to the provision of pre-employment transition services. Technical assistance was provided with respect to—

- The nature and scope of pre-employment transition services (34 C.F.R. § 361.48(a)(2)) and provided examples of such services from the preamble to the final regulations (81 FR 55629, 55694-55695 (August 19, 2016)). RSA clarified that these services are to be used as early job exploration activities, and not as assessments to determine eligibility for the VR program, if additional VR services are necessary, or whether a student will be successful in employment (81 FR 55629, 55695 (August 19, 2016));
- Outreach to and referral of potentially eligible and eligible students (34 C.F.R. §§ 361.22(b) and 361.41(a));
- The nature and scope of services available only to students with disabilities (34 C.F.R. § 361.48(a));
- Group and individualized transition services for students and youth (34 C.F.R. §§ 361.49(a)(7) and 361.48(b)(18));
- Tracking and reporting the provision of each required activity provided to each student in receipt of such services (RSA-PD-16-04), whether provided in-house or purchased by NYSCB;

- Tracking staff time spent on required, authorized, and pre-employment transition coordination activities (34 C.F.R. § 361.48(a)(2)(3) and (4)); and
- Authorized activities to support the arrangement and provision of required activities under pre-employment transition services.
- RSA and NYSCB discussed the statutory and regulatory requirements of the SEA agreement, as described in 34 C.F.R. § 361.22(b), and the need for NYSCB to incorporate the requirements into the final SEA agreement.
- RSA provided technical assistance to NYSCB related to identifying and assessing barriers or factors that prevent NYSCB from serving students with disabilities who are potentially eligible for pre-employment transition services. This included working with NYSCB's contractors and others to revise its case management system to track and report students with disabilities who are potentially eligible and have not applied for VR services, as well as other activities under the provision of pre-employment transition services (i.e., authorized and pre-employment transition coordination activities).
- RSA clarified that staff travel costs incurred directly as a result of providing VR services constitute a service-related cost, not an administrative cost, for the purposes of the VR program. NYSCB may use funds reserved for the provision of pre-employment transition services to pay for those travel costs incurred by staff, including lodging and meals, as a direct result of providing pre-employment transition services to students with disabilities, that are proportional to the time spent directly providing or arranging for the provision of pre-employment transition services. However, to the extent the VR counselor or partner is performing other duties, NYSCB is not permitted to charge the portion of travel costs, etc., for those other activities, to the funds reserved for the provision of pre-employment transition services.

SECTION 4: FOCUS AREA – STATE SUPPORTED EMPLOYMENT SERVICES PROGRAM

A. Purpose

WIOA made several significant changes to Title VI of the Rehabilitation Act that governs the Supported Employment program. The amendments to Title VI are consistent with those made throughout the Rehabilitation Act to maximize the potential of individuals with disabilities, especially those individuals with the most significant disabilities, to achieve competitive integrated employment and to expand services for youth with the most significant disabilities. Through this focus area, RSA assessed the VR agency performance and technical assistance needs related to the provision of supported employment services to individuals with the most significant disabilities and extended services for youth with the most significant disabilities; and the employment outcomes achieved by these individuals.

B. Overview of Service Delivery and Performance of the Supported Employment Program Delivery of Supported Employment Services

NYSCB works collaboratively with ACCES-VR, as a member of the Chapter 515 Interagency Implementation Team (established in October 2006) with representatives from the Office of Persons with Developmental Disabilities (OPWDD), and Office of Mental Health (OMH), to facilitate cross-system coordination and implementation of supported employment and extended services in the State of New York.

In 1990, the VR directors of NYSCB and ACCES-VR entered into a memorandum of understanding in order to provide individuals with most significant disabilities who are blind or visually impaired with supported employment services using service providers contracted by ACCES-VR. While onsite, NYSCB reported that it transfers all of its supported employment funds to ACCES-VR, which is responsible for monitoring, matching, and reserving the award for the provision of supported employment and extended services to youth with the most significant disabilities. While ACCES-VR provides the administrative and fiscal components of the supported employment program, NYSCB reported it is responsible for all counselor related functions and case management components. NYSCB's VR counselors identify individuals in need of supported employment services and refer those individuals to ACCES-VR's service providers. This will be discussed further in Section 5 of this report.

Through this collaboration, NYSCB also provides extended services to individuals with most significant disabilities. ACCES-VR receives a State appropriation of \$10 million to provide extended services to individuals with most significant disabilities who are not eligible for such services through other sources (e.g., OPWDD and OMH).

NYSCB uses an individual placement model and reported that supported employment services consist of ongoing support services and other appropriate services necessary for an individual with a most significant disability to obtain and maintain competitive integrated employment. Specifically, NYSCB provides the following supported employment services authorized under

an IPE: assessment; vocational guidance and counseling; job planning, development and placement; intensive job-coaching and retention services; and extended services.

NYSCB has access to NYSED Extended Services Funding (a State appropriation) of approximately \$10 million through ACCES-VR and uses such funding to provide extended services to individuals with most significant disabilities. Such services are provided after an individual has made the transition from intensive supported employment services from NYSCB to an extended services provider.

NYSCB, through the collaborative relationship with ACCES-VR, has provided supported employment services and extended services to individuals with most significant disabilities through ACCES-VR's performance-based milestone contracting system with approximately 197 supported employment providers. ACCES-VR replaced its hourly fee-for-service supported employment contracts with the core rehabilitation services contracts under which payments are based on the attainment of specific milestones and supported employment outcomes. Specifically, supported employment providers are paid an established flat fee for conducting a supported employment intake; providing supported employment pre-employment assessment and job development services; the 5th and 45th day after job placement (retention); supported employment retention (on-going supports after the 45th day); and quality employment outcomes in which individuals are working 30 or more hours per week; and earning at least \$9.50 per hour (upstate) and \$10.50 per hour (downstate).

At the time of the onsite review, the draft supported employment policies were under review by NYSCB management and anticipated to be finalized by summer 2018.

Performance of the Supported Employment Program

A summary analysis of the performance of the Supported Employment program (Appendix C: Supported Employment Program Profile) revealed the following information:

- The number of individuals who achieved a supported employment outcome decreased from 50 individuals in FY 2015 to 15 individuals in the first three quarters of FY 2017; and the percent of competitive employment outcomes fluctuated from 98 percent in FY 2015 to 97.6 percent during the first three quarters of FY 2017;
- The top five services provided to individuals in competitive supported employment in 2017 included: disability-related skills training (100 percent); VR counseling and guidance (100 percent); rehabilitation technology (85.7 percent); diagnosis and treatment of impairment (78.6 percent); and job placement assistance (71.4 percent); and
- In FY 2017, the average hours worked per week for competitive employment outcomes was 24.1 hours per week, and the median hourly earnings for competitive employment outcomes was \$10.00 per hour.

C. Observations and Recommendations

RSA's review of the NYSCB's performance in this focus area did not result in the identification of observations and recommendations to improve performance.

D. Findings and Corrective Actions

RSA's review of NYSCB's performance in this focus area did not result in the identification of findings and corrective actions.

E. Technical Assistance

During the course of monitoring activities, RSA provided technical assistance to NYSCB as described below.

Policies and Procedures

RSA reviewed and provided technical assistance specific to NYSCB's draft supported employment policies and clarified that—

- Job search and placement services are not supported employment services, but rather are VR services that may be provided using Title I funds (not Title VI funds), prior to the provision of supported employment services, which include on-going support services, in order to support and maintain an individual with a most significant disability in a competitive integrated supported employment outcome (see 34 C.F.R. §§363.1(a), 363.54, and 363.55). RSA also clarified that ongoing support services may be initiated under an IPE (after job placement), until the transition to extended services (34 C.F.R. § 361.5(c)(37)(iii));
- Supported employment funds (Title VI) may only be used after placing an individual in competitive integrated employment (preamble to the final VR regulations (81 FR 55629, 55706 (August 19, 2016)));
- NYSCB should have procedures that include the following new requirements: 1.) Fifty (50) percent of Title VI funds be used for the provision of supported employment and extended services for youth with most significant disabilities to assist those youth in achieving employment in supported employment (Section 603(d) of the Rehabilitation Act and 34 C.F.R. §363.22); and 2.) Procedures to limit expenditures on administrative costs to 2.5 percent of the State's supported employment award (Section 603(c) of the Rehabilitation Act, as amended by WIOA, and 34 C.F.R. §363.51).

SECTION 5: FOCUS AREA – ALLOCATION AND EXPENDITURE OF STATE VOCATIONAL REHABILITATION SERVICES AND STATE SUPPORTED EMPLOYMENT SERVICES PROGRAM FUNDS

A. Purpose

Through this focus area RSA assessed the fiscal accountability of the VR and Supported Employment programs to ensure that: funds are being used only for intended purposes; programs have sound internal controls and reliable reporting systems; available resources are maximized for program needs; and funds support the achievement of employment outcomes for individuals with disabilities, including youth with disabilities and individuals with the most significant disabilities.

B. Overview and Analysis

The New York State Commission for the Blind (NYSCB) is housed within the Office of Children and Family Services (OCFS) in New York State. Over several years prior to the on-site visit, RSA Fiscal Unit staff provided technical assistance to NYSCB regarding its staff time and attendance record keeping system, LATS, in efforts to help it resolve a finding concerning personnel cost allocation that remains open from a previous monitoring visit RSA issued to the agency in FFY 2012. The LATS system in its present form does not permit the agency to track staff time to more than one cost objective. For RSA formula grantees in general, when the designated State unit (DSU) or designated State agency (DSA) has employees that work on multiple cost objectives, the agency must have a way to track the actual costs of the employees' work allocable to each grant on which they work. The resolution of NYSCB's personnel cost allocation finding is complicated by the DSA's use of a multiple allocation-base cost pool methodology, which evidently hinders the DSU's time keeping system from being able to assign staff time to multiple awards based on actual time worked, per award.

In addition to resolving issues with its staff time and attendance record keeping system, NYSCB will also need to consider the merits of transferring its Supported Employment grant to the general agency in New York, or whether it will take on the full responsibility for administration of the award. Since 1990, NYSCB has been using a memorandum of understanding, State appropriations language, and a few sentences in its State Plan to incorrectly justify its annual practice of transferring all of its Supported Employment-Blind funds to the general agency without maintaining oversight over the use of those funds.

Despite the deficiencies discussed above and below in this report, NYSCB management demonstrated leadership capacity to influence a strong control environment.

C. Findings and Corrective Actions

RSA's review of the NYSCB's performance in this focus area resulted in the identification of the following findings and the corresponding corrective actions to improve performance.

5.1 Prior Approval Not Obtained

Issue: Does NYSCB obtain prior written approval from RSA before purchasing items requiring prior approval?

Requirements: The Uniform Guidance at 2 C.F.R. § 200.407 includes a list of specific circumstances for which prior approval from the Federal awarding agency in advance of the occurrence is either required for allowability or recommended in order to avoid subsequent disallowance or dispute based on the unreasonableness or non-allocability. For example, 2 C.F.R. § 200.439(b)(1) states that capital expenditures for general purpose equipment, buildings, and land are unallowable as direct charges, except with the prior written approval of the Federal awarding or pass through entity. The Uniform Guidance in 2 C.F.R. § 200.62(a) and 2 C.F.R. § 200.303(a) also requires that the agency have a process and establish and maintain effective internal control over the Federal award, which provides reasonable assurance that the non-Federal entity is managing the Federal award in compliance with Federal statutes, regulations, and the terms and conditions of the Federal award.

On November 2, 2015, the Department of Education adopted the final regulations found in 2 C.F.R. § 200 (Federal Register notice 80 FR 67261). The Department issued notifications to grantees regarding the new requirements and made training and technical assistance documents available to grantees to assist in implementation of the new requirements. To ensure that RSA grantees were aware of the applicability of the prior approval requirements, RSA included a special clause on grant award notifications for FFY 2015 awards necessitating implementation of these requirements in FFY 2016. The special clause stated, in pertinent part, “that the prior approval requirements listed in the Uniform Administrative Requirements, Costs Principles, and Audit Requirements for Federal Awards (Uniform Guidance) (2 C.F.R. Part 200) are applicable to this award... Grantees are responsible for ensuring that prior approval, when required, is obtained prior to incurring the expenditure. Grantees should pay particular attention to the prior approval requirements listed in the Cost Principles (2 C.F.R. Part 200 subpart E).” In addition, information regarding the requirements in 2 C.F.R. Part 200 was communicated to grantees via RSA’s listserv on September 23, 2015.

Analysis: RSA requested NYSCB’s written internal control processes that ensure the agency meets the prior approval requirements. During the on-site review, NYSCB informed RSA that no such processes had been developed. To determine whether the lack of processes resulted in noncompliance with the prior approval requirements, RSA reviewed the supporting documentation for recent equipment purchases directly charged to the VR award. RSA found several instances where equipment purchases, which exceeded the State’s threshold for classification of equipment, were charged directly to the award without prior approval.

Conclusion: Based on the analysis, RSA determined that NYSCB is not in compliance with the prior approval requirements pursuant to the Uniform Guidance (2 C.F.R. § 200.407).

Corrective Action Steps:

RSA requires that NYSCB:

- 5.1.1 Within 60 days of the issuance of the final monitoring report, develop, and submit to RSA, a written internal control process, including a monitoring component, to ensure ongoing compliance with prior approval requirements; and
- 5.1.2 Within 90 days after the issuance of the final monitoring report, implement prior approval requirements as verified by submission of appropriate request to RSA for approval.

Agency Response: NYSCB successfully implemented prior approval processes for the FFY 2019 grant award and has developed a written internal control process to ensure ongoing compliance with prior approval requirements. This process is in accordance with the requirements of RSA-TAC-18-02. Training has been conducted for all key personnel and NYSCB will submit the proposed written internal control process to RSA within 60 days of the issuance of the Final FFY 2018 Monitoring Report on NYSCB.

RSA Response: RSA appreciates the agency's efforts in working toward addressing the corrective action items. Once the corrective action plan is developed, RSA will work with the agency to determine if updated processes result in meeting Federal requirements and ongoing compliance. The finding and the required corrective action items remain unchanged.

Request for Technical Assistance: None at this time.

5.2 Unallowable Use of Supported Employment Funds

Issue: Does NYSCB use all its Supported Employment funding for allowable purposes?

Requirements: According to the Uniform Guidance at 2 C.F.R. § 200.328, the non-Federal entity is responsible for oversight of the operations of the Federal award supported activities. The non-Federal entity must monitor its activities under Federal awards to assure compliance with applicable Federal requirements and performance expectations are being achieved. Monitoring by the non-Federal entity must cover each program, function or activity.

The Uniform Guidance at 2 C.F.R. § 200.403 lists general criteria that must be met for costs to be allowable under Federal awards. Included in these criteria are the requirements that to be allowable, the cost must conform to any limitations or exclusions set forth in the Cost Principles or in the Federal award as to types or amount of cost items and be adequately documented.

The Education Department General Administrative Regulations (EDGAR) at 34 C.F.R. § 76.50(b)(2) states that the authorizing statute determines the extent to which a State may make subgrants to eligible applicants. This means that the authorizing statute must specifically permit subgranting for the subgranting of Federal funds to be permissible. Because neither the Rehabilitation Act nor its implementing program regulations specifically permit subgranting under either the VR or Supported Employment programs, such subgranting is not permitted. The Uniform Guidance does not include the term "subgrant." However, in accordance with 34 C.F.R. § 77.1(b), the term "subgrant" has the same meaning as "subaward" in 2 C.F.R. § 200.92.

As a recipient of Federal VR and Supported Employment funds, NYSCB must have procedures that ensure the proper and efficient administration of its VR and Supported Employment

program and enable NYSCB to carry out all required functions, including financial reporting. In accordance with the Uniform Guidance (2 C.F.R. § 200.302(a)), a State's financial management systems, including records documenting compliance with Federal statutes, regulations, and the terms and conditions of the award, must be sufficient to permit the preparation of reports required by general and program specific terms and conditions; and the tracing of funds to a level of expenditures adequate to establish that such funds have been used according to the Federal statutes, regulations, and the terms and conditions of the Federal award. The Uniform Guidance, at 2 C.F.R. § 200.302(b), requires the financial management system of each non-Federal entity to provide for the identification, in its accounts, of all Federal awards received and expended and the Federal programs under which they were received. In addition, 34 C.F.R. § 76.702 requires States to use fiscal control and fund accounting procedures that ensure proper disbursement of and accounting for Federal funds.

Analysis: NYSCB transfers all its Supported Employment Federal funds in a single drawdown, per award, to the general VR agency in New York, Adult Career and Continuing Education Services-Vocational Rehabilitation (ACCES-VR). NYSCB staff informed RSA that transferring the full allotment has been the agency's practice since 1990. The dates on which NYSCB transferred all Federal funds from its Supported Employment award to the ACCES-VR for the past four years are listed below.

- FFY 2014 all SE funds drawn on 12/23/2015
- FFY 2015 all SE funds drawn on 12/23/2015
- FFY 2016 all SE funds drawn on 12/19/2017
- FFY 2017 all SE funds drawn on 08/31/2017

According to NYSCB staff, the agency relies on ACCES-VR to monitor NYSCB's Supported Employment grant award, to provide the required match, and to ensure the 50 percent reservation and expenditure of funds for the provision of services, including extended services, to youth with the most significant disabilities, is met. NYSCB indicated that its ability to transfer its Supported Employment funds, including the responsibility for accountability, to ACCES-VR without RSA's involvement is authorized by: a) New York State appropriation language allowing the transfer, b) language in the VR services portion of the Combined State Plan that discusses the transfer and c) a memorandum of understanding (MOU) signed in 1990 by then-directors of both the blind and the general agencies in New York.

RSA disagrees with NYSCB that it has authority to transfer its Supported Employment funds to ACCES-VR without RSA officially transferring the funds. The State VR agency to which the Federal funds are awarded is solely responsible for the administration of those funds in accordance with the VR services portion of the Unified or Combined State Plan. The VR services portion of a State's Unified or Combined State Plan must designate the State agency or agencies responsible for the administration of the VR program (34 C.F.R. § 361.13). States may elect to designate two agencies to administer the VR program, one agency that is primarily responsible for the provision of VR services to individuals who are blind and another agency that is responsible for the remainder of services to be provided under the vocational rehabilitation services portion of the Unified or Combined State Plan.

The agency or agencies responsible for the administration of the Supported Employment program is identified through a supplement to the VR services portion of the Unified or Combined State plan under 34 C.F.R. Part 361. Like the VR program, States may elect to designate two agencies to administer the Supported Employment program, one agency that is primarily responsible for the provision of Supported Employment services to individuals who are blind and another agency that is responsible for the remainder of services to be provided under the Supported Employment supplement section of the VR services portion of the Unified or Combined State Plan.

The Supported Employment funds allotted to each agency by RSA may only be used for the provision of Supported Employment services assigned to the agency under the VR services portion of the Unified or Combined State Plan. For example, a VR agency that serves individuals who are blind may not use its Supported Employment funds for the provision of Supported Employment services to individuals that are not eligible to receive services through the blind agency. In order to use Supported Employment funds allotted to a VR agency for purposes assigned to another State VR agency in the VR services portion of the Unified or Combined State Plan, RSA must formally transfer the grant funds between the State's Supported Employment awards. VR Agencies may not use internal accounting adjustments to transfer funds between the awards.

While the 1990 Memorandum of Understanding (MOU) between NYSCB and ACCESS-VR regarding the State transfer of Supported Employment funds states that the blind and general agencies would continue efforts to obtain RSA's approval to move the DSU for the Supported Employment-Blind program from the blind agency to the general agency, RSA records indicate that no such change in DSU has occurred. Therefore, the full responsibility for meeting the terms and conditions of the award and for carrying out the statutory and regulatory requirements applicable to Supported Employment grants awarded to NYSCB remains with NYSCB. Additionally, the VR services portion of the Unified or Combined State Plan includes assurances that language therein cannot supersede statutory and regulatory requirements.

The State of New York may request that NYSCB cease receiving its Supported Employment award and, subsequently, the State's entire Supported Employment allotment would be awarded to ACCESS-VR. NYSCB offered a two-part rationale for maintaining its status as the grantee for the blind allocation of New York's Supported Employment award despite transferring all those funds to the general agency. First, NYSCB stated that when it has approached vendors in rural parts of the State to set up Supported Employment services agreements that are limited to services for blind individuals, the vendors have been unwilling to enter into the agreements separately from the existing ACCESS-VR Supported Employment services agreements. NYSCB reported that vendors gave feedback that it is not worth the expense of maintaining separate agreements with NYSCB that are relatively small and seldom used. NYSCB indicated this feedback from vendors is the primary reason it coordinates with ACCESS-VR to include case service codes for Supported Employment-blind services in ACCESS-VR's case service agreements throughout the State.

The second part of NYSCB's reason for maintaining its status as the grantee rather than transferring the grant to the general agency is to maintain a level of control to ensure the allocation of funding intended for Supported Employment blind services in New York is used to

meet the needs of blind consumers in perpetuity. NYSCB expressed concern that if the funding were to be absorbed into the general agency without coordination with the blind agency, the general agency's impetus to reserve and expend those funds for blind consumers would be at risk of diminishing over time.

NYSCB described the following process it uses to authorize services for VR consumers who are blind from vendors managed by general agency.

NYSCB Supported Employment Authorization Process:

1. NYSCB counselor creates authorization in ACCES-VR's Case Management System (CaMS).
2. ACCES-VR staff receives email of authorization from CaMS, records authorization, and sends authorization back to NYSCB.
3. NYSCB counselor sends authorization to, and coordinates services with, the vendor.
4. The service is provided.
5. Vendor sends VR370 report of services to NYSCB.
6. NYSCB reviews VR370 and either approves or disapproves payment, sending this decision to ACCES-VR.
7. ACCES-VR enters the approved vouchers for payment.

RSA's analysis identified the following areas of non-compliance.

A. NYSCB Does Not Monitor Supported Employment Program—

NYSCB staff informed RSA that NYSCB does not monitor its Supported Employment grant. Instead, it relies on the general agency, ACCES-VR, to monitor the use of these funds. This is a violation of 2 C.F.R. § 200.328, which states that the non-Federal entity must monitor its activities under Federal awards to assure compliance with applicable Federal requirements and performance expectations are being achieved.

B. NYSCB Does Not Track Expenditures and Non-Federal Share—

NYSCB was unable to provide documentation sufficient to demonstrate that it tracks its Supported Employment expenditures for either reserve or non-reserve activities. It relies on the general agency to do this, noting that ACCES-VR has a State appropriation for supported employment services with expenditures that greatly exceed the needed match. NYSCB also noted ACCES-VR finds eligible expenditures from its State appropriated supported employment expenditures once yearly and journal-entries those expenditures to the Supported Employment-Blind grant award for use a match. Because NYSCB is not involved in this process, and RSA found no evidence that information is reported back to NYSCB concerning the amount of funds that were used by ACCES-VR to provide Supported Employment services to consumers who are not blind, NYSCB is not in compliance with 2 C.F.R. §§ 200.302 and 200.403. The last point also contradicts the rationale NYSCB has for remaining the grantee while transferring all the funds to the general agency. NYSCB transfers all the funds to the general agency without regard for the actual amount of those funds used for services to blind VR consumers. NYSCB acknowledged that a proportion of the Supported Employment-Blind funds it transfers to

the general agency are not used by the general agency for Supported Employment-Blind services; however, it was unable to identify the amount of those funds that were not used to support the Supported Employment needs of blind VR consumers. This represents an inability of NYSCB to accurately account for the use of Federal award funds to ensure that such funds were only used in accordance with allowable purposes.

C. Inaccurate Federal Financial Reporting—

Because NYSCB does not track its Supported Employment expenditures and relies on the general agency to find eligible expenditures from its State appropriation expenditures to journal to NYSCB's award, the amounts NYSCB reports having expended for Supported Employment expenditures in fourth quarter SF-425 reports is typically zero. NYSCB does not have a process in place to ensure eligible expenditures are reconciled in time to report accurate information in the report. Thus, because NYSCB must have procedures that ensure the proper and efficient administration of its Supported Employment program and enable NYSCB to carry out all required functions, including financial reporting, NYSCB is not in compliance with 2 C.F.R. §§ 200.302(a) and 200.321(b)(1).

D. State Appropriation Language Conflicts with Grant Requirements—

New York State appropriation language improperly directs the DSA, OCFS, to transfer or reallocate Federal Supported Employment funds to the New York State Education Department (SED), which is the DSA for the Supported Employment-General program. The legal entity responsible for the Supported Employment grant award is NYSCB as the DSU with OCFS as the DSA, as identified in the U.S. Department of Education's G5 Payment System and as reflected on the Grant Award Notification.

E. Subgranting—

To the extent that NYSCB's transfer of its Supported Employment award funds to the general agency could be understood as a subgrant, such subgranting is unallowable. Because EDGAR at 34 C.F.R. § 76.50(b)(2) states that the authorizing statute determines the extent to which a State may make subgrants to eligible applicants, and neither the Rehabilitation Act nor its implementing program regulations specifically permit subgranting under either the VR or Supported Employment programs, such subgranting is not permitted.

Conclusion: Based on the analysis, NYSCB is not in compliance with 2 C.F.R. § 200.328 because NYSCB does not monitor its Supported Employment award. NYSCB is also not in compliance with 2 C.F.R. § 200.321(b)(1) because it does not ensure accurate reporting to the Federal government on the use of its Supported Employment award funds. NYSCB is not in compliance with 2 C.F.R. §§ 200.302 and 200.303 because it does not establish and implement internal controls or financial management policy to safeguard the use of Supported Employment award funds.

NYSCB is the grantee of record for the Supported Employment-Blind program in New York State. While it may be useful to coordinate with ACCES-VR for the delivery of Supported Employment-Blind services in areas of the State that are rural for the reasons noted above, this does not preclude NYSCB from overseeing its own vendor agreements in other more populated regions, or from maintaining its financial management, internal controls, and monitoring

oversight responsibilities over its use of its Supported Employment award funds.

Corrective Action Steps:

RSA requires that NYSCB:

- 5.2.1 Cease transferring its Supported Employment funds from the blind to the general agency without maintaining financial management control over the use of those funds and formally notify RSA which option the agency will implement with regard to its FFY 2020 Supported Employment grant award to ensure compliance with the Federal requirements—
 - a) Reassume sole responsibility for administration of Supported Employment-Blind grant award funds;
 - b) Transfer the entire Supported Employment grant to the general agency; or
 - c) On an annual basis request that RSA deobligate Supported Employment funds from the blind agency and obligate those funds to the general agency.
- 5.2.2 Within 60 days after the date of the final monitoring report, provide RSA with internal control procedures, implemented by NYSCB to ensure any remaining FFY 2018 Supported Employment funds transferred to the general VR agency are only used for allowable purposes under the VR services portion of NYSCB’s Unified or Combined State Plan.

Agency Response: While drafting agency responses, NYSCB requested technical assistance from RSA on the aforementioned corrective action steps. RSA, NYSCB, and ACCES-VR met on August 8, 2019, to discuss the corrective action steps. At this meeting, RSA directed NYSCB to provide detailed analysis on the reporting issues that would arise from NYSCB’s decision to select option “c” above.

If NYSCB chooses to de-obligate Supported Employment funds, participants receiving services from these de-obligated funds are documented and not cross-participant matched in both NYSCB and ACCES-VR’s RSA-911 and RSA-2 reports. During this meeting, NYSCB and ACCES-VR agreed that having a case open in each agency to provide Supported Employment services would not currently be feasible.

NYSCB will notify RSA within 60 days after the date of the final monitoring report as to which option listed in Corrective Action Step 5.2.1 the agency will implement with regard to its FFY 2020 Supported Employment grant award to ensure compliance with the Federal requirements. NYSCB is strongly considering option c, however, the reporting requirements noted above require resolution before a decision can be made.

Once an option is selected, NYSCB will provide RSA within 60 days after the date of the final monitoring report, the internal control procedures implemented by NYSCB to ensure any remaining FFY 2018 Supported Employment funds transferred to the general VR agency are only used for allowable purposes under the VR services portion of NYSCB’s Unified or Combined State Plan.

RSA Response: RSA appreciates the agency’s efforts in working toward addressing the corrective action items, and its efforts to determine which option will result in meeting Federal requirements and ongoing compliance. Once the corrective action plan is developed, RSA will continue to work with the agency regarding options available for meeting the requirements. The finding and the required corrective action items remain unchanged.

Request for Technical Assistance: Prior to implementing any additional changes, NYSCB requests technical assistance on how to best report supported employment fiscal expenditure information on the RSA-911 and RSA-2 reports.

5.3 Under-Reporting of Expenditures from Non-Federal Sources

Issue: Does NYSCB report all its expenditures from non-Federal sources under the VR services portion of the Unified or Combined State Plan?

Requirements: Section 111(a)(2)(b) of the Rehabilitation Act and its implementing regulations at 34 C.F.R. § 361.62 require the Secretary to reduce the amount otherwise payable to a State for any fiscal year by the amount by which expenditures from non-Federal sources for any previous fiscal year are less than the total of those expenditures for the fiscal year two years prior to that previous fiscal year. For a VR grantee to be compliant in carrying out this maintenance of effort (MOE)-related requirement, the grantee must provide accurate, current, and complete disclosure of the financial results of each Federal award, as required by 2 C.F.R. § 200.302(b)(2).

Analysis: NYSCB has under-reported its expenditures from non-Federal sources under the VR services portion of the Combined State Plan, thereby misreporting the State’s actual contribution of non-Federal share in a given fiscal year. Discussions and interviews with staff from NYSCB Assistant Commissioner’s Office revealed that NYSCB pays the salaries of VR counselors, who work both on the VR and State Independent Living Services programs, directly from State “Federally non-participating” (FNP) funds. FNP funds are State funds NYSCB does not report as non-Federal share in its SF-425 Federal financial reports.

NYSCB staff explained that the reason the agency uses FNP funds to pay the entire salary of VR counselors who spend time working on both VR and State Independent Living Services is due to limitations of NYSCB’s current time and attendance system, called LATS. The LATS time and attendance system does not allow for tracing of personnel time to more than one cost objective. To resolve a previous finding concerning documentation of personnel costs that RSA issued to NYSCB in 2012, NYSCB attempted to use paper time sheets to supplement its LATS system to satisfy the need to record the actual time worked by employees who perform work under multiple programs. However, according to NYSCB staff, “This was labor intensive and resulted in numerous errors when the paper time sheets, and LATS did not match.” To eliminate the error-prone and administratively burdensome reconciliation processes that result from using two separate time-keeping systems, instead of making changes necessary to accurately track and record staff time contributions to the multiple cost objectives under the purview of the DSU, NYSCB decided to pay the salaries of VR agency staff who spend a portion of their time working with State Independent Living Services consumers directly from State FNP funds.

Therefore, the total amount of the State's expenditures for the VR program is not captured. The result is an understatement of the State's non-Federal share of expenditures by the amount of personnel and related expenditures associated with staff that perform both VR and State Independent Living Services. Because these unreported non-Federal expenditures benefit the VR program, and NYSCB has not reported that benefit to RSA in its SF-425 reports, the State's MOE levels for a given FFY cannot be accurately determined.

Conclusion: Based on the analysis, NYSCB is not in compliance with the MOE reporting requirements in 2 C.F.R. § 200.62. By not reporting the full amount of State funds NYSCB has contributed to carrying out the work of the VR program, NYSCB is also not in compliance with 2 C.F.R. § 200.302 (b)(2), which requires the accurate, current, and complete disclosure of the financial results of each Federal award. This finding is the direct result of NYSCB not resolving a finding RSA issued to the agency in 2012 concerning personnel cost allocation, and as such, represents a repeat finding. Repeat findings are a factor the Federal government uses in considering the severity of a finding and an entity's potential risk to the Federal interest.

Corrective Action Steps:

Within 180 days after the date of the final monitoring report, RSA requires that NYSCB:

- 5.3.1 a) Recapture reasonable estimates, for FFYs 2017 and 2018, of FNP funds the agency expended on VR cost objectives without reporting them as non-Federal share in SF-425 reports;
b) Present the method used to recapture the estimates to RSA for review; and
c) Request that RSA reopen fourth quarter and Final SF-425 reports to permit NYSCB to make corresponding corrections to the amount of non-Federal share reported over the course of each affected FFY.
- 5.3.2 Enable the agency's staff timekeeping system to be capable of tracking staff time worked on multiple cost objectives. This may require updating components of OCFS' underlying cost allocation methodology that prevent its personnel time and attendance system from being able to assign costs to multiple cost objectives—
 - As necessary, use an interim system for tracking staff time based on actual time worked until the primary timekeeping system is capable of tracking staff time working on multiple cost objectives.
 - Coordinate with personnel in other offices as needed, such as OCFS management, OCFS' cognizant agency for approving its cost allocation plan, OCFS' Office of Budget and Finance, etc.

Agency Response: NYSCB's understanding is that the CAP finding from 2012 was suspended by RSA with the enactment of WIOA in 2014. With a suspension of the CAP in place, NYSCB believes it is a mischaracterization to describe this as a repeat finding.

NYSCB has reviewed Corrective Action Step 5.3.2 and determined that the requested changes to the electronic payroll and timekeeping system, Leave and Accrual Tracking System (LATS), will be less accurate and more challenging than cost allocation. Furthermore, NYSCB does not agree with RSA's characterization that the only reason NYSCB uses Federally Non-Participating

(FNP) funds to pay the entire salary of VR counselors who spend time working on both VR and State Independent Living Services is due to the limitations of the LATS system. There is an intricate interrelationship of the work that VR counselors do in handling Independent Living Services that makes it difficult to allocate time to a given cost objective.

NYSCB will revise its cost allocation plan to accurately account for staff time spent working on federally non-participating programs and charge this time as indirect costs (facilities and administrative). NYSCB requests, at a minimum, 180 days to develop and establish a cost allocation plan, and subsequently, an additional 90 days to recalculate prior periods.

RSA Response: While the FFY 2012 corrective action plan was suspended with the issuance of WIOA and the Uniform Administrative Requirements, requirements related to non-Federal share, reporting, cost allocation, and staff allocation requirements remain unchanged as a result of new regulations and requirements. Reporting of all non-Federal share was previously required in 34 C.F.R. §§ 80.24, 80.40 and 80.41 and was replaced by 2 C.F.R. §§ 200.306, 200.327 and 200.328, respectively. Cost allocation and requirements for accounting for staff time in 2 C.F.R. §§ 200.405 and 430 are unchanged from previous requirements in 2 C.F.R. part 225.

The finding and the required corrective action items remain unchanged.

Request for Technical Assistance: None at this time.

5.4 Internal Control Deficiencies

Issue: Does NYSCB maintain effective internal control over the Federal award to provide reasonable assurance that it is managing the Federal award in compliance with Federal statutes, regulations, and the terms and conditions of the award?

Requirement: A State VR agency must assure, in the VR services portion of the Unified or Combined State Plan, that it will employ methods of administration that ensure the proper and efficient administration of the VR program. These methods of administration (i.e., the agency's internal controls) must include procedures to ensure accurate data collection and financial accountability (34 C.F.R. § 361.12).

“Internal controls” means a process, implemented by a non-Federal entity, designed to provide reasonable assurance regarding the achievement of objectives in the following categories:

- Effectiveness and efficiency of operations;
- Reliability of reporting for internal and external use; and
- Compliance with applicable laws and regulations (2 C.F.R. § 200.61).

Additionally, 2 C.F.R. § 200.303, among other things, requires a non-Federal entity to—

- Establish and maintain effective internal control over the Federal award that provides reasonable assurance that the non-Federal entity is managing the Federal award in compliance with Federal statutes, regulations, and the terms and conditions of the Federal award. These internal controls should be in compliance with guidance in “Standards for Internal Control in the Federal Government” issued by the Comptroller General of the

United States and the” Internal Control Integrated Framework” issued by the Committee of Sponsoring Organizations of the Treadway Commission;

- Comply with Federal statutes, regulations, and the terms and conditions of the Federal awards;
- Evaluate and monitor the non-Federal entity’s compliance with statute, regulations and the terms and conditions of Federal awards; and
- Take prompt action when instances of noncompliance are identified including noncompliance identified in audit findings.

In accordance with the Uniform Guidance (2 C.F.R. § 200.302(a)), a State’s financial management systems, including records documenting compliance with Federal statutes, regulations, and the terms and conditions of the award, must be sufficient to permit the—

- Preparation of reports required by general and program specific terms and conditions; and
- Tracing of funds to a level of expenditures adequate to establish that such funds have been used according to the Federal statutes, regulations, and the terms and conditions of the Federal award.

In its guidance “The Role of Internal Control, Documenting Internal Control, and Determining Allowability & Use of Funds,” the Department made clear to grantees that internal controls represent those processes by which an organization assures operational objectives are achieved efficiently, effectively, and with reliable, compliant reporting.

Therefore, an internal control deficiency would exist when the design or operation of a control does not allow management or employees, in the normal course of performing their assigned functions, to prevent or correct processes that might lead to non-compliance with Federal and State requirements.

Analysis: RSA found several areas of concern that fall within the internal control focus area. These findings are identified below.

A. Inadequate Documentation of Reported Expenditures

- i. **Inadequate Documentation of Pre-employment Transition Services Expenditures** –Nothing in NYSCB’s documentation of internal controls includes a mechanism for the agency to accurately determine the amount of contract expenses to be reported as reserve activity expenditures versus regular VR expenditures. NYSCB also does not have a way to track and report authorized and coordination activities as meeting the reserve; nor does NYSCB track and report its use of Supported Employment funds to ensure it meets the reservation and expenditure requirement for its Supported Employment awards. As such, NYSCB is not in compliance with 2 C.F.R. § 200.303, which require the grantee to establish internal controls to ensure compliance with Federal statutes, regulations, and the terms and conditions of its Federal awards. The lack of internal control processes to adequately track and account for pre-employment transition service expenditures and Supported Employment service expenditures for youth with most significant disabilities prohibited NYSCB from providing supporting documentation demonstrating it is in compliance with the required reservation and

expenditure of fund requirements for the VR and Supported Employment programs.

- ii. **Inadequate Documentation of Obligation Dates.** In response to RSA’s request for a list of Federal expenditures, including obligation and liquidation dates, incurred under its FFY 2016 VR award, NYSCB provided RSA a spreadsheet report from its Statewide Financial System. The spreadsheet included a column header titled “Obligation Date” that was generated from the State Financial System; however, the definition of “obligation date” in the State Financial System is different from the definition required by the EDGAR in 34 C.F.R. § 76.707.

The State of New York Comptroller’s *Guide to Financial Operations* provides the following chart to illustrate how the State defines “obligation date” in various situations. This can be found in *Section XII, Expenditures > 5. Agency Payment Preparation and Submittal > G. Entering the Appropriate Obligation and Accounting Dates on Vouchers.*

If the payment is for:	Then the obligation date is the:
Merchandise (Non-Contract)	Date merchandise is received.
Services (Non-Contract)	Date services are completed.
Contract payments	Payment dates specified in contract; if none specified, then date(s) goods are delivered, or services are completed.
Prepaid Services (i.e. Rents, Subscriptions, Maintenance Contracts)	Date the service begins. If period is not open, end date of current open period.
Inter-agency Vouchers	Obligation date of the bill. Generally, this is the Billing Date.

Table 1, New York State guidelines for determination of the obligation date for various types of payments

In contrast, EDGAR provides the chart below to illustrate the way obligation dates must be recorded to meet U.S. Department of Education requirements.

If the obligation is for -	The obligation is made -
(a) Acquisition of real or personal property	On the date the State or subgrantee makes a binding written commitment to acquire the property.
(b) Personal services by an employee of the State or subgrantee	When the services are performed.
(c) Personal services by a contractor who is not an	On the date on which the State or subgrantee makes a binding written commitment to obtain the services.

employee of the State or subgrantee	
(d) Performance of work other than personal services	On the date on which the State or subgrantee makes a binding written commitment to obtain the work.
(e) Public utility services	When the State or subgrantee receives the services.
(f) Travel	When the travel is taken.
(g) Rental of real or personal property	When the State or subgrantee uses the property.
(h) A pre-agreement cost that was properly approved by the Secretary under the cost principles in 2 C.F.R. Part 200, Subpart E - Cost Principles	On the first day of the grant or subgrant performance period.

Table 2, EDGAR 34 C.F.R. § 76.707 illustrating when obligations are made

A comparison of these two charts reveals several differences in the way the New York State Financial System records obligation dates versus the way EDGAR requires grantees to track them for grant reporting purposes. For example, the New York State Financial System records the obligation date for equipment purchases on the date the item is delivered, whereas EDGAR requires obligation dates for these purchases to be recorded as the date on which the State makes a binding written commitment to acquire the property. In another example, the information provided by NYSCB in its case services “data snapshot” (noted above) identified case service codes by the start date of service, and not by the date on which the State made a binding written commitment to obtain the service, as required by 34 C.F.R. § 76.707.

Additional detail concerning the New York State Financial System definition of obligation date can be found in *Section XIV, Special Procedures > 2. Obligation, Accounting and Budget Dates of the State of New York Comptroller Guide to Financial Operation*. This section references the accounting date, which controls the accounting period and fiscal year in which the transaction will be recorded in the Modified Accrual Ledger and Commitment Control Ledger(s). However, the guide lacks information on how State agencies can use the State Financial System to record obligation dates in a manner consistent with the EDGAR definition for Federal reporting.

The information NYSCB provided demonstrates it is unable to trace funds reported as obligations or as meeting the reserve to a level of expenditures adequate to establish that such funds have been used according to the Federal statutes, regulations, and the terms and conditions of the Federal award. While NYSCB noted that its financial system permits the tracing of expenditures by obligation date in aggregate at the end of an award period, NYSCB provided no evidence that the amounts reported as obligations or as meeting the reserve were

assigned to the Federal award within the periods of availability for the obligation and expenditure as required by 2 C.F.R. § 200.302(a), or that the expenditures reported as meeting the reserve were reported based on the date that the funds were obligated, as required by 34 C.F.R. § 76.707.

The inability of NYSCB to track Federal and non-Federal expenditures to the correct Federal fiscal year affects RSA's ability to adequately determine NYSCB's compliance with Federal matching and maintenance of effort requirements.

B. Undocumented, Incomplete or Inaccurate Internal Controls – NYSCB's designated State agency, OCFS, provides financial management support to NYSCB through its Office of Budget and Finance (OBF) to ensure ongoing compliance with Federal grant and New York State budget requirements related to Federal financial reporting, MOE and match. During the on-site visit, a representative from OBF provided an overview of the processes behind developing workpapers that NYSCB uses to populate SF-425 reports. While the representative described sound business processes and continuous monitoring activities that have safeguarded NYSCB year-to-year from MOE penalties (notwithstanding Finding 5.3, Under-Reporting of Expenditures from Non-Federal Sources), match shortfalls and significant overages, and late or inaccurate reporting (notwithstanding Finding 5.2, Unallowable Use of Supported Employment Funds), NYSCB staff reported that some of the agency's written control processes needed to be updated.

It is important for grantees to maintain up-to-date, clearly written financial management policies and procedures to prevent missteps that may occur should personnel who ordinarily carry out those procedures not be available and agency staff are left with incomplete or inaccurate reconciliation and reporting instructions. As noted in 2 C.F.R. § 200.302, each State's financial management system must be sufficient to permit the preparation of reports required by the terms and conditions of the award, and the tracing of funds to a level of expenditure adequate to establish that such funds have been used according to Federal requirements.

Conclusion: In the areas noted above, NYSCB does not maintain effective internal controls over the Federal award that provide reasonable assurances that the non-Federal entity is managing the Federal award in compliance with Federal statutes, regulations, and the terms and conditions of the award, as required by 34 C.F.R. § 361.12 and 2 C.F.R. § 200.303. Specific internal control areas of deficiency include insufficient tracking and reporting of authorized pre-employment transition services, tracking Supported Employment funds to a level necessary to ensure the State meets the reservation and expenditure requirement, documentation of expenditure obligation and liquidation dates, and control activities for ensuring management oversight of MOE, match, and accurate Federal financial reporting.

While these control deficiencies suggest elevated risk to NYSCB's effectiveness and efficiency of operations, reliability of reporting, and compliance with applicable laws and regulations, the risk will be greatly reduced through management's development of internal controls at a level of detail necessary to address the complexity of its systems. The corrective action steps listed below

will support NYSCB in developing its ability to correct processes that have led to the non-compliance findings noted above.

Corrective Action Steps:

RSA requires that NYSCB:

- 5.4. A.i.1 Within 90 days after the issuance of the final report, develop and implement internal control procedures that permit NYSCB management to track and account for the amount of funds it has expended on authorized pre-employment transition services activities to ensure that, consistent with its fiscal forecast, enough funds remain to carry out the provision of required activities Statewide through the end of the period of performance of the grant award;
- 5.4. A.ii.1 Within 120 days after the issuance of the final monitoring report, bring its financial data collection and analysis process into compliance so that NYSCB can—
 - ensure all Federal and non-Federal obligations are properly accounted for and obligated to the correct FFY award in the agency’s financial management system;
 - account for all expenditures and accurately liquidate Federal and non-Federal expenditures from the correct FFY award based upon the Federal award to which the obligation is correctly assigned; and
 - ensure all reclassified expenditures are assigned to the appropriate FFY award based upon the date in which the obligation was incurred;
- 5.4. A.ii.2 Within 90 days of completion of 5.4.A.ii.1 - Reconstruct the proper assignment of Federal obligations and expenditures for FFYs 2016 through the current reporting period and revise SF-425 reports to reflect corrected amounts;
- 5.4. B.1 Develop and implement written internal control processes and activities NYSCB staff use to ensure the accuracy of Federal financial reports; and
- 5.4. B.2 Develop or revise, as necessary, agency policies and procedures to ensure compliance with WIOA and 2 C.F.R. Part 200 requirements, together with an ongoing monitoring component to ensure policies comply with the Federal law and regulations.

Agency Response: NYSCB has developed and implemented internal control procedures to track and account for funds expended on pre-employment transition services. NYSCB has implemented these procedures for all funds spent from FFY 2018 and continues implementation in FFY 2019.

Based upon our prior experience implementing the controls for FFY 2018, reconstructing expenditures for prior fiscal years is highly labor intensive. NYSCB will need to dedicate substantial staff resources to recreate FFY 2017 and FFY 2016. NYSCB requests an additional year to implement these corrective actions.

RSA Response: RSA appreciates the agency’s efforts in working toward addressing the corrective action items. Once the corrective action plan is developed, RSA will work with the

agency to determine if updated processes result in meeting Federal requirements and ongoing compliance.

RSA agrees with the agency for an extension in bringing previous reporting of obligations and liquidations into compliance and grants the agency an additional 90 days, which has been reflected in the date listed on corrective action step 5.4.A.ii.2. However, the agency is required to ensure the current grant award meets Federal requirements for accounting for all obligations and expenditures as RSA has no authority to wave the requirements. The finding and the required corrective action items remain unchanged.

Request for Technical Assistance: None at this time.

D. Technical Assistance

During monitoring activities, RSA provided technical assistance to NYSCB as described below.

NYSCB and OCFS staff requested examples of internal controls from other agencies. Please contact RSA technical assistance providers directly with this request. One place to start immediately is <https://ncrtm.ed.gov/>. To assist NYSCB in developing internal controls in response to finding 5.4, RSA recommends that management review the document *The Role of Internal Control, Documenting Internal Control, and Determining Allowability & Use of Funds*, which is available at www.ed.gov.

<https://www2.ed.gov/policy/fund/guid/uniform-guidance/fundsguidance.pdf>

NYSCB expressed concern over the requirement that grantees liquidate all expenditures incurred under an award by the end of the 90-day liquidation period established by 2 C.F.R. § 200.343(a). RSA referred the agency to an FAQ resource published on the RSA website that covers several questions concerning Federal requirements for VR awards in relation to the period of performance and availability of Federal funds under a given FFY. This resource, titled *Period of Performance for Formula Grant Awards FAQs*, is available at the following internet address: <https://www2.ed.gov/about/offices/list/osers/rsa/formula-period-of-performance-faqs.html>

It is important to note that when NYSCB funds accessibility equipment at one-stop centers, the costs must be allocated to each partner's proportional use of the equipment. While NYSCB may advise as to what technology is appropriate to accommodate the needs of blind consumers, RSA's responsibility for the cost of accessible technology at the centers is limited to its consumer's proportional use of that technology. This is an important factor for the agency to consider as it completes its funding agreements with the one-stop centers.

SECTION 6: FOCUS AREA – JOINT WORKFORCE INNOVATION AND OPPORTUNITY ACT FINAL RULE IMPLEMENTATION

A. Purpose

The Departments of Education and Labor issued the Workforce Innovation and Opportunity Act (WIOA) Joint Rule for Unified and Combined State Plans, Performance Accountability, and the One-Stop System Joint Provisions; Final Rule (Joint WIOA Final Rule) to implement Title I of WIOA. These joint regulations apply to all core programs of the workforce development system established by Title I of WIOA and the joint regulations are incorporated into the VR program regulations through subparts D, E, and F of 34 C.F.R. Part 361.

WIOA strengthens the alignment of the public workforce development system's six core programs through unified strategic planning requirements, common performance accountability measures, and requirements governing the one-stop delivery system. WIOA places heightened emphasis on coordination and collaboration at the Federal, State, local, and tribal levels to ensure a streamlined and coordinated service delivery system for job seekers, including those with disabilities, and employers.

In FFY 2018, the Employment and Training Administration in the U.S. Department of Labor, the Office of Career, Technical, and Adult Education in the U.S. Department of Education, and RSA developed the "WIOA Shared Monitoring Guide." RSA incorporated its content into the FFY 2018 monitoring of the VR program in this focus area. RSA assessed the VR agency's progress and compliance in the implementation of the Joint WIOA Final Rule through this focus area.

B. Implementation of WIOA Joint Final Rule

This focus area consists of the following topical areas: WIOA Partnership; Governance; One-Stop Operations; and Performance Accountability. To gather information pertinent to these topics, RSA staff reviewed a variety of documents including the Program Year (PY) 2016 Unified State Plan; Memoranda of Understanding (MOUs) including the One-Stop Center Operating Budget and Infrastructure Funding Agreement (IFA) related to the one-stop service delivery system; and other supporting documentation related to the four topical areas.

WIOA Partnership

WIOA requires States and local areas to enhance coordination and partnerships with local entities and supportive service agencies for strengthened service delivery, including through Unified/Combined State Plans. Beyond the partnerships reflected in the Governance and One-Stop Operations sections of this focus area, Federal partners thought it was important for Federal agencies to inquire about the broader partnership activities occurring to implement many of the approaches called for within WIOA, such as career pathways and sector strategies. These require robust relationships across programs and with businesses, economic development, education, and training institutions, including community colleges and career and technical education local entities and supportive service agencies. Exploring how these activities are led and sustained may be useful in assessing how these initiatives are progressing within a State.

State partners have made progress in their efforts to engage with businesses and other stakeholders in partnerships for the purposes of unified planning, career pathway development and apprenticeships, sector strategies, and other related workforce development activities.

The partners established an interagency Business Workgroup, which includes the NYSDOL Business Services Unit and representatives from both NYSCB and ACCES-VR, the VR agencies in the State. As discussed in greater detail later in this report, the partners are using the One-Stop Operating System (OSOS) to track and analyze their efforts in engaging business. In terms of sector strategies, the State partners have partnered with the State's Regional Economic Development Councils to begin to ensure that the education and training services, provided in the workforce development system, align with the in-demand occupations and careers in differing regions of the State.

To support and maintain these partnerships, the State partners have not established a memorandum of understanding or formal agreement. Rather, the partners established the WIOA Interagency Team in FFY 2014, following the passage of WIOA, which serves as the coordinating group for a variety of interagency workgroups:

- Accessibility Workgroup;
- Business Engagement Workgroup;
- Customer Outreach Workgroup;
- Training Workgroup;
- MOU Workgroup;
- Data Integration Workgroup;
- Referral and Release Workgroup; and
- Youth Workgroup.

NYSDOL has historically served as the convener of the WIOA Interagency Team and the workgroups. NYSCB reported that it participates in each of these workgroups.

Governance

State Workforce Development Boards (SWDBs) and Local Workforce Development Boards (LWDBs), which should include representation from all six core programs, including the VR program, set strategies and policies for an aligned workforce development system that partners with the education continuum, economic development, human services, and businesses. The VR representative on the SWDB must be an individual who has optimum policy making authority for the VR program. Further, each LWDB is required to have at least one representative from programs carried out under Title I of the Rehabilitation Act of 1973 (other than Section 112 or part C of that Title).

SWDB

The SWDB, which is titled the State Workforce Investment Board in New York, plays a key role in leading the State's implementation of WIOA. There are two VR programs in the State of New York represented on the SWDB. The Commissioner of the Office of Children and Family Services (OCFS), NYSCB's designated State agency, represents OCFS components, including NYSCB, on the SWDB, while the Commissioner of the New York State Education Department

represents ACCES-VR and Adult Education Programs and Policy (AEPP) on the SWDB. The New York State Department of Labor administers funding and provides staff resources for the SWDB.

LWDB

There are 33 LWDBs established to represent each local workforce area in the State of New York. NYSCB's district office managers and State office personnel represent NYSCB on each of these 33 Local Boards. During the onsite monitoring review, NYSCB indicated having a productive working relationship with the LWDBs that assists in meeting the requirements set forth in WIOA.

One-Stop Operations

The one-stop delivery system brings together workforce development, educational, and other human resource services in a seamless customer-focused service delivery network that enhances access to services and improves long-term employment outcomes for individuals receiving assistance. One-stop partners administer separately funded programs as a set of integrated streamlined services to customers.

In documents submitted by NYSCB prior to the onsite monitoring review, and in onsite discussions with its State partners, NYSCB demonstrated that it has made progress in implementing the requirements related to the one-stop service delivery system under WIOA.

NYSCB and its partners reported that while they strived to meet the July 1, 2017, deadline set by the U.S. Departments of Education and Labor for having WIOA-compliant MOUs in place, the State had only fully executed 23 of 33 MOUs at the time of the onsite monitoring review. State partners explained that the 10 outstanding MOUs were operational, but that the chief elected officials (e.g., county executives) in those particular local workforce areas had yet to sign the MOUs.

Although State partners reported that 28 IFAs, a component of the one-stop operating budget, had been submitted, none were finalized for any of the 33 local workforce areas in New York at the time of the on-site review. While the partners acknowledged the January 1, 2018, deadline set by the U.S. Departments of Education and Labor, the partners discussed the extensive amount of time and resources they had dedicated to developing guidance for local workforce areas to follow and the effort they have invested to ensure that State partners are contributing to these costs equitably. The partners intend to negotiate each IFA using the local funding mechanism, and they have no reason to believe any local workforce area will trigger the State funding mechanism as a result of an impasse in the negotiation. During the onsite review, NYSCB reported that it did not intend to contribute to infrastructure costs, as it provided direct services to individuals with visual disabilities through its local offices and providers. NYSCB communicated that it instead contributed to the costs of assistive technology to increase accessibility of the one-stop resource rooms for individuals with visual disabilities. RSA provided technical assistance, as described in Section E, to clarify that these costs should be included in the one-stop operating budget and should be shared by workforce partners.

Performance Accountability

Section 116 of WIOA establishes performance accountability indicators and performance reporting requirements to assess the effectiveness of States and local areas in achieving positive outcomes for individuals served in the workforce development system. WIOA requires that these requirements apply across all six core programs, with a few exceptions. RSA reviewed the VR agency's progress and implementation of performance accountability measures and data sharing and matching requirements.

In New York, State partners hold regular meetings to discuss performance accountability topics. The partners have identified several concerns related to performance accountability that each workforce agency needs to address internally as well as general concerns related to the joint reporting that need to be resolved by the State partners collectively. NYSCB reported that a key concern is actually gathering the data to report. NYSCB indicated that, even with time provided by RSA to obtain baseline information, it has been difficult to get agreements signed to access certain data. In particular, the VR agencies in New York have never reported on those individuals who have exited the VR program and collecting information after exit is challenging for the agencies. Further, NYSCB indicated that it will also be necessary to analyze and use the results when available. For NYSDOL, NYSCB reported that the changes to the wage data numerator and denominator definitions have been significant.

Effectiveness in Serving Employers

The State partners selected the Repeat Business and Business Penetration approaches in collecting data on the "Effectiveness in Serving Employers" measure; the partners have not added a State-specific approach. In New York, the core programs came to agreement on which Federal approaches to use and how to establish expected level of performance. The partners discussed each approach, and, through consensus, they decided that "retention," though extremely important, did not seem to tie as directly to what State agencies could specifically do for business. NYSCB reported that the partners felt that there are simply too many variables involved in why an individual might not continue at a particular job. Specifically, NYSCB communicated that some of those reasons could be positive, such as the individual received a job promotion, or neutral, such as the individual needed to move due to family issues, hospitalization, or incarceration. NYSCB explained that the fact that an employer did not retain an individual may not have been because the employer had not been well served by the workforce development system. The partners designated NYSDOL to be the lead agency for collection and reporting of the data for this shared outcome because NYSDOL already had a robust system in place for collecting business engagement data. NYSDOL provided management of NYSCB and ACCES-VR a demonstration of its business engagement system, and the VR agencies decided that they would enter their business data into the existing system. NYSDOL modified the system to incorporate details needed by the VR agencies and added fields for VR data entry. At the time of the on-site review, NYSCB reported that all NYSCB staff are in the process of being entered into the OSOS as new users. Security training to allow staff access to enter business data occurred in the fall of 2018, and best practice training for all core partners entering business data occurred in December 2018.

Unique Identifier, Co-Enrollment, and Additional Measures

The State partners are discussing options for establishing a unique identification number to be retained by the same individual across multiple programs; however, given the number and complexity of their current systems, NYSCB reported that this has not yet been operationalized.

NYSCB reported that the State partners do not currently have a mechanism to track co-enrollment across programs, in accordance with 34 C.F.R. §677.160, except for when participants provide a self-report.

The State partners decided not to establish additional performance indicators for the six core programs; however, each partner is tracking additional information as necessary for its own agency purposes.

Data Matching and Sharing

NYSDOL uses quarterly wage information to obtain wage information for the primary indicators of performance. NYSCB and NYSDOL recently executed a data sharing agreement for unemployment insurance data. However, there are still some issues to be resolved as per NYSDOL. NYSDOL determined that NYSCB can re-disclose the disaggregated data to RSA unless there is a confidentiality agreement executed between RSA and NYSDOL. NYSCB and its partners acknowledged that there is still work to be completed around data sharing to meet the regulatory provisions in WIOA. RSA has identified this as a technical assistance for both NYSDOL and NYSCB.

In New York, the Governor has not designated a State agency to assist the core agencies in carrying out performance reporting related to facilitating data matches, data quality reliability, and protection against disaggregation that would violate privacy provisions. Rather, this work is being coordinated by the WIOA interagency team of State workforce programs. NYSDOL is currently participating in Wage Record Interchange System (WRIS) data sharing agreement, and the partner agencies plan to establish data sharing agreements with NYSDOL to receive this data as well.

While the Federal agencies plan for the new State Wage Interchange System (SWIS) to facilitate the interstate exchange of wage data between and among participating States for the purpose of assessing and reporting on State and local performance for the programs authorized under WIOA, the State partners indicated that preliminary information leads them to believe that they would require a modification to participate in the SWIS as they understand their State laws to be more restrictive.

The State is allowing the use of supplemental wage data for verifying performance outcomes; however, not all core programs have decided how they will implement this. The New York State Department of Labor and NYSCB use supplemental wage data for performance outcomes.

To access and integrate supplemental wage data into its performance calculations, NYSDOL's case management system, the OSOS, allows staff to document the supplemental wages within the case management system and requires verification documentation. Given that data is documented in the case management system, the partners said that it is automatically included

when the PIRL file is generated. NYSCB, however, has not modified its case management system to collect this documentation.

In terms of progress the State has made toward the creation of information technology solutions such as data system interfaces, the WIOA Interagency Data Integration Workgroup has been tasked with fulfilling the joint reporting requirements under WIOA, but also discusses other performance accountability issues. The State partners reported that there are several concerns and barriers the group has with regards to performance accountability. The first barrier remains changing reporting requirements and ensuring their systems undergo consistent changes to align with reporting requirements. The second barrier, which the State partners reported, is the inconsistent guidance they have determined they received from their cognizant Federal agencies. Additionally, the State partner's preliminary exploration of a single case management system led to concerns about the data each system collects that is not part of the joint reporting requirements, the costs of such a system, and confidentiality issues. The Data Integration Workgroup meets monthly to discuss progress and opportunities to develop a data sharing agreement.

As it relates to State mechanisms to monitor performance across core partners to identify performance issues that may affect the State's ability to meet its performance targets, the State partners reported that this remains a challenging task for the State where several case management systems are used. The State partners reported that they are working toward data sharing agreements to strengthen their abilities in this area and they have committed to use one system for reporting on business engagement. NYSDOL has modified the OSOS to include NYSCB services and the agreement has been signed. NYSCB staff have been provided with the required confidentiality training.

C. Observations and Recommendations

RSA's review of the NYSCB's performance in this focus area did not result in the identification of any observations and recommendations to improve performance.

D. Findings and Corrective Actions

RSA's review of the NYSCB's performance in this focus area resulted in the identification of the following findings and the corresponding corrective actions to improve performance.

Finding 6.1: Memoranda of Understanding and Infrastructure Funding Agreements

Issue: Has NYSCB executed MOUs, including IFAs, with each LWDBs and the one-stop partners satisfying 34 C.F.R. § 361.420 and 34 C.F.R. § 361.500 and policy guidance issued jointly by the U.S. Departments of Education and Labor.

Requirement: The DSU has sole responsibility for the VR program's participation as a partner in the one-stop service delivery system (34 C.F.R. §§ 361.13(c)(1)(v) and 361.13(c)(2)). As a required one-stop partner pursuant to 34 C.F.R. § 361.420, the DSU must:

- Provide access to the VR program through the one-stop delivery system, in addition to any other appropriate locations;

- Use a portion of its funds, consistent with the Rehabilitation Act and with Federal cost principles in 2 C.F.R. Parts 200 and 3474 (requiring, among other things, that costs are allowable, reasonable, necessary, and allocable), to
 - Provide applicable career services; and
 - Work collaboratively with the State Board and LWDBs to establish and maintain the one-stop delivery system. This includes jointly funding the one-stop infrastructure through partner contributions that are based upon:
 - A reasonable cost allocation methodology by which infrastructure costs are charged to each partner based on proportionate use and relative benefit received;
 - Federal cost principles; and
 - Any local administrative cost requirements in the Federal law authorizing the partner's program. (This is further described in 34 C.F.R. § 361.700.)
- Enter into an MOU with the LWDBs relating to the operation of the one-stop delivery system that meets the requirements of 34 C.F.R. § 361.500(b);
- Participate in the operation of the one-stop delivery system consistent with the terms of the MOU, requirements of authorizing laws, the Federal cost principles, and all other applicable legal requirements; and
- Provide representation on the State Board and LWDBs as required and participate in Board committees as needed.

Pursuant to 34 C.F.R. § 361.500(a), the MOU is the product of local discussion and negotiation. It is an agreement developed and executed between the LWDB and the one-stop partners, with the agreement of the chief elected official and the one-stop partners, relating to the operation of the one-stop delivery system in the local area. In accordance with 34 C.F.R. § 361.500(b), each MOU must contain:

- A description of services to be provided through the one-stop delivery system, including the manner in which the services will be coordinated and delivered through the system;
- Agreement on funding the costs of the services and the operating costs of the system, including—
 - Funding of infrastructure costs of one-stop centers in accordance with 34 C.F.R. §§ 361.700 through 361.755; and
 - Funding of the shared services and operating costs of the one-stop delivery system described in 34 C.F.R. § 361.760;
- Methods for referring individuals between the one-stop operators and partners for appropriate services and activities;
- Methods to ensure that the needs of workers, youth, and individuals with barriers to employment, including individuals with disabilities, are addressed in providing access to services, including access to technology and materials that are available through the one-stop delivery system;
- The duration of the MOU and procedures for amending it; and
- Assurances that each MOU will be reviewed, and if substantial changes have occurred, renewed, not less than once every 3-year period to ensure appropriate funding and delivery of services.

The MOU may contain any other provisions agreed to by the parties that are consistent with Title I of WIOA, the authorizing statutes and regulations of one-stop partner programs, and the implementing regulations of WIOA (34 C.F.R. § 361.500(c)). When fully executed, the MOU must contain the signatures of the LWDB, one-stop partners, the chief elected official(s), and the time period in which the agreement is effective. The MOU must be updated not less than every 3 years to reflect any changes in the signatory official of the Board, one-stop partners, and chief elected officials, or one-stop infrastructure funding (34 C.F.R. § 361.500(d)). If a one-stop partner appeal to the State regarding infrastructure costs, using the process described in § 361.750, results in a change to the one-stop partner's infrastructure cost contributions, the MOU must be updated to reflect the final one-stop partner infrastructure cost contributions (34 C.F.R. § 361.500(e)).

The U.S. Departments of Education and Labor (the Departments) provided extensive guidance regarding the operation of the one-stop service delivery system and the funding of its infrastructure costs in the joint regulations ([Federal Register notice 81 FR 55791](#)), published August 19, 2016. On December 27, 2016, the Departments published a set of frequently asked questions related to the one-stop service delivery system. In this guidance, the Departments indicated that in order to have MOUs in place for Program Year (PY) 2017, which began on July 1, 2017, LWDBs and one-stop partners must enter into MOUs that align with the requirements of WIOA, except for the final IFA, by June 30, 2017. The Departments also indicated that DOL used its transition authority in Section 503(b) of WIOA to extend the implementation date of the final IFAs for PY 2017. With this extension, final IFAs were to be in place no later than January 1, 2018. However, the Departments explained that Governors had the discretion to require local areas to enter into final IFAs at any time between July 1, 2017 and January 1, 2018. During the extension period, local areas were allowed to use existing funding agreements in place for PY 2016, with any such modifications as the partners may have agreed to, to fund infrastructure costs in the local area. On January 18, 2017, the Departments issued formal policy guidance, which RSA published as technical assistance circulars: RSA-TAC-17-02 and RSA-TAC-17-03. In RSA-TAC-17-02, the Departments reiterated the extended IFA deadline of January 1, 2018.

Analysis: New York has established 33 local workforce areas across the State. During the monitoring review, RSA requested four MOUs from local workforce areas to assess NYSCB's progress in implementing the joint one-stop requirements for purposes of the VR program, including those regarding funding the one-stop system's infrastructure costs.

Prior to the onsite monitoring review, NYSCB provided and RSA reviewed MOUs from Westchester-Putnam Counties, Finger Lakes Region, Suffolk County, Monroe County-Rochester, and Broome-Tioga Counties. Each MOU reviewed satisfied most of the one-stop MOU requirements identified in 34 C.F.R. § 361.500, and all four were fully executed by July 1, 2017. Each MOU reviewed contained a "Career Services System Operating Budget;" however, none of the MOUs contained a final IFA as required by 34 C.F.R. §§ 361.700 through 361.755.

During onsite discussions with NYSCB and its State workforce partners – the New York State Department of Labor (NYSDOL) administering Titles I and III of WIOA and AEPP administering Title II of WIOA – the State workforce partners acknowledged that they had fully executed MOUs in 23 of the 33 local workforce areas. In those 10 local workforce areas where an MOU was not fully executed, NYSDOL explained that this is due to a lack of some or all of

the required signatures on the MOU. NYSDOL further explained that these MOUs are, in effect, operational while the signatures are collected. NYSCB and its partners did not provide a date as to when these 10 MOUs would be fully executed. However, NYSCB communicated that it is working with its partners to finalize and execute all MOUs.

While onsite, NYSCB and its partners also informed RSA that the required IFAs have not been finalized in any of the 33 local workforce areas, and none of the 33 local areas have final IFAs in place, as required by Title I of WIOA and its implementing regulations. State partners reported that 28 of the 33 local workforce areas have submitted IFAs for review; however, the State partners had not yet approved any of them. Furthermore, while onsite, NYSCB communicated that it was not going to contribute to infrastructure costs reflected in the IFAs. The onsite review team clarified that NYSCB will need to develop a cost allocation methodology (e.g., participant count, full-time equivalents, or square footage) by which it will determine those infrastructure costs; and additional costs to which it will contribute that are proportional to its benefit. Finally, State partners indicated some local workforce areas requested extensions beyond their April 1, 2018 deadline.

Conclusion: As explained in this analysis, at the time of the onsite monitoring review, NYSCB did not meet the joint one-stop requirements regarding the development and implementation of MOUs and final IFAs with each local workforce area in the State, as required by 34 C.F.R. §§ 361.420 and 361.500. At the time of the onsite visit, the State had failed to fully execute 10 of the 33 required MOUs and had failed to develop and implement final IFAs in all 33 local areas. Since that time, the State executed an additional five MOUs and did not finalize IFAs in any of the local workforce areas. In addition, NYSCB will need to develop a methodology to identify its contribution and proportional benefit as a partner in the one-stop centers, as core partners are responsible for contributing to the funding of infrastructure costs of one-stop centers in accordance with 34 C.F.R. §§ 361.700 through 361.755; and funding of the shared services and operating costs of the one-stop delivery system described in 34 C.F.R. § 361.760.

Corrective Action Steps: RSA requires that NYSCB:

- 6.1.1 Finalize MOUs with those local workforce areas that do not have fully executed MOUs in accordance with 34 C.F.R. § 361.500;
- 6.1.2 Finalize IFAs for each of the State's local workforce areas in accordance with 34 C.F.R. §§ 361.700 through 361.755; and
- 6.1.3 Develop and implement methodology to determine NYSCB's portion of and contribution to infrastructure costs of one-stop centers, as well as shared services and operating costs of the one-stop service delivery system as a core partner in one-stop centers.

Agency Response: As of this response, all 33 Service Delivery MOUs have been signed by NYSCB's State partners. Four service delivery MOUs are not fully executed; they are awaiting signature by local elected officials.

The IFAs continue to make progress. Ten have been signed by NYSCB and all local partners. Six IFAs have been signed by all local partners and are in NYSCB's possession for signature. Once all the IFAs are signed, they will be fully executed.

Infrastructure costs are developed based on local negotiations across the 33 LWDA's within New York State. The criteria utilized includes, but is not limited to, physical space and full-time equivalents (FTE). At commencement of negotiations, NYSCB was not participating in any of the associated criteria. We expect that through continued relationship building, NYSCB will meet some of the criteria required to contribute to infrastructure funding. When that occurs, the formulas used to calculate contributions will be recalculated for the 2020 MOU process.

Request for Technical Assistance: None at this time.

E. Technical Assistance

During the course of monitoring activities, RSA provided technical assistance to NYSCB as described below.

Representation on the SWDB

NYSCB, within the New York State Office of Children and Family Services (OCFS), and ACCES-VR, within the New York State Education Department (NYSED), each administer one of the two VR programs in New York, and are represented by the Commissioners of OCFS and NYSED, respectively, on the SWDB, as one of the core workforce development programs authorized under the Rehabilitation Act, as amended by Title IV of WIOA. The Commissioner of OCFS represents all OCFS components on the SWDB, while the Commissioner of NYSED also represents AEPP – another core workforce development program authorized under Title II of WIOA.

Section 101(b)(1)(C)(iii)(I)(aa) of WIOA requires that the State Board be comprised of, among others, representatives from “the lead State officials with primary responsibility for the core programs” (see also 20 C.F.R. §679.110(b)(3)(iii)(A)(1)). The preamble to the final regulations explains further that 20 C.F.R. §679.110(b)(3)(iii)(A)(1)(i) through (iii) were modified for purposes of the final regulations to make clear that the Title II AEFLA and the Title IV VR programs must each be represented by a single, unique representative (see 81 FR 56072, 56074 (Aug. 19, 2016)). In other words, one representative cannot represent both core programs, as is done by the Commissioner of NYSED representing the Titles II and IV core programs. The Commissioner of OCFS only represents one core program in this membership capacity.

This policy position by the U.S. Department of Labor (DOL) is consistent with 20 C.F.R. §679.110(e), which requires that State Board members representing core programs, such as the VR program, be individuals who have optimum policy-making authority for the core program that they represent. Pursuant to 20 C.F.R. §679.120(a):

- (a) A representative with “optimum policy-making authority” is an individual who can reasonably be expected to speak affirmatively on behalf of the entity he or she represents and to commit that entity to a chosen course of action.

Finally, the VR regulations at 34 C.F.R. § 361.13(c)(1) specify certain functions that are the sole responsibility of the VR agency, including participation as a partner in the workforce development system. This would include the VR program’s participation on the State Board pursuant to 20 C.F.R. §679.110(b)(3)(iii)(A)(1)(iii) and 20 C.F.R. §679.120(a). The VR program

director does not have the authority to delegate this authority to another entity or individual (34 C.F.R. § 361.13(c)(2)). In other words, the directors of ACCES-VR and NYSCB do not have the authority to delegate to the Commissioners of NYSED and OCFS, respectively, the authority to represent the VR program on the State Board.

Therefore, the State Board has failed to comply with Section 101(b) of WIOA and 20 C.F.R. §679.110(b)(3)(iii)(A)(1)(iii) of its implementing regulations by having the Commissioner of OCFS represent NYSCB and by having the Commissioner of NYSED represent two core programs (i.e., Adult Education and the VR program) on the State Board. After consultation with DOL and the U.S. Department of Education's Office of Career, Technical, and Adult Education on this matter, RSA recommends that New York revise its State Board composition by appointing either the director of ACCES-VR or the director of NYSCB to represent the VR program collectively on the State Board. Enforcement of this matter falls under the jurisdiction of DOL.

Infrastructure Cost Agreements

RSA provided guidance to NYSCB regarding the development of a reasonable cost allocation methodology by which infrastructure costs are charged to NYSCB (and each partner) based on proportionate use and relative benefit received (34 C.F.R. §§ 361.700 through 361.755).

RSA also clarified that funding additional costs of the one-stop delivery system pursuant to 34 C.F.R. § 361.760 are not in place of a core partner's responsibility to contribute to infrastructure costs based upon proportional use and relative benefit received.

APPENDIX A: PROGRAM AND FISCAL PERFORMANCE DATA TABLES

This appendix contains the program and fiscal performance data tables used throughout the review. Data were drawn from the RSA-113 (Quarterly Cumulative Caseload Report), the RSA-911 (Case Service Report), and SF-425 (Federal Financial Report). The RSA-113 report is a quarterly submission that provides cumulative information at the end of the Federal fiscal year. The data from the RSA-113 cover both open and closed cases as reported to RSA at the end of the Federal fiscal year. The RSA-911 contains information on cases closed during the Federal fiscal year covered by the report and does not include information related to those cases remaining open in the next Federal fiscal year.

Program Performance Tables

Table 1. New York Blind Agency Summary Statistics from RSA 113: FFYs 2015-2017

Row	Performance category	2015	2016	2017
1	Number of total applicants	1,128	1,112	925
2	Number of total eligible individuals	1,655	1,253	972
3	Agency implementing order of selection (Y/N)	No	No	No
4	Number of individuals on order of selection waiting list at year-end	NA	NA	NA
5	Percent eligible of individuals had IPE who received no services	9.0%	7.5%	6.9%
6	Number of individuals in plan receiving services	4,453	4,678	4,713

Data source: RSA-113

Table 2a. New York Blind Agency Case Status Information, Exit Status, and Employment Outcomes for All Individuals at Closure-FFYs 2015-2017

Row	Performance category	2015 Number	2015 Percent	2016 Number	2016 Percent	2017 Number	2017 Percent
1	Exited as applicants	41	4.2	65	7.0	39	2.2
2	Exited from trial work experience	11	1.1	4	0.4	4	0.2
3	Exited with employment	542	56.0	563	60.5	375	21.6
4	Exited without employment	224	23.2	204	21.9	1,263	72.6
5	Exited from OOS waiting list	NA	NA	NA	NA	NA	NA
6	Exited without employment outcomes, after eligibility, before an IPE was signed or before receiving services	149	15.4	94	10.1	58	3.3
7	Employment rate*		70.8		73.4		22.9
8	Competitive employment outcomes	459	84.7	475	84.4	229	61.1
9	Average hourly earnings for competitive employment outcomes**	\$19.46		\$21.00		\$20.32	
10	Average hours worked for competitive employment outcomes	29.7		30.7		30.7	
11	Median hourly earnings for competitive employment outcomes	\$13.79		\$14.43		\$14.83	
12	Median hours worked for competitive employment outcomes	35.0		35.0		35.0	
13	Quarterly median earnings for competitive employment outcomes***	\$5,200.00		\$5,590.00		\$5,720.00	
14	Competitive employment outcomes meeting SGA	213	46.4	240	50.5	112	48.9
15	Competitive employment outcomes with employer-provided medical insurance	155	33.8	176	37.1	75	32.8

Data source: RSA-911

Note: FFY 2017 data is not comparable with other FFY data. FFY 2017 shows Oct. – June data. FFY 15-16 show Oct. – Sept. data.

*Using RSA-911: Total number of individuals who exited with employment divided by total number of individuals who received services multiplied by 100.

**Using RSA-911: Sum of the Weekly Wage at Closure / sum of the Hours Worked in a Week at Closure for individuals achieving a competitive employment outcome.

***Using RSA-911: Weekly earnings at closure (Data Element 197) multiplied by hours worked in a week at closure (Data Element 198) for individuals who achieved a competitive employment outcome multiplied by 13. Then the values are listed in order, from the lowest to the highest value. The value in the middle of this list is the median quarterly earnings, so there is the same quantity of numbers above the median number as there is below the median number.

Table 2b. New York Blind Agency Case Status Information, Exit Status, and Employment Outcomes for Individuals below Age 25 at Closure -FFYs 2015-2017

Row	Performance category	2015 Number	2015 Percent	2016 Number	2016 Percent	2017 Number	2017 Percent
1	Exited as applicants	6	5.6	6	6.1	4	2.2
2	Exited from trial work experience	4	3.7	0	0	2	1.1
3	Exited with employment	29	27.1	50	50.5	22	11.8
4	Exited without employment	26	24.3	24	24.2	141	75.8
5	Exited from OOS waiting list	NA	NA	NA	NA	NA	NA
6	Exited without employment outcomes, after eligibility, before an IPE was signed or before receiving services	42	39.3	19	19.2	17	9.1
7	Employment rate*		52.7		67.6		13.5
8	Competitive employment outcomes	28	96.6	49	98.0	22	100.0
9	Average hourly earnings for competitive employment outcomes**	\$12.52		\$15.13		\$14.62	
10	Average hours worked for competitive employment outcomes	28.1		31.3		34.5	
11	Median hourly earnings for competitive employment outcomes	\$10.62		\$12.00		\$12.26	
12	Median hours worked for competitive employment outcomes	30.0		35.0		38.5	
13	Quarterly median earnings for competitive employment outcomes***	\$3,984.50		\$5,330.00		\$5,720.00	
14	Competitive employment outcomes meeting SGA	8	28.6	23	46.9	10	45.5
15	Competitive employment outcomes with employer-provided medical insurance	5	17.9	17	34.7	7	31.8

Data source: RSA-911

Note: FFY 2017 data is not comparable with other FFY data. FFY 2017 shows Oct. – June data. FFY 15-16 show Oct. – Sept. data.

*Using RSA-911: Total number of individuals who exited with employment divided by total number of individuals who received services multiplied by 100.

**Using RSA-911: Sum of the Weekly Wage at Closure / sum of the Hours Worked in a Week at Closure for individuals achieving a competitive employment outcome.

***Using RSA-911: Weekly earnings at closure (Data Element 197) multiplied by hours worked in a week at closure (Data Element 198) for individuals who achieved a competitive employment outcome multiplied by 13. Then the values are listed in order, from the lowest to the highest value. The value in the middle of this list is the median quarterly earnings, so there is the same quantity of numbers above the median number as there is below the median number.

Table 2c. New York Blind Agency Case Status Information, Exit Status, and Employment Outcomes for Individuals Age 25 and Older at Closure -FFYs 2015-2017

Row	Performance category	2015 Number	2015 Percent	2016 Number	2016 Percent	2017 Number	2017 Percent
1	Exited as applicants	35	4.1	59	7.1	35	2.3
2	Exited from trial work experience	7	.8	4	.5	2	.1
3	Exited with employment	513	59.7	513	61.7	353	22.7
4	Exited without employment	198	23.0	180	21.7	1122	72.2
5	Exited from OOS waiting list	NA	NA	NA	NA	NA	NA
6	Exited without employment outcomes, after eligibility, before an IPE was signed or before receiving services	107	12.4	75	9.0	41	2.6
7	Employment rate*		72.2		74.0		23.9
8	Competitive employment outcomes	431	84.0	426	83.0	207	58.6
9	Average hourly earnings for competitive employment outcomes**	\$19.91		\$21.67		\$20.93	
10	Average hours worked for competitive employment outcomes	29.9		30.7		30.3	
11	Median hourly earnings for competitive employment outcomes	\$14.17		\$14.89		\$14.86	
12	Median hours worked for competitive employment outcomes	35.0		35.0		35.0	
13	Quarterly median earnings for competitive employment outcomes***	\$5,252.00		\$5,882.50		\$5,720.00	
14	Competitive employment outcomes meeting SGA	205	47.6	217	50.9	102	49.3
15	Competitive employment outcomes with employer-provided medical insurance	150	34.8	159	37.3	68	32.9

Data source: RSA-911

Note: FFY 2017 data is not comparable with other FFY data. FFY 2017 shows Oct. – June data. FFY 15-16 show Oct. – Sept. data.

*Using RSA-911: Total number of individuals who exited with employment divided by total number of individuals who received services multiplied by 100.

**Using RSA-911: Sum of the Weekly Wage at Closure / sum of the Hours Worked in a Week at Closure for individuals achieving a competitive employment outcome.

***Using RSA-911: Weekly earnings at closure (Data Element 197) multiplied by hours worked in a week at closure (Data Element 198) for individuals who achieved a competitive employment outcome multiplied by 13. Then the values are listed in order, from the lowest to the highest value. The value in the middle of this list is the median quarterly earnings, so there is the same quantity of numbers above the median number as there is below the median number.

Table 3a. New York Blind Agency Source of Referral for All Individuals at Closure-FFYs 2015-2017

Row	Source of Referral	2015 Percent	2016 Percent	2017* Percent
1	Educational Institutions (elementary/secondary)	4.3	4.2	4.2
2	Educational Institutions (post-secondary)	0.4	0.6	0.7
3	Medical Health Provider (Public or Private)	13.5	12.9	15.5
4	Welfare Agency (State or local government)	1.0	0.2	0.9
5	Community Rehabilitation Programs	13.8	14.5	16.7
6	Social Security Administration (Disability Determination Service or District office)	0.5	0.4	0.2
7	One-stop Employment/Training Centers	0.0	0.3	0.1
8	Self-referral	55.5	54.4	51.2
9	Other Sources	7.3	6.9	6.1
10	American Indian VR Services Program	0.0	0.2	0.1
11	Centers for Independent Living	0.1	0.2	0.1
12	Child Protective Services	0.0	0.0	0.0
13	Consumer Organizations or Advocacy Groups	0.2	0.2	0.2
14	Employers	0.3	0.6	0.1
15	Faith Based Organizations	0.0	0.0	0.1
16	Family/Friends	2.0	1.5	2.5
17	Intellectual and Developmental Disabilities Providers	0.0	0.3	0.1
18	Mental Health Provider (Public or Private)	0.2	0.5	0.2
19	Public Housing Authority	0.0	0.1	0.1
20	State Department of Correction/Juvenile Justice	0.1	0.0	0.2
21	State Employment Service Agency	0.1	0.1	0.0
22	Veteran's Administration	0.0	0.6	0.2
23	Worker's Compensation	0.0	0.0	0.0
24	Other State Agencies	0.1	0.5	0.2
25	Other VR State Agencies	0.4	0.4	0.5
26	Total Identified Referral Sources	100.0	100.0	100.0
27	Other Referral Sources (unknown)	0.0	0.0	0.0

Data source: RSA-911

Note: FFY 2017 data is not comparable with other FFY data. FFY 2017 shows Oct. – June data. FFY 15-16 show Oct. – Sept. data.

Table 3b. New York Blind Agency Source of Referral for Individuals below Age 25 at Closure -FFYs 2015-2017

Row	Source of Referral	2015 Percent	2016 Percent	2017 Percent
1	Educational Institutions (elementary/secondary)	29.0	23.2	23.1
2	Educational Institutions (post-secondary)	0.9	3.0	2.7
3	Medical Health Provider (Public or Private)	15.9	11.1	15.6
4	Welfare Agency (State or local government)	0.0	0.0	1.6
5	Community Rehabilitation Programs	6.5	10.1	6.5
6	Social Security Administration (Disability Determination Service or District office)	0.0	0.0	0.0
7	One-stop Employment/Training Centers	0.0	0.0	0.0
8	Self-referral	25.2	35.4	27.4
9	Other Sources	18.7	14.1	17.7
10	American Indian VR Services Program	0.0	0.0	0.0
11	Centers for Independent Living	0.0	0.0	0.0
12	Child Protective Services	0.0	0.0	0.0
13	Consumer Organizations or Advocacy Groups	0.0	0.0	0.0
14	Employers	0.0	0.0	0.0
15	Faith Based Organizations	0.0	0.0	0.0
16	Family/Friends	3.7	2.0	3.2
17	Intellectual and Developmental Disabilities Providers	0.0	0.0	0.0
18	Mental Health Provider (Public or Private)	0.0	0.0	0.0
19	Public Housing Authority	0.0	0.0	0.0
20	State Department of Correction/Juvenile Justice	0.0	0.0	0.5
21	State Employment Service Agency	0.0	0.0	0.0
22	Veteran's Administration	0.0	0.0	0.0
23	Worker's Compensation	0.0	0.0	0.0
24	Other State Agencies	0.0	1.0	0.5
25	Other VR State Agencies	0.0	0.0	1.1
26	Total Identified Referral Sources	100.0	100.0	100.0
27	Other Referral Sources	0.0	0.0	0.0

Data source: RSA-911

Note: FFY 2017 data is not comparable with other FFY data. FFY 2017 shows Oct. – June data. FFY 15-16 show Oct. – Sept. data.

Table 3c. New York Blind Agency Source of Referral for Individuals Age 25 and Older at Closure -FFYs 2015-2017

Row	Source of Referral	2015 Percent	2016 Percent	2017 Percent
1	Educational Institutions (elementary/secondary)	1.3	1.9	1.9
2	Educational Institutions (post-secondary)	0.3	0.4	0.5
3	Medical Health Provider (Public or Private)	13.3	13.1	15.5
4	Welfare Agency (State or local government)	1.2	0.2	0.8
5	Community Rehabilitation Programs	14.7	15.0	17.9
6	Social Security Administration (Disability Determination Service or District office)	0.6	0.5	0.2
7	One-stop Employment/Training Centers	0.0	0.4	0.1
8	Self-referral	59.3	56.7	54.0
9	Other Sources	5.9	6.0	4.7
10	American Indian VR Services Program	0.0	0.2	0.1
11	Centers for Independent Living	0.1	0.2	0.1
12	Child Protective Services	0.0	0.0	0.0
13	Consumer Organizations or Advocacy Groups	0.2	0.2	0.2
14	Employers	0.3	0.7	0.1
15	Faith Based Organizations	0.0	0.0	0.1
16	Family/Friends	1.7	1.4	2.4
17	Intellectual and Developmental Disabilities Providers	0.0	0.4	0.1
18	Mental Health Provider (Public or Private)	0.2	0.6	0.3
19	Public Housing Authority	0.0	0.1	0.1
20	State Department of Correction/Juvenile Justice	0.1	0.0	0.1
21	State Employment Service Agency	0.1	0.1	0.0
22	Veteran's Administration	0.0	0.7	0.3
23	Worker's Compensation	0.0	0.0	0.0
24	Other State Agencies	0.1	0.5	0.2
25	Other VR State Agencies	0.5	0.5	0.4
26	Total Identified Referral Sources	100.0	100.0	100.0
27	Other Referral Sources	0.0	0.0	0.0

Data source: RSA-911

Note: FFY 2017 data is not comparable with other FFY data. FFY 2017 shows Oct. – June data. FFY 15-16 show Oct. – Sept. data.

Table 4a. New York Blind Agency Outcomes by Disability Type for All Individuals at Closure - FFYs 2015-2017

Row	Disability Type	2015 Number	2015 Percent	2016 Number	2016 Percent	2017 Number	2017 Percent
1	Visual - Individuals served	766	100.0	766	99.9	1638	100.0
2	Visual - Employment rate		70.8		73.5		22.9
3	Auditory and Communicative - Individuals served	0	0	0	0	0	0
4	Auditory and Communicative - Employment rate		NA		NA		NA
5	Physical - Individuals served	0	0	1	0.1	0	0
6	Physical - Employment rate		NA		0.0		NA
7	Intellectual and Learning disability - Individuals served	0	0	0	0	0	0
8	Intellectual and Learning disability - Employment rate		NA		NA		NA
9	Psychosocial and psychological- Individuals served	0	0	0	0	0	0
10	Psychosocial and psychological- Employment rate		NA		NA		NA

Data source: RSA-911

Note: FFY 2017 data is not comparable with other FFY data. FFY 2017 shows Oct. – June data. FFY 15-16 show Oct. – Sept. data.

Table 4b. New York Blind Agency Outcomes by Disability Type for Individuals below Age 25 at Closure - FFYs 2015-2017

Row	Disability Type	2015 Number	2015 Percent	2016 Number	2016 Percent	2017 Number	2017 Percent
1	Visual - Individuals served	55	100.0	74	100.0	163	100.0
2	Visual - Employment rate		52.7		67.6		13.5
3	Auditory and Communicative - Individuals served	0	0	0	0	0	0
4	Auditory and Communicative - Employment rate		NA		NA		NA
5	Physical - Individuals served	0	0	0	0	0	0
6	Physical - Employment rate		NA		NA		NA
7	Intellectual and Learning disability - Individuals served	0	0	0	0	0	0
8	Intellectual and Learning disability - Employment rate		NA		NA		NA
9	Psychosocial and psychological- Individuals served	0	0	0	0	0	0
10	Psychosocial and psychological- Employment rate		NA		NA		NA

Data source: RSA-911

Note: FFY 2017 data is not comparable with other FFY data. FFY 2017 shows Oct. – June data. FFY 15-16 show Oct. – Sept. data.

Table 4c. New York Blind Agency Outcomes by Disability Type for Individuals Age 25 and Older at Closure - FFYs 2015-2017

Row	Disability Type	2015 Number	2015 Percent	2016 Number	2016 Percent	2017 Number	2017 Percent
1	Visual - Individuals served	711	100.0	692	99.9	1475	100.0
2	Visual - Employment rate		72.2		74.1		23.9
3	Auditory and Communicative - Individuals served	0	0	0	0	0	0
4	Auditory and Communicative - Employment rate		NA		NA		NA
5	Physical - Individuals served	0	0	1	0.1	0	0
6	Physical - Employment rate		NA		0.0		NA
7	Intellectual and Learning disability - Individuals served	0	0	0	0	0	0
8	Intellectual and Learning disability - Employment rate		NA		NA		NA
9	Psychosocial and psychological- Individuals served	0	0	0	0	0	0
10	Psychosocial and psychological- Employment rate		NA		NA		NA

Data source: RSA-911

Note: FFY 2017 data is not comparable with other FFY data. FFY 2017 shows Oct. – June data. FFY 15-16 show Oct. – Sept. data.

Table 5a. New York Blind Agency Number of Days from Application to Eligibility Determination for All Individuals at Closure - FFYs 2015-2017

Number of Days	2015 Number	2015 Percent	2016 Number	2016 Percent	2017* Number	2017* Percent
0 – 60 days	833	91.0	764	88.7	1,528	90.1
More than 60 days	82	9.0	97	11.3	168	9.9
Total eligible	915	100.0	861	100.0	1,696	100.0

Data source: RSA-911

Note: FFY 2017 data is not comparable with other FFY data. FFY 2017 shows Oct. – June data. FFY 15-16 show Oct. – Sept. data.

Table 5b. New York Blind Agency Number of Days from Application to Eligibility Determination for Individuals below Age 25 at Closure - FFYs 2015-2017

Number of Days	2015 Number	2015 Percent	2016 Number	2016 Percent	2017 Number	2017 Percent
0 – 60 days	79	81.4	73	78.5	157	87.2
More than 60 days	18	18.6	20	21.5	23	12.8
Total eligible	97	100.0	93	100.0	180	100.0

Data source: RSA-911

Note: FFY 2017 data is not comparable with other FFY data. FFY 2017 shows Oct. – June data. FFY 15-16 show Oct. – Sept. data.

Table 5c. New York Blind Agency Number of Days from Application to Eligibility Determination for Individuals Age 25 and Older at Closure - FFYs 2015-2017

Number of Days	2015 Number	2015 Percent	2016 Number	2016 Percent	2017 Number	2017 Percent
0 – 60 days	754	92.2	691	90.0	1,371	90.4
More than 60 days	64	7.8	77	10.0	145	9.6
Total eligible	818	100.0	768	100.0	1,516	100.0

Data source: RSA-911

Note: FFY 2017 data is not comparable with other FFY data. FFY 2017 shows Oct. – June data. FFY 15-16 show Oct. – Sept. data.

Table 6a. New York Blind Agency Number of Days from Eligibility* Determination to IPE for All Individuals Served at Closure- FFYs 2015-2017

Number of Days	2015 Number	2015 Percent	2016 Number	2016 Percent	2017 Number	2017 Percent
0 – 90 days	123	100.0	323	97.9	664	96.7
More than 90 days	0	0.0	7	2.1	23	3.3
Total served	123	100.0	330	100.0	687	100.0

Data source: RSA-911

Note: FFY 2017 data is not comparable with other FFY data. FFY 2017 shows Oct. – June data. FFY 15-16 show Oct. – Sept. data.

*Eligibility occurred on or after July 22, 2014

Table 6b. New York Blind Agency Number of Days from Eligibility* Determination to IPE for Individuals Served below Age 25 at Closure- FFYs 2015-2017

Number of Days	2015 Number	2015 Percent	2016 Number	2016 Percent	2017 Number	2017 Percent
0 – 90 days	4	100.0	10	90.9	45	97.8
More than 90 days	0	0	1	9.1	1	2.2
Total served	4	100.0	11	100.0	46	100.0

Data source: RSA-911

Note: FFY 2017 data is not comparable with other FFY data. FFY 2017 shows Oct. – June data. FFY 15-16 show Oct. – Sept. data.

*Eligibility occurred on or after July 22, 2014

Table 6c. New York Blind Agency Number of Days from Eligibility* Determination to IPE for Individuals Served Age 25 and Older at Closure- FFYs 2015-2017

Number of Days	2015 Number	2015 Percent	2016 Number	2016 Percent	2017 Number	2017 Percent
0 – 90 days	119	100.0	313	98.1	619	96.6
More than 90 days	0	0.0	6	1.9	22	3.4
Total served	119	100.0	319	100.0	641	100.0

Data source: RSA-911

Note: FFY 2017 data is not comparable with other FFY data. FFY 2017 shows Oct. – June data. FFY 15-16 show Oct. – Sept. data.

*Eligibility occurred on or after July 22, 2014

Table 7a. New York Blind Agency VR Services Provided for All Individuals Served* at Closure – FFYs 2015-2017

Row	Services Provided**	2015 Percent	2016 Percent	2017 Percent
1	Training- Graduate degree training	1.0	2.0	1.6
2	Training- Bachelor degree training	14.1	15.1	14.5
3	Training- Junior or community college training	0.9	2.3	1.5
4	Training- Occupational or vocational training	14.8	12.8	11.6
5	Training- On-the-job training	3.8	2.9	1.6
6	Training- Apprenticeship training	0.0	0.0	0.0
7	Training- Basic academic remedial or literacy training	9.1	8.0	13.1
8	Training- Job readiness training	26.5	27.0	28.8
9	Training- Disability-related skills training	82.4	83.8	87.4
10	Training- Miscellaneous training	3.0	3.1	1.6
11	Career- Assessment	27.2	37.9	30.1
12	Career- Diagnosis and treatment of impairment	79.5	82.5	79.5
13	Career- Vocational rehab counseling and guidance	59.3	99.6	96.5
14	Career- Job search assistance	5.2	19.3	9.4
15	Career- Job placement assistance	31.5	30.0	20.4
16	Career- On-the-job supports-short term	7.4	8.0	8.2
17	Career- On-the-job supports-SE	0.9	1.3	1.7
18	Career- Information and referral services	7.2	8.5	3.0
19	Career- Benefits counseling	3.9	5.6	3.7
20	Career- Customized employment services	0.8	0.7	0.2
21	Other services- Transportation	48.2	48.2	48.7
22	Other services- Maintenance	21.0	20.1	17.9
23	Other services- Rehabilitation technology	78.5	78.1	73.6
24	Other services- Reader services	0.8	1.4	1.2
25	Other services- Interpreter services	1.8	2.1	2.0
26	Other services- Personal attendant services	0.3	0.1	0.1
27	Other services- Technical assistance services	3.8	2.2	1.6
28	Other services- Other services	2.5	3.9	3.0

Data source: RSA-911

Note: FFY 2017 data is not comparable with other FFY data. FFY 2017 shows Oct. – June data. FFY 15-16 show Oct. – Sept. data.

*For individuals who were determined eligible, placed on an IPE, and received a service under the IPE.

** VR Services include both those provided and purchased by the VR agency as well as those provided by comparable service providers

Table 7b. New York Blind Agency VR Services Provided for Individuals Served* below Age 25 at Closure- FFYs 2015-2017

Row	Services Provided**	2015 Percent	2016 Percent	2017 Percent
1	Training- Graduate degree training	0.0	4.1	0.0
2	Training- Bachelor degree training	50.9	45.9	28.7
3	Training- Junior or community college training	5.5	8.1	3.7
4	Training- Occupational or vocational training	27.3	28.4	22.0
5	Training- On-the-job training	5.5	4.1	1.8
6	Training- Apprenticeship training	0.0	0.0	0.0
7	Training- Basic academic remedial or literacy training	29.1	12.2	18.3
8	Training- Job readiness training	63.6	67.6	1.8
9	Training- Disability-related skills training	83.6	87.8	84.1
10	Training- Miscellaneous training	9.1	6.8	7.4
11	Career- Assessment	38.2	54.1	21.5
12	Career- Diagnosis and treatment of impairment	85.5	85.1	85.3
13	Career- Vocational rehab counseling and guidance	70.9	100.0	96.3
14	Career- Job search assistance	9.1	24.3	5.5
15	Career- Job placement assistance	29.1	40.5	11.7
16	Career- On-the-job supports-short term	23.6	20.3	23.3
17	Career- On-the-job supports-SE	1.8	0.0	0.6
18	Career- Information and referral services	7.3	1.4	1.2
19	Career- Benefits counseling	1.8	5.4	3.1
20	Career- Customized employment services	0.0	1.4	0.0
21	Other services- Transportation	60.0	62.2	52.1
22	Other services- Maintenance	43.6	44.6	25.2
23	Other services- Rehabilitation technology	74.5	86.5	76.7
24	Other services- Reader services	3.6	2.7	1.2
25	Other services- Interpreter services	1.8	4.1	3.1
26	Other services- Personal attendant services	1.8	0.0	0.6
27	Other services- Technical assistance services	0.0	0.0	0.0
28	Other services- Other services	0.0	5.4	0.6

Data source: RSA-911

Note: FFY 2017 data is not comparable with other FFY data. FFY 2017 shows Oct. – June data. FFY 15-16 show Oct. – Sept. data.

*For individuals who were determined eligible, placed on an IPE, and received a service under the IPE.

** VR Services include those provided and purchased by the VR agency.

Table 7c. New York Blind Agency VR Services Provided for Individuals Served* Age 25 and Older at Closure - FFYs 2015-2017

Row	Services Provided**	2015 Percent	2016 Percent	2017 Percent
1	Training- Graduate degree training	1.1	1.7	1.7
2	Training- Bachelor degree training	11.3	11.8	12.9
3	Training- Junior or community college training	0.6	1.7	1.2
4	Training- Occupational or vocational training	13.8	11.1	10.4
5	Training- On-the-job training	3.7	2.7	1.7
6	Training- Apprenticeship training	0.0	0.0	0.0
7	Training- Basic academic remedial or literacy training	7.6	7.5	12.5
8	Training- Job readiness training	23.6	22.7	25.0
9	Training- Disability-related skills training	82.3	83.4	87.7
10	Training- Miscellaneous training	2.5	2.7	0.9
11	Career- Assessment	26.3	36.2	31.1
12	Career- Diagnosis and treatment of impairment	79.0	82.3	78.8
13	Career- Vocational rehab counseling and guidance	58.4	99.6	96.5
14	Career- Job search assistance	4.9	18.8	9.8
15	Career- Job placement assistance	31.6	28.9	21.4
16	Career- On-the-job supports-short term	6.2	6.6	6.5
17	Career- On-the-job supports-SE	0.8	1.4	1.8
18	Career- Information and referral services	7.2	9.2	3.2
19	Career- Benefits counseling	4.1	5.6	3.7
20	Career- Customized employment services	0.8	0.6	0.2
21	Other services- Transportation	47.3	46.8	48.3
22	Other services- Maintenance	19.3	17.5	17.1
23	Other services- Rehabilitation technology	78.8	77.2	73.2
24	Other services- Reader services	0.6	1.3	1.2
25	Other services- Interpreter services	1.8	1.9	1.8
26	Other services- Personal attendant services	0.1	0.1	0.0
27	Other services- Technical assistance services	4.1	2.5	1.8
28	Other services- Other services	2.7	3.8	3.3

Data source: RSA-911

Note: FFY 2017 data is not comparable with other FFY data. FFY 2017 shows Oct. – June data. FFY 15-16 show Oct. – Sept. data.

*For individuals who were determined eligible, placed on an IPE, and received a service under the IPE.

**VR Services include those provided and purchased by the VR agency.

Table 8a. New York Blind Agency Standard Occupational Classification (SOC) Codes Percentages of Employment Outcomes and Median Hourly Earnings for All Individuals Who Achieved Competitive Employment Outcomes at Closure - FFYs 2015-2017

Row	SOC for Competitive Integrated Employment Outcomes	2015 Percent	2015 Median Hourly Wage	2016 Percent	2016 Median Hourly Wage	2017 Percent	2017 Median Hourly Wage
1	Architecture and Engineering Occupations	0.7	\$52.90	1.3	\$23.71	1.3	\$27.33
2	Arts, Design, Entertainment, Sports, and Media	4.6	\$14.00	5.3	\$14.43	3.1	\$14.45
3	Building and Grounds Cleaning and Maintenance	3.3	\$9.25	3.8	\$10.00	4.4	\$12.68
4	Business and Financial Operations Occupations	4.8	\$21.05	5.9	\$14.79	5.7	\$16.85
5	Community and Social Services Occupations	8.3	\$18.40	6.7	\$19.90	7.9	\$18.77
6	Computer and Mathematical Occupations	2.6	\$14.19	2.5	\$25.74	3.1	\$22.45
7	Constructive and Extraction Occupations	0.2	\$9.00	0.6	\$33.38	0.4	\$69.45
8	Education, Training, and Library Occupations	10.5	\$20.94	10.9	\$20.10	9.2	\$18.00
9	Farming, Fishing, and Forestry Occupations	0	NA	0.6	\$11.00	0	NA
10	Food Preparation and Serving Related Occupations	3.7	\$9.00	4.0	\$9.50	4.4	\$11.00
11	Healthcare Practitioners and Technical Occupations	1.7	\$31.08	4.2	\$31.84	2.6	\$30.25
12	Healthcare Support Occupations	3.3	\$11.60	2.5	\$12.92	4.4	\$12.07
13	Installation, Maintenance, and Repair Occupations	1.5	\$12.05	2.7	\$12.06	2.2	\$11.55
14	Legal Occupations	3.9	\$32.28	2.7	\$28.85	3.9	\$23.10
15	Life, Physical, and Social Science Occupations	0.9	\$32.61	1.1	\$28.90	3.1	\$30.81
16	Management Occupations	7.8	\$23.03	5.1	\$17.20	6.1	\$23.09
17	Military Specific Occupations	0	NA	0	NA	0	NA
18	Office and Administrative Support Occupations	23.7	\$10.50	26.9	\$12.19	24.9	\$11.51
19	Personal Care and Service Occupations	3.3	\$9.30	1.7	\$10.13	0.9	\$14.00
20	Production Occupations	3.9	\$9.00	4.0	\$9.00	6.6	\$9.70
21	Protective Service Occupations	1.5	\$12.03	0.4	\$29.75	1.7	\$10.60
22	Randolph-Sheppard vending facility clerk*	0	NA	0	NA	0	NA
23	Randolph-Sheppard vending facility operator*	0	NA	0	NA	0	NA
24	Sales and Related Occupations	7.4	\$10.10	6.1	\$10.60	3.5	\$13.00
25	Transportation and Material Moving Occupations	2.4	\$8.89	0.8	\$9.00	0.9	\$9.85
26	Total competitive employment outcomes		\$13.79		\$14.43		\$14.83

Data source: RSA-911

Note: FFY 2017 data is not comparable with other FFY data. FFY 2017 shows Oct. – June data. FFY 15-16 show Oct. – Sept. data.

*RSA specific occupational classifications

Table 8b. New York Blind Agency Standard Occupational Classification (SOC) Codes Percentages of Employment Outcomes and Median Hourly Earnings for Individuals below Age 25 Who Achieved Competitive Employment Outcomes at Closure - FFYs 2015-2017

Row	SOC for Competitive Integrated Employment Outcomes	2015 Percent	2015 Median Hourly Wage	2016 Percent	2016 Median Hourly Wage	2017 Percent	2017 Median Hourly Wage
1	Architecture and Engineering Occupations	3.6	\$14.43	4.1	\$23.84	4.5	\$30.35
2	Arts, Design, Entertainment, Sports, and Media	0	NA	16.3	\$13.71	0	NA
3	Building and Grounds Cleaning and Maintenance	0	NA	0	NA	0	NA
4	Business and Financial Operations Occupations	7.1	\$23.87	6.1	\$16.36	4.5	\$16.85
5	Community and Social Services Occupations	7.1	\$12.75	4.1	\$17.50	4.5	\$24.53
6	Computer and Mathematical Occupations	10.7	\$10.74	2.0	\$24.05	9.1	\$14.50
7	Constructive and Extraction Occupations	0	NA	0	NA	0	NA
8	Education, Training, and Library Occupations	14.3	\$14.34	12.2	\$9.75	13.6	\$11.00
9	Farming, Fishing, and Forestry Occupations	0	NA	0	NA	0	NA
10	Food Preparation and Serving Related Occupations	3.6	\$9.33	2.0	\$9.50	0	NA
11	Healthcare Practitioners and Technical Occupations	3.6	\$24.00	2.0	\$12.00	4.5	\$11.20
12	Healthcare Support Occupations	7.1	\$10.55	0	NA	0	NA
13	Installation, Maintenance, and Repair Occupations	0	NA	0	NA	4.5	\$11.35
14	Legal Occupations	0	NA	4.1	\$15.14	9.1	\$19.63
15	Life, Physical, and Social Science Occupations	0	NA	2.0	\$14.43	4.5	\$14.93
16	Management Occupations	3.6	\$10.00	2.0	\$13.75	4.5	\$17.33
17	Military Specific Occupations	0	NA	0	NA	0	NA
18	Office and Administrative Support Occupations	10.7	\$8.80	32.7	\$9.33	31.8	\$10.84
19	Personal Care and Service Occupations	0	NA	4.1	\$14.75	0	NA
20	Production Occupations	3.6	\$18.06	4.1	\$9.00	0	NA
21	Protective Service Occupations	0	NA	0	NA	0	NA
22	Randolph-Sheppard vending facility clerk*	0	NA	0	NA	0	NA
23	Randolph-Sheppard vending facility operator*	0	NA	0	NA	0	NA
24	Sales and Related Occupations	10.7	\$8.75	2.0	\$14.50	4.5	\$15.00
25	Transportation and Material Moving Occupations	3.6	\$9.00	0	NA	0	NA
26	Total competitive employment outcomes		\$10.62		\$12.00		\$12.26

Data source: RSA-911

Note: FFY 2017 data is not comparable with other FFY data. FFY 2017 shows Oct. – June data. FFY 15-16 show Oct. – Sept. data.

*RSA specific occupational classifications

Table 8c. New York Blind Agency Standard Occupational Classification (SOC) Codes Percentages of Employment Outcomes and Median Hourly Earnings for Individuals Age 25 and Older Who Achieved Competitive Employment Outcomes at Closure- FFYs 2015-2017

Row	SOC for Competitive Integrated Employment Outcomes	2015 Percent	2015 Median Hourly Wage	2016 Percent	2016 Median Hourly Wage	2017 Percent	2017 Median Hourly Wage
1	Architecture and Engineering Occupations	0.5	\$53.45	0.9	\$23.71	1.0	\$22.90
2	Arts, Design, Entertainment, Sports, and Media	4.9	\$14.00	4.0	\$14.76	3.4	\$14.45
3	Building and Grounds Cleaning and Maintenance	3.5	\$9.25	4.2	\$10.00	4.8	\$12.68
4	Business and Financial Operations Occupations	4.6	\$21.05	5.9	\$14.45	5.8	\$16.10
5	Community and Social Services Occupations	8.4	\$18.76	7.0	\$19.90	8.2	\$18.28
6	Computer and Mathematical Occupations	2.1	\$18.53	2.6	\$27.43	2.4	\$30.23
7	Constructive and Extraction Occupations	0.2	\$9.00	0.7	\$33.38	0.5	\$69.45
8	Education, Training, and Library Occupations	10.2	\$21.70	10.8	\$23.33	8.7	\$19.89
9	Farming, Fishing, and Forestry Occupations	0	NA	0.7	\$11.00	0	NA
10	Food Preparation and Serving Related Occupations	3.7	\$9.00	4.2	\$9.38	4.8	\$11.00
11	Healthcare Practitioners and Technical Occupations	1.6	\$35.71	4.5	\$33.68	2.4	\$30.50
12	Healthcare Support Occupations	3.0	\$12.50	2.8	\$12.92	4.8	\$12.07
13	Installation, Maintenance, and Repair Occupations	1.6	\$12.05	3.1	\$12.06	1.9	\$12.53
14	Legal Occupations	4.2	\$32.28	2.6	\$38.48	3.4	\$25.77
15	Life, Physical, and Social Science Occupations	0.9	\$32.61	0.9	\$33.37	2.9	\$39.46
16	Management Occupations	8.1	\$24.05	5.4	\$17.55	6.3	\$23.10
17	Military Specific Occupations	0	NA	0	NA	0	NA
18	Office and Administrative Support Occupations	24.6	\$10.50	26.3	\$12.91	24.2	\$12.00
19	Personal Care and Service Occupations	2.8	\$9.65	1.4	\$10.00	1.0	\$14.00
20	Production Occupations	3.9	\$9.00	4.0	\$9.00	7.2	\$9.70
21	Protective Service Occupations	1.6	\$12.03	0.5	\$29.75	1.9	\$10.60
22	Randolph-Sheppard vending facility clerk*	0	NA	0	NA	0	NA
23	Randolph-Sheppard vending facility operator*	0	NA	0	NA	0	NA
24	Sales and Related Occupations	7.2	\$10.80	6.6	\$10.30	3.4	\$11.00
25	Transportation and Material Moving Occupations	2.3	\$8.83	0.9	\$9.00	1.0	\$9.85
26	Total competitive employment outcomes		\$14.17		\$14.89		\$14.86

Data source: RSA-911

Note: FFY 2017 data is not comparable with other FFY data. FFY 2017 shows Oct. – June data. FFY 15-16 show Oct. – Sept. data.

*RSA specific occupational classifications

Table 9a. New York Blind Agency Reason for Exit for All Individuals Who Did Not Achieve an Employment Outcome at Closure- FFYs 2015-2017

Row	Reason for Closure	2015 number	2015 Percent	2016 number	2016 Percent	2017* number	2017* Percent
1	Unable to locate or contact	154	36.2	123	33.5	498	36.5
2	Disability too significant to benefit from VR services - ineligible	1	0.2	0	0.0	1	0.1
3	No longer interested in receiving services or further services	131	30.8	139	37.9	481	35.3
4	Death	16	3.8	13	3.5	21	1.5
5	Transferred to another agency	15	3.5	11	3.0	15	1.1
6	No disabling condition – ineligible	4	0.9	5	1.4	2	0.1
7	No impediment to employment - ineligible	0	0.0	0	0.0	0	0.0
8	Transportation not feasible or available	0	0.0	1	0.3	3	0.2
9	Does not require VR services - ineligible	3	0.7	7	1.9	3	0.2
10	All other reasons	96	22.6	64	17.4	325	23.8
11	Extended employment	1	0.2	0	0.0	1	0.1
12	Individual in institution other than a prison or jail	3	0.7	1	0.3	8	0.6
13	Individual is incarcerated in a prison or jail	1	0.2	0	0.0	3	0.2

Data source: RSA-911

Note: FFY 2017 data is not comparable with other FFY data. FFY 2017 shows Oct. – June data. FFY 15-16 show Oct. – Sept. data.

Table 9b. New York Blind Agency Reason for Exit for Individuals below Age 25 Who Did Not Achieve an Employment Outcome at Closure - FFYs 2015-2017

Row	Reason for Closure	2015 number	2015 Percent	2016 number	2016 Percent	2017 number	2017 Percent
1	Unable to locate or contact	32	41.0	19	38.8	62	37.8
2	Disability too significant to benefit from VR services - ineligible	1	1.3	0	0.0	1	0.6
3	No longer interested in receiving services or further services	20	25.6	15	30.6	40	24.4
4	Death	3	3.8	3	6.1	1	0.6
5	Transferred to another agency	1	1.3	4	8.2	10	6.1
6	No disabling condition - ineligible	1	1.3	0	0.0	0	0.0
7	No impediment to employment - ineligible	0	0.0	0	0.0	0	0.0
8	Transportation not feasible or available	0	0.0	0	0.0	2	1.2
9	Does not require VR services - ineligible	0	0.0	0	0.0	2	1.2
10	All other reasons	19	24.4	8	16.3	45	27.4
11	Extended employment	0	0.0	0	0.0	0	0.0
12	Individual in institution other than a prison or jail	1	1.3	0	0.0	0	0.0
13	Individual is incarcerated in a prison or jail	0	0.0	0	0.0	0	0.0

Data source: RSA-911

Note: FFY 2017 data is not comparable with other FFY data. FFY 2017 shows Oct. – June data. FFY 15-16 show Oct. – Sept. data.

Table 9c. New York Blind Agency Reason for Exit for Individuals Age 25 and Older Who Did Not Achieve an Employment Outcome at Closure - FFYs 2015-2017

Row	Reason for Closure	2015 number	2015 Percent	2016 number	2016 Percent	2017 number	2017 Percent
1	Unable to locate or contact	122	35.2	104	32.7	436	36.3
2	Disability too significant to benefit from VR services - ineligible	0	0.0	0	0.0	0	0.0
3	No longer interested in receiving services or further services	111	32.0	124	39.0	441	36.8
4	Death	13	3.7	10	3.1	20	1.7
5	Transferred to another agency	14	4.0	7	2.2	5	0.4
6	No disabling condition - ineligible	3	0.9	5	1.6	2	0.2
7	No impediment to employment - ineligible	0	0.0	0	0.0	0	0.0
8	Transportation not feasible or available	0	0	1	0.3	1	0.1
9	Does not require VR services - ineligible	3	0.9	7	2.2	1	0.1
10	All other reasons	77	22.2	56	17.6	280	23.3
11	Extended employment	1	0.3	0	0.0	1	0.1
12	Individual in institution other than a prison or jail	2	0.6	1	0.3	8	0.7
13	Individual is incarcerated in a prison or jail	1	0.3	0	0.0	3	0.3

Data source: RSA-911

Note: FFY 2017 data is not comparable with other FFY data. FFY 2017 shows Oct. – June data. FFY 15-16 show Oct. – Sept. data.

Fiscal Data Tables

Table 6.1 New York Blind Agency Resources and Expenditures—FFYs 2015–2017

VR Resources and Expenditures	2015	2016	2017
Total program expenditures	\$40,200,888	\$41,734,064	\$41,601,952
Federal expenditures	\$31,638,041	\$31,157,611	\$32,740,308
State agency expenditures (4 th quarter)	\$8,562,847	\$10,576,453	\$8,861,644
State agency expenditures (latest/final)	\$8,562,847	\$10,576,453	\$8,861,644
Federal formula award amount	\$22,638,311	\$23,419,129	\$23,356,722
MOE penalty from prior year	-	-	-
Federal award amount relinquished during reallocation	-	-	-
Federal award amount received during reallocation	\$9,000,000	\$9,000,000	\$9,385,596
Federal funds transferred from State VR agency	-	-	-
Federal funds transferred to State VR agency	-	-	-
Federal award amount (net)	\$31,638,311	\$32,419,129	\$32,742,318
Federal award funds deobligated	\$270	\$1,261,518	\$2,010
Federal award funds used	\$31,638,041	\$31,157,611	\$32,740,308
Percent of formula award amount used	139.75%	133.04%	140.18%
Federal award funds matched but not used	\$270	\$1,261,518	\$2,010

Table 6.1 New York Blind Agency Resources and Expenditures—Descriptions, Sources and Formulas

VR Resources and Expenditures	Source/Formula
Total program expenditures	The sum of the Federal and non-Federal expenditures. Source/Formula: Table 6.1: Federal expenditures plus State expenditures (latest/final)
Federal expenditures	The cumulative amount of disbursements from Federal funds. Source/Formula: SF-425-line 10e from latest/final report
State expenditures (4 th quarter)	The cumulative amount of disbursements and unliquidated obligations from State funds through September 30 th of the award period. Source/Formula: SF-425-line 10j from 4 th quarter report
State expenditures (latest/final)	The cumulative amount of disbursements and unliquidated obligations from State funds as reported on the agency’s latest or final SF-425 report. Final reports do not include unliquidated obligations. Source/Formula: SF-425-line 10j from latest/final report
Federal formula award amount	The amount of the Federal funds available to the agency based on the formula mandated in the Rehabilitation Act. Formula/Source: Federal formula award calculation
MOE penalty from prior year	The amount of the Maintenance of Effort (MOE) deficit from the previous FFY which resulted in a MOE penalty against the current FFY. Source/Formula: Table 6.2: MOE difference from prior year
Federal award amount relinquished during reallotment	Amount of Federal award voluntarily relinquished through the reallotment process. Formula/Source: RSA-692
Federal award received during reallotment	Amount of funds received through the reallotment process. Source/Formula: RSA-692
Federal funds transferred from State VR agency	Amount of award funds transferred from State VR agencies (Blind to General or General to Blind). Formula/Source: Agency transfer request documentation
Federal funds transferred to State VR agency	Amount of award funds transferred to State VR agencies (Blind to General or General to Blind). Formula/Source: Agency transfer request documentation
Federal award amount (net)	Federal award amount available after accounting for adjustments to award (e.g., MOE penalties, relinquishment, reallotment and transfers). Formula/Source: Federal formula award calculation, RSA-692, agency documentation, SF-425: Federal formula calculation minus MOE penalty minus funds relinquished in reallotment plus funds received in reallotment plus funds transferred from agency minus funds transferred to agency
Federal award funds deobligated	Federal award funds deobligated at the request of the agency or as part of the award closeout process. These funds may include matched or unmatched Federal funds. Source/Formula: Agency deobligation request documentation, G5 closeout reports
Federal award funds used	Amount of Federal award funds expended. Source/Formula: Federal formula calculation, RSA-692, agency documentation, SF-425 lesser of the 4 th quarter or latest/final: Federal

VR Resources and Expenditures	Source/Formula
	award amount (net) (calculation above) minus Federal award funds deobligated
Percent Federal formula award used	Percent of Federal formula award funds used. Source/Formula: Federal award funds used (calculation above) divided by Federal formula award amount
Federal award funds matched but not used	This represents unused Federal award funds for which the agency provided match. Source/Formula: Table 6.2 Federal award funds matched (actual) minus Table 6.1 Federal award funds used

Table 6.2 New York Blind Agency Non-Federal Share and Maintenance of Effort—FFYs 2015–2017

Non-Federal Share (Match) and Maintenance of Effort (MOE)	2015	2016	2017
Match required per net award amount	\$8,562,847	\$8,774,173	\$8,861,644
Match provided (actual)	\$8,562,847	\$10,576,453	\$8,861,644
Match difference**	-	-\$1,802,280	\$0
Federal funds matched (actual)	\$31,638,311	\$32,419,129	\$32,742,318
Percent Federal funds matched	100.00%	100.00%	100.00%
MOE required	\$6,623,527	\$6,636,590	\$8,562,847
MOE: Establishment/construction expenditures	-	-	-
MOE actual	\$8,562,847	\$10,576,453	\$8,861,644
MOE difference**	-\$1,939,320	-\$3,939,863	-\$298,797

** A positive amount indicates a deficit. A negative amount indicates a surplus.

Table 6.2 New York Blind Agency Non-Federal Share and Maintenance of Effort—Descriptions, Sources and Formulas

Non-Federal Share (Match) and Maintenance of Effort (MOE)	Source/Formula
Match required per net award amount	Non-Federal funds required based upon the net amount of the Federal award. Source/Formula: (Table 6.1 Federal award amount net divided by 0.787) multiplied by 0.213
Match provided (actual)	Amount of match (non-Federal share) provided, by the agency. Source/Formula: SF-425-line 10j lesser of the 4 th quarter or latest/final
Match difference**	The difference between match required to access the net Federal award funds and the actual amount of match provided by agency. Source/Formula: SF-425 lesser of the 4 th quarter or latest/final: ((Federal formula award amount divided by 0.787) multiplied by 0.213) minus SF-425 line 10j
Federal funds matched (actual)	Total amount of Federal funds the agency was able to match based upon the non-Federal share reported. The maximum amount of Federal funds the agency can access is limited to the Federal grant award amount. Source/Formula: (Match provided actual divided by .213) multiplied by .787
Percent of Federal funds matched	Percent of Federal funds matched. Source/Formula: Federal funds matched divided by Federal award amount net
Match from State appropriation	Match amount from State appropriation. Source/Formula: Data provided by State
Percent match from State appropriation	Match amount from State appropriation expressed as a percentage of total match provided. Source/Formula: Match from State appropriation divided by SF-425-line 10j
Match from TPCAs	Match amount from Third-Party Cooperative Arrangements (TPCAs). Source/Formula: Data provided by State
Percent match from TPCAs	Match amount from Third-Party Cooperative Arrangements (TPCAs) expressed as a percentage of total match provided. Source/Formula: Match from TPCAs divided by SF-425-line 10j
Match from Randolph-Sheppard program	Match amount from Randolph-Sheppard program. Source/Formula: Data provided by State
Percent match from Randolph-Sheppard Program	Match amount from Randolph-Sheppard program expressed as a percentage of total match provided. Source/Formula: Match from Randolph-Sheppard Program divided by SF-425-line 10j
Match from interagency transfers	Match amount from interagency transfers. Source/Formula: Data provided by State

Non-Federal Share (Match) and Maintenance of Effort (MOE)	Source/Formula
Percent match from interagency transfers	Match amount from interagency transfers expressed as a percentage of total match provided. Source/Formula: Match from interagency transfers divided by SF-425-line 10j
Match from other sources	Match amount from all sources of match not previously listed. Source/Formula: Data provided by State
Percent match from other sources	Match amount from all other sources expressed as a percentage of total match provided. Source/Formula: Match from other sources divided by SF-425-line 10j
Maintenance of Effort (MOE) required	Maintenance of effort (MOE) is the level of non-Federal expenditures, minus establishment/construction expenditures for CRPs, established by the State's non-Federal expenditures two years prior, i.e. Recipient Share of Expenditures. Source/Formula: (For FFY two year prior) SF-425 4 th quarter or latest/final report: line 10j minus line 12a. If non-Federal share is added in the prior carryover year, the additional amount is added to the MOE required. If an agency increases their Establishment/Construction expenditures in the prior carryover year, the increase is deducted from the FFY's total non-Federal share for MOE purposes.
MOE: Establishment / construction expenditures	Non-Federal share of expenditures for construction of facilities for community rehabilitation program (CRP) purposes and the establishment of facilities for community rehabilitation purposes. Source/Formula: SF-425 latest/final report: line 12a
MOE actual	Non-Federal share provided by agency minus establishment/construction expenditures for CRPs. Source/Formula: SF-425: Match provided actual minus establishment/construction expenditures. NOTE: If non-Federal share is added in the prior carryover year, the additional amount is added to the MOE actual. If an agency increases their Establishment/Construction expenditures in the prior carryover year, the increase is deducted from the FFY's total non-Federal share for MOE purposes.
MOE difference**	The difference between MOE required and the actual MOE provided. Source/Formula: MOE required minus MOE actual

** A positive amount indicates a deficit. A negative amount indicates a surplus.

Table 6.3 New York Blind Agency Program Income and Carryover—FFYs 2015–2017

Program Income and Carryover	2015	2016	2017
Program income received	\$1,037,854	\$873,192	\$235,824
Program income disbursed	\$1,037,854	\$873,192	\$235,824
Program income transferred	\$1,037,854	\$873,192	\$235,824
Program income used for VR program	\$0	\$0	\$0
Federal grant amount matched	\$31,638,311	\$32,419,129	\$32,742,318
Federal expenditures 9/30	\$21,908,852	\$17,597,277	\$13,590,589
Federal unliquidated obligations 9/30	\$1,069,197	\$3,858,578	\$935,601
Carryover amount	\$8,660,262	\$10,963,274	\$18,216,128
Carryover as percent of award	27.37%	33.82%	55.63%

Table 6.3 New York Blind Agency Program Income and Carryover—Descriptions, Sources and Formulas

Program Income and Carryover	Source/Formula
Program income received	Total amount of Federal program income received by the grantee. Source/Formula: SF-425 latest/final line 10l
Program income disbursed	Amount of Federal program income disbursed, including transfers. Source/Formula: SF-425 latest/final: line 10m plus line 10n
Program income transferred	Amount of Federal program income transferred to other allowable programs. Source/Formula: SF-425 latest/final: line 12e plus line 12f plus line 12g plus line 12h
Program income used for VR program	Amount of Federal program income utilized for the VR program. Source/Formula: SF-425 latest/final: Program income expended minus program income transferred
Federal grant amount matched	Federal funds an agency is able to draw down based upon on reported non-Federal share not to exceed net award amount. Source/Formula: Table 6.2 Federal funds matched actual
Federal expenditures and unobligated funds 9/30	Federal funds expended by 9/30 of the FFY of appropriation. This does not include unliquidated obligations. Source/Formula: SF-425 4 th quarter: line 10e
Carryover amount	The amount of Federal funds matched that the grantee did not liquidate, by 9/30 of the FFY of appropriation. This includes any unliquidated Federal obligations as of 9/30. Source/Formula: G5 Reports run as of 9/30 of the FFY of appropriation.
Carryover as percent of award	Amount of carryover expressed as a percentage of total Federal funds available. Source//Formula: G5, SF-425 latest/final: Carryover amount divided by Federal net award amount.

Table 6.4 New York Blind Agency RSA-2 Expenditures—FFYs 2015–2017*

RSA-2 Expenditures	2015	2016	2017
Total expenditures	\$33,948,654	\$37,942,187	\$36,578,847
Administrative costs	\$3,137,832	\$3,839,638	\$3,552,123
Administration as Percent expenditures	9.24%	10.12%	9.71%
Purchased services expenditures	\$18,075,166	\$19,236,805	\$19,547,059
Purchased services as a Percent of expenditures	53.24%	50.70%	53.44%
Services to groups	\$2,850,048	\$2,799,269	\$2,612,006
Services to groups percentage	8.40%	7.38%	7.14%

*Expenditures for RSA-2 data represent current FFY expenditures and carryover from prior FFY. Therefore, these figures may differ from the expenditures in Tables 6.1, 6.2, and 6.3 which are from SF-425 reports.

Table 6.4 New York Blind Agency - RSA-2 Expenditures—Descriptions, Sources and Formulas*

RSA-2 Expenditures	Sources/Formula
Total expenditures	All expenditures from Federal, State and other rehabilitation funds (including VR, supported employment, program income, and carryover from previous FFY). This includes unliquidated obligations. Source: RSA-2: Schedule 1.4
Administrative costs	Total amount expended on administrative costs under the VR program. Source/Formula: RSA-2: Schedule 1.1
Administration as percent of expenditures	Administrative costs expressed as a percentage of all expenditures. Source/Formula: Administrative costs divided by total expenditures
Purchased services expenditures	Expenditures made for services purchased by the agency. Source/Formula: RSA-2: Schedule 1.2.B
Purchased services as a percent of expenditures	Purchased services expressed as a percentage of total expenditures. Source/Formula: Purchased services expenditures divided by total expenditures
Services to groups	Expenditures made by the agency for the provision of VR services for the benefit of groups of individuals with disabilities. Source/Formula: RSA-2: Schedule 1.3
Services to groups percentage	Services to groups expressed as a percentage of total expenditures. Source/Formula: Services to groups divided by total expenditures

*Expenditures for RSA-2 data represent current FFY expenditures and carryover from prior FFY. Therefore, these figures may differ from the expenditures in Tables 6.1, 6.2, and 6.3 which are from SF-425 reports.

APPENDIX B: DOCUMENTATION REVIEW RESULTS

Data Element	Number with required documentation	Number without required documentation	Percent with required documentation	Percent without required documentation
Date of Application	27	3	90%	10%
Date of Eligibility Determination	30	0	100%	0
Date of IPE	27	3	93%	7%
Start Date of Employment in Primary Occupation at Exit or Closure	18	12	60%	40%
Hourly Wage at Exit or Closure	18	12	60%	40%
Employment Status at Exit or Closure	18	12	60%	40%
Type of Exit or Closure	29	1	97%	3%
Date of Exit or Closure	28	2	93%	7%

Summary	Number (of 30)	Percent (of 30)
Files with all required documentation	18	60%
Files with documentation for four or more data elements	30	100%
Files with no required documentation	0	0

APPENDIX C: SUPPORTED EMPLOYMENT PROGRAM PROFILE

2017 New York Blind Supported Employment Program Profile

Summary Statistics – Supported Employment Outcomes						
Performance category	2015 Number	2015 Percent	2016 Number	2016 Percent	2017 Number	2017 Percent
Supported employment (SE) outcomes	50		42		15	
Competitive employment outcomes	49	98.0%	41	97.6%	14	93.3%
Median hourly earnings for competitive employment outcomes	\$10.00		\$12.03		\$11.63	
Average hours worked for competitive employment outcomes	24.1		23.8		19.2	

Data source: RSA-911

Note: FFY 2017 data is not comparable with other FFY data. FFY 2017 shows Oct. – June data. FFY 15-16 show Oct. – Sept. data.

*Using RSA-911: Total number of individuals who exited with supported employment outcomes divided by total number of individuals who exited with an employment outcome multiplied by 100.

**Using RSA-911: Total number of individuals who exited with competitive supported employment divided by total number of individuals who exited with supported employment outcomes multiplied by 100.

Top Five Services Provided to Individuals in Competitive Supported Employment	
Services Provided	2017 Percent
Disability-related skills training	100.0
Vocational rehab counseling and guidance	100.0
Rehabilitation technology	85.7
Diagnosis and treatment of impairment	78.6
Job placement assistance	71.4

Data source: RSA-911

Note: FFY 17 contains closed case data from October 1, 2016 to June 30, 2017.

Top Five Occupations by Percentages of Employment Outcomes with Median Hourly Earnings for All Individuals Who Achieved Competitive Supported Employment Outcomes at Closure for FFY 2017		
SOC Code	2017 Percent	2017 Median Hourly Wage
Office and Administrative Support Occupations	28.6	\$10.40
Arts, Design, Entertainment, Sports, and Media	21.4	\$11.63
Education, Training, and Library Occupations	14.3	\$19.05
Production Occupations	14.3	\$9.61
Food Preparation and Serving Related Occupations	7.1	\$15.00
Life, Physical, and Social Science Occupations	7.1	\$48.10
Protective Service Occupations	7.1	\$11.50

Data source: RSA-911

Note: FFY 2017 contains closed case data from October 1, 2016 to June 30, 2017.