

**FISCAL YEAR 2008  
MONITORING REPORT ON THE  
VOCATIONAL REHABILITATION AND  
INDEPENDENT LIVING PROGRAMS  
IN THE STATE OF  
WEST VIRGINIA**



**U.S. DEPARTMENT OF EDUCATION  
OFFICE OF SPECIAL EDUCATION AND  
REHABILITATIVE SERVICES  
REHABILITATION SERVICES ADMINISTRATION**

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## EXECUTIVE SUMMARY

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The Rehabilitation Services Administration (RSA) reviewed the performance of the following programs authorized by the *Rehabilitation Act of 1973*, as amended (the Act) in the state of WV:

- the VR program, established under Title I;
- the SE program, established under Title VI, Part B;
- the IL program, authorized under Title VII, Part B; and
- the IL OIB program, established under Title VII, Chapter 2.

The WV Division of Rehabilitation Services (WVDRS) is responsible for the four programs, working in partnership with the WV State Rehabilitation Council (SRC) on the VR and SE programs, and with the WV Statewide IL Council (SILC) on the IL Part B program.

RSA's review began in the fall of 2007 and ended in the summer of 2008. During this time, RSA's WV state team:

- gathered and reviewed information regarding each program's performance;
- identified a wide range of VR and IL stakeholders and invited them to provide input into the review process;
- conducted an on-site visit, and held multiple discussions with state agency staff, SRC members, SILC members, and stakeholders to share information, identify promising practices, compliance findings, and areas for improvement;
- provided technical assistance (TA) during the review process;
- identified promising practices;
- recommended that WVDRS undertake specific actions to improve its performance;
- required WVDRS to take corrective action in response to compliance findings; and
- in collaboration with WVDRS identified TA that would be helpful to improve its performance or correct compliance findings.

RSA identified the following strengths and challenges of the VR, SE, IL, and OIB programs:

### **Strengths:**

- WVDRS has consistently met and/or exceeded the required performance on the VR standards and performance indicators since FY 2004.
- WVDRS has forged effective partnerships with the SRC, the SILC, stakeholders, CILs, state board of education, local school districts, and other state agencies.
- WVDRS has co-located VR transition counselors in schools to assist with facilitation of service delivery, job readiness training, and the transition to employment.
- WVDRS has utilized a skilled internal rehabilitation technology (RT) unit that provides comprehensive services throughout the state, capitalizes on staff expertise, facilitates timely services, and improves cost efficiency, especially in the area of architectural modifications.
- WVDRS has received additional state funds that supplement the IL Part B funds for the provision of IL services.

### **Challenges:**

- WVDRS' achievement of successful SE outcomes with limited funds available for SE extended services from a state appropriation.
- WVDRS is rebuilding positive relationships with community rehabilitation programs (CRPs).
- WVDRS must optimize its one-time state appropriation of \$450,000 to build service capacity.
- WVDRS needs to improve its RSA-2 reporting procedures to ensure that the agency properly classifies expenditures, indirect costs, (including application of the indirect cost rate), and purchased services on the RSA-2.
- WVDRS is restructuring the administration of the IL Part B program, and realigning respective duties of the designated state unit (DSU) and the SILC.
- WVDRS must secure appointments for all members of the SILC, including ex-officio nonvoting members, and ensuring adherence to term limits for all members.
- WVDRS needs to conduct outreach to the OIB population in rural areas of the state.

## INTRODUCTION

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Section 107 of the Act requires the commissioner of the RSA to conduct annual reviews and periodic on-site monitoring of programs authorized under Title I of the Act to determine whether a state VR agency is complying substantially with the provisions of its State Plan under section 101 of the Act and with the evaluation standards and performance indicators established under section 106. In addition, the commissioner must assess the degree to which VR agencies are complying with the assurances made in the State Plan Supplement for SE under Title VI part B of the Act and programs offered under Title VII of the Act are substantially complying with their respective State Plan assurances and program requirements.

In order to fulfill its monitoring responsibilities, RSA:

- reviews the state agency's performance in assisting eligible individuals with disabilities to achieve high-quality employment and IL outcomes;
- recommends that the state agency undertake specific actions to improve its performance; and
- provides TA to the state agency in order to improve its performance, meet its goals, and fulfill its State Plan assurances.

### Scope of the Review

RSA reviewed the performance of the following programs of the Act:

- the VR program, established under Title I;
- the SE program, established under Title VI, Part B;
- the IL programs authorized under Title VII, Part B; and
- the OIB program, established under Title VII, Chapter 2.

In addition, RSA also reviewed WVDRS' progress on:

- WVDRS' Corrective Action Plan (CAP) that was established as a result of findings from RSA's FY 2004 Section 107 monitoring review.

### WV Administration of the VR, SE, IL, and OIB Programs

In WV there is one VR agency for all eligible individuals with disabilities. The WV Department of Education and the Arts (WVDEA) is the designated state agency, and WVDRS is the DSU. There are 29 VR branch offices including seven housed in comprehensive one-stop career

centers, three located in high schools, and one located at Marshall University. WVDRS works in conjunction with the SILC regarding the administrative responsibility for the IL program.

### **Appreciation**

RSA wishes to express appreciation to the representatives of WVDEA and WVDRS, the SRC, the SILC, the CRPs, and the various stakeholders who assisted the RSA monitoring team in the review of WVDRS.

## CHAPTER 1: RSA'S REVIEW PROCESS

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### Data Used During the Review

RSA's review of WVDRS began in the fall of 2007 and ended in the summer of 2008. RSA's data collections are finalized and available at different times throughout the year. During this review, RSA and the state agency used the most recent data that was available from the FY 2006 and FY 2007 collections. As a result, this report cites data from FY 2006 and FY 2007 in addition to the trend data since FY 2002.

### Review Process Activities

During the review process, the RSA WV state team:

- gathered and reviewed information regarding each program's performance;
- identified a wide range of VR and IL stakeholders and invited them to provide input into the review process;
- conducted an on-site visit, and held multiple discussions with state agency staff, SRC members, SILC members, and stakeholders to share information, and identify promising practices and areas for improvement;
- provided TA during the review process;
- recommended that WVDRS undertake specific actions to improve its performance;
- required WVDRS to take corrective action in response to compliance findings; and
- in collaboration with WVDRS, identified TA that would be helpful to improve its performance or correct compliance findings.

### RSA WV State Team Review Participants

Members of RSA's WV state team included representatives from each of RSA's State Monitoring and Program Improvement's five functional units. The RSA WV state team was led by RSA's state liaison to WV, Craig McManus (VR Unit), together with the following RSA WV team members: Elizabeth Akinola (IL Unit), Christyne Cavataio (VR Unit), Regina Luster (Fiscal Unit), Sue Rankin-White (TA Unit), and Jean Yan (Data Collection and Analysis Unit).

### Information Gathering

During FY 2008, RSA began its review of WVDRS by analyzing information including, but not limited to, RSA's various data collections, WVDRS' VR and IL State Plans, WVDRS' Client

Services Manual (CSM), and the SRC's annual report. After completing its internal review, the RSA team carried out the following information gathering activities with WVDRS and stakeholders in order to gain a greater understanding of WVDRS' strengths and challenges:

- conducted multiple teleconferences with VR and IL stakeholders, WVDRS management, WVDRS IL program staff, SILC members and administrative staff, OIB staff, and the SRC; and
- conducted an on-site monitoring visit from April 28, 2008, through May 2, 2008, and met with staff of WVDEA, WVDRS, Cabell-Midland High School, two CRPs, the state advisory committee on CRPs, OIB consumers, and members of the SILC and the SRC.

## CHAPTER 2: WVDRS VR AND SE PROGRAMS

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### Agency Information and Performance

In FY 2007, WVDRS served 7,402 individuals, of which 1,587 were closed with an employment outcome, including 67 individuals who achieved a SE outcome, and 934 closed without an employment outcome. Over the past five years, the number of individuals achieving employment outcomes steadily increased from 2,037 in FY 2003, to 2,351 in FY 2006, representing a 15.4 percent gain. In FY 2007, WVDRS experienced a sharp decline of individuals achieving employment outcomes, reporting a decrease of 764, or 32.5 percent. This decrease reflects the closing of all priority categories in the order of selection from June 2006 to April 2007, and the institution of a waiting list for new applicants.

The number of applicants and number of individuals served fluctuated from FY 2003 to FY 2005, followed by a decrease in applicants of 18.1 percent from FY 2005 (6,444 applicants), to FY 2006 (5,275 applicants), and 29.2 percent from FY 2006 to FY 2007 (3,735 applicants). Concurrently, the number of individuals served decreased by 12.3 percent from FY 2005 (10,885 individuals) to FY 2006 (9,550 individuals), and 22.5 percent from FY 2006 to FY 2007 (7,402 individuals).

Table 2.1 provides fiscal and program data for FY 2003 through FY 2007. The data provide an overview of the VR program's costs, outcomes and efficiency. The table identifies the amount of funds used by the agency, the number of individuals who applied, and the number who received services. It also provides information about the quality of the agency's employment outcomes, including outcomes for transition-age youths.

**Table 2.1**  
**Program Highlights for WVDRS for FY 2003 through FY 2007**

Data Elements	2003	2004	2005	2006	2007
Total funds expended on VR and SE	\$34,770,921	\$36,875,511	\$36,266,724	\$36,403,629	\$35,861,286
Individuals whose cases were closed with employment outcomes	2,037	2,106	2,218	2,351	1,587
Individuals whose cases were closed without employment outcomes	850	1,268	1,390	1,325	934
Total number of individuals whose cases were closed after receiving services	2,887	3,374	3,608	3,676	2,521
Employment rate	70.56%	62.42%	61.47%	63.96%	62.95%
Individuals whose cases were closed with SE outcomes	116	140	140	154	67
New applicants per million state population	3,036.46	3,103.30	3,011.54	2,318.13	1,818.23
Average cost per employment outcome	\$2,966.08	\$3,323.92	\$3,273.64	\$3,576.44	\$4,047.28
Average cost per unsuccessful employment outcome	\$1,591.81	\$1,835.83	\$1,567.93	\$1,709.90	\$1,718.26
Average hourly earnings for competitive employment outcomes	\$8.78	\$8.86	\$9.38	\$9.77	\$11.04
Average state hourly earnings	\$14.08	\$14.40	\$15.03	\$15.54	\$16.18
Percent average hourly earnings for competitive employment outcomes to state average hourly earnings	62.36%	61.53%	62.41%	62.87%	68.23%
Average hours worked per week for competitive employment outcomes	34.26	34.61	34.76	35.32	37.01
Percent of transition-age youths served to total served	38.10%	36.28%	38.58%	39.55%	49.11%
Employment rate for transition-age youths served	70.36%	62.91%	58.48%	64.65%	63.73%
Average months between application and closure for individuals with competitive employment outcomes	27.2	27.0	26.8	28.8	37.3

## VR and SE Service Delivery

WVDRS hires and trains employees to provide direct services. This includes vocational evaluators to assist with career assessment and exploration and employment specialists that aid in job placement services, both of which are represented in each of WVDRS' six districts. WVDRS employs staff that provide intensive RT services in all areas of the state.

Following fiscal constraints leading up to the closing of the WV Rehabilitation Center, WVDRS steadily increased its expenditures on purchased services from FY 2006 to the present. Consequently, WVDRS redirected \$6,000,000 to the client services budget. However, WVDRS is currently rebuilding relationships with CRPs and developing service capacity, especially in the rural areas, to purchase and deliver necessary VR services to individuals with disabilities statewide.

Transition-age youths comprise about 40 percent of WVDRS’ total population served, the highest in comparison to its peer agencies<sup>1</sup> (see Table 2.2). Transition-age youths also accounted for 40 percent of individuals achieving successful employment outcomes in FY 2006 (940 out of 2,351 individuals). Approximately 60 VR transition counselors serve this population, and three are co-located in high schools. Staff employed by the state education agency consider co-location to be successful in promoting effective interactions with students that lead to successful employment outcomes.

**Table 2.2  
Peer Comparison in Transition-Age Youths Served for FY 2006**

Individuals whose cases were closed after receiving services . . .	WV - Combined 2006	CO - Combined 2006	KS - Combined 2006	ME - General 2006	MT - Combined 2006	Peer Averages 2006
Total employment outcomes	940	760	423	213	137	494.6
Employment rate	64.65%	71.97%	51.09%	44.84%	53.52%	57.2%
Percent Employed in integrated setting	99.57%	98.37%	98.81%	100.00%	81.62%	95.7%
Percent Transition served to total served	39.55%	31.15%	26.24%	37.08%	16.18%	30.0%

The SE program relies on limited extended service funds, provided in an annual state appropriation, for individuals moving from WVDRS to long-term job supports. Eligible individuals typically receive two job coaching hours per month, with additional hours approved under exceptional circumstances requiring further support.

**Personnel**

According to the FY 2006 data, WVDRS employed 572 total staff, including administrators, VR counselors, rehabilitation services associates, vocational evaluators, employment specialists, quality assurance (QA) specialists, and administrative support staff. One hundred and three of the 572 employees were VR counselors.

WVDRS expressed concern regarding succession planning, as it anticipates an increase of retirements, especially in management positions. In response to this future challenge, WVDRS modified its Leadership Development Academy to address its succession planning needs with a focused track on management development.

To ensure a high standard of credentials for its qualified rehabilitation professionals, WVDRS has adopted the national standard in the absence of a state established standard. WVDRS hires VR counselors with a master’s degree in rehabilitation counseling, counseling, or a counseling-related field. Those who do not meet the standard enter into a training plan. In FY 2008, there were four VR counselors that did not meet the standard. WVDRS experiences difficulty

<sup>1</sup> Peer agencies are those that are similar to WVDRS in grant size. For WVDRS, peer agencies are: Colorado-Combined, Kansas-Combined, Maine-General, and Montana-Combined.

recruiting qualified VR counselors that meet the standard, especially in the eastern panhandle. Employee retention issues surface once counselors are fully trained and have acquired sufficient work experience to secure employment with better compensation. WV's neighboring states offer higher salaries and increased opportunities for promotion.

## **Data Management**

WVDRS utilizes an electronic case management system most recently updated on July 1, 2007. The system has the capacity to provide all the elements for the RSA reports, links costs of services for each individual, provides case statuses to counselors and managers, and has a backup system to ensure the integrity of the information in the event of power failures or other disasters. Though the WVDRS office program manager assesses data accuracy on a regular basis, a separate program to verify the accuracy of the data is used. In addition, the system lacks data verification and data integrity for SE services.

## **Quality Assurance**

In FY 2007, WVDRS implemented a QA unit with the intent to achieve statewide consistency of interpretation and application of policy, provide quality TA and training, develop and implement policy, and develop a statistical tracking system to evaluate progress. A QA manager in the state office oversees seven QA specialists representing all six districts, a rehabilitation services associate, and a secretary. The QA unit promotes frequent internal communication through weekly teleconferences, e-mails, and bimonthly planning meetings. The activities conducted by the QA unit include:

- providing comprehensive training to new hires, agency-wide training on new policies and procedures, and district-wide training to correct casework inconsistencies;
- providing TA to district staff regarding case management concerns;
- updating the CSM to tie the policy sections to the federal regulations;
- conducting a review of individuals in eligibility status (also known as status 10 reviews) to assess the effectiveness of assessments in vocational goal planning, vocational guidance and counseling, timeliness of case progression, and case management practices;
- providing written reports to the QA manager based upon case reviews, including recommendations to improve quality, policy, or casework practices; and
- collecting data, both before and after case reviews, to evaluate the impact of their review efforts with the VR counselors.

## Planning

The WVDRS executive management team meets every Tuesday as part of a general planning process to discuss current and emerging issues. Once monthly, the WVDRS executive management team involves the executive directors of the SRC and the SILC.

A strategic planning committee, comprised of WVDRS executive managers, the executive directors of the SRC and the SILC, and other essential personnel, convenes in the fall to develop and establish agency goals, objectives and priorities for the ensuing fiscal year's State Plan. To inform its strategic planning process, WVDRS derives information from the comprehensive statewide needs assessment (CSNA), consumer satisfaction surveys, and surveys with WVDRS staff and CRPs.

The strategic plan itself is not a formal document. However, the goals, objectives and priorities established from committee meetings are incorporated into the State Plan in the appropriate attachments.

## Promising VR and SE Practice Identified by WVDRS and Stakeholders During the Review Process

RSA's review process solicited input from WVDRS and stakeholders about promising practices. The following promising practice was identified:

### 1. RT – Provision of Architectural Modifications

WVDRS has developed an internal service delivery model for the provision of architectural modifications to individuals with disabilities in WV. Three rehabilitation technicians travel the state in response to referrals for services including wheelchair ramps, vertical platform lifts, bathroom modifications (accessible sink, commode, and shower/bath), stair glides, widening doors, and installing grab bars. The technicians develop the recommendations and specifications (including a materials list), and then await counselor review and approval. If approved, materials are ordered and the technicians travel back to the site and perform the construction work themselves.

This model of direct service from WVDRS results in multiple benefits for both WVDRS and individuals with disabilities including significant cost savings, timely service delivery, ability to accommodate adjustments during construction, skilled technicians to conduct final inspections, and increased expertise and accountability for individuals with disabilities.

## VR and SE Programs TA Provided to WVDRS During the Review Process

RSA provided the following VR and SE program TA to WVDRS during the review process:

- informed WVDRS of the current RSA QA pilots and the national teleconference that was conducted on July 24 to inform state VR agencies about the pilots;

- clarified that WVDRS cannot apply a financial needs test to job related services, including purchased job development and placement;
- provided information regarding the creation of an on-line resource library, and will also follow up with additional information on how to organize it;
- recommended that WVDRS nominate and assign a school representative to the state advisory committee on CRPs;
- trained WVDRS staff on the RSA management information system; and
- recommended data input accuracy for SE services and closures.

### **Observations of WVDRS and Its Stakeholders about the Performance of the VR and SE Programs**

RSA solicited input from WVDRS and a wide range of its stakeholders about the performance of the VR and SE programs. WVDRS and its stakeholders shared the following observations:

- the need for increased funding on purchased services after the closing of the rehabilitation center;
- WVDRS implemented an order of selection in June 2006 with all categories closed, and re-opened categories twice through August 2007 utilizing funds redirected from the closing of the rehabilitation center;
- the need to renew efforts to rebuild working relationships with CRPs following a period of financial hardship during which WVDRS was unable to provide timely reimbursement;
- WVDRS has utilized strategies to increase service capacity with external CRPs;
- WVDRS has focused significant resources and efforts on transition-age youths;
- WVDRS has established effective partnerships with the WV Department of Education and schools;
- WVDRS has provided significant RT services to promote successful employment outcomes with the transition-age youths;
- WVDRS hired an Executive Director to promote the autonomy of the council and to assist the council in conducting activities, serving as a liaison between the SRC and WVDRS management, and representing the council in relevant meetings; and

- the insufficiency of funds for extended SE services provided through the state earmarked appropriation.

RSA discussed the observations of its stakeholders with WVDRS and addressed as many of them as possible either directly or by consolidating them into a broader issue area.

## **VR and SE Performance Observations and RSA Recommendations**

RSA identified the following performance observations and made recommendations to WVDRS about those observations. WVDRS responded to each of the recommendations and in those instances when RSA and WVDRS agreed upon a recommendation, RSA and WVDRS identified the TA, when requested, that RSA would provide to WVDRS to successfully implement the recommendation.

### **1. Enhancing Community-Based Services**

**Observations:** Due to the closing of the rehabilitation center, WVDRS has experienced significant fluctuation in its ability to purchase VR services for individuals with disabilities. The change has required WVDRS to develop and rebuild CRP and vendor relationships.

- Since the closing of the comprehensive rehabilitation center in 2007, and the reallocation of approximately \$6,000,000 into the consumer services budget, WVDRS has focused upon capacity building with CRPs that may include establishing new services, adding staff, providing training for new and existing staff, expanding space, developing materials, and purchasing equipment.
- WVDRS received a \$450,000 state appropriation in July 2008 to assist in addressing its service delivery needs. WVDRS' most recent CSNA focused on the need to establish CRPs within the state. It appears that the state appropriation will not be sufficient to build CRP capacity to respond to the statewide service needs of individuals with disabilities in WV.
- There are approximately 55 parent CRPs and 71 total CRPs including the satellite locations throughout the state, 28 of which provide sheltered employment. During the period that WVDRS operated its rehabilitation center and provided VR services through the center, it did not utilize CRPs to provide a significant percentage of the services provided by WVDRS. Discussions with CRP staff indicated that during this period, they sought contract work that fostered sheltered employment in order to sustain their existence.
- WVDRS has a longstanding state advisory committee on CRPs that provides advice and guidance to the division in relation to planning and promoting CRPs. The committee has not been active in recent times until the closing of the rehabilitation center, and the members are attempting to revitalize it. WVDRS is now actively seeking input from the committee regarding its efforts to reestablish community-based services. The committee is composed of agency staff and CRP staff, and by statute intends to include private

citizens involved and interested in CRPs and related state agencies. However, there is no school representative on the committee.

- WVDRS has implemented strategies to re-establish its relationships with CRPs throughout the state, including soliciting input from the state advisory committee on CRPs, implementing a communication plan, and formulating a plan to expand the service capacity of CRPs to serve individuals with disabilities.
- WVDRS is revising its CRP and vendor fee schedule to more competitive rates in an attempt to adapt to WVDRS' new business approach regarding purchased services. In addition, WVDRS intends to implement new standards for CRPs. However, at the time of the on-site visit, the standards had not been implemented.
- Transition-age youths comprise 40 percent of the individuals at WVDRS. Discussions with special education staff indicated that CRPs are not adequately prepared to address the VR needs of this population. They related that transition students often feel stigmatized in the CRP environment and that services are not designed to respond to their needs.

### **Recommendations:**

- 1.1 Examine the extent to which the state appropriation to build service capacity with CRPs is sufficient, and consider the use of Title I funds under the establishment provisions of the Rehabilitation Act to meet the service delivery needs of individuals with disabilities at WVDRS.
- 1.2 Establish standards for CRPs and develop goals regarding performance standards of the CRPs to improve accountability and increase the quality of employment outcomes produced by CRPs.
- 1.3 Designate a school representative to the state advisory committee on CRPs to provide input on the VR service needs of the transition youth population.
- 1.4 Utilize the CSNA results for CRP needs to assess their capacity building activities on a regular basis, involving the SRC and CRP representatives.

**Agency Response:** WVDRS agreed with the recommendations and provided the responses below.

- 1.1 WVDRS is in the process of examining ways in which the state appropriation of \$450,000 and any additional Title I funds will satisfy individuals' needs for CRP services statewide.
- 1.2 WVDRS is in the process of developing goals regarding performance standards of the CRPs that provide services to individuals with disabilities at WVDRS.

1.3 WVDRS has already received a commitment from a representative from the WV Department of Education to attend the state advisory committee on CRPs meetings to broaden the discussion on the service needs of students with disabilities who are exiting from the WV school system.

1.4 WVDRS continues to examine the current and potential capacity of CRPs to provide additional services to individuals with disabilities at WVDRS. At present, the agency is requiring WVDRS districts to conduct regular meetings between local CRP and WVDRS personnel to share information on the current service needs of individuals with disabilities and to identify/discuss critical issues/barriers for effective and efficient CRP services within their local communities. An invitation will be sent to the SRC requesting a representative attend the state advisory committee on CRPs meetings to further discuss identified service needs and capacities.

**TA:**

1.1 To fully address the service delivery needs of the VR agency, the state appropriation may not be sufficient, therefore, the agency may have to consider Title I funds under the establishment provisions of the Act. RSA will provide TA on the use of those provisions.

1.2 WVDRS requests that RSA provide examples of program standards for CRPs including information on performance standards for CRPs that are currently used by other federal/state VR agencies.

1.3 And 1.4 WVDRS does not request TA.

## **2. Quality Assurance**

**Observations:** In May 2007, WVDRS fully staffed a QA unit with the goals of achieving statewide consistency of interpretation and application of policy, providing quality TA and training, developing and implementing policy, and developing a statistical tracking system to evaluate their progress. The QA unit is in the process of evaluating its performance to improve the efficiencies and impact upon the VR program.

- The QA unit consists of one QA specialist in each district reporting to a QA manager in the state office. This represents an organizational change from previous QA initiatives when QA specialists reported to the district manager. This is viewed as a positive change in that it establishes a more direct connection between the state office and the districts.
- The QA specialists are responsible for reviewing service records of VR counselors in their respective district offices, providing training to district staff, reviewing and revising VR policies, and serving as a resource to district staff on policy interpretations.
- The QA system was established to respond to an SRC goal to improve consistency in VR policy interpretation and service implementation throughout the state.

- The QA specialists do not currently employ standardized tools for service record reviews or to determine the impact of assessments on improving and increasing employment outcomes, nor do they utilize a standardized reporting format for providing information to the QA manager for purposes of compiling statewide reports.

### **Recommendations:**

- 2.1 Enhance WVDRS' QA infrastructure by developing more consistent methods of assessment and service record review in each district.
- 2.2 Plan the next phase of the development process in the QA unit, including the development of necessary tools and measures to evaluate the impact of the assessments on improving and increasing employment outcomes and evaluating the performance of CRPs (see Recommendation 1.2).
- 2.3 Standardize reporting procedures from the QA specialists in each district by developing a uniform instrument for all the QA specialists to report results to the state office staff QA manager.

**Agency Response:** WVDRS agreed with the recommendations and provided the responses below.

- 2.1 WVDRS is in the process of developing standardized service record evaluation methods to be used by QA specialists in various districts.
- 2.2 The QA unit will initiate the planning phase in the near future and is looking forward to receiving TA from RSA in developing the necessary tools and measures. WVDRS agrees with the recommendation to closely examine CRPs that are providing services to individuals with disabilities. WVDRS is committed to meeting the need for CRP services that will ultimately lead to the fulfillment of vocational/employment objectives. At present, the agency is in the planning phase of developing additional tools and measures to assess the performance of CRPs.
- 2.3 WVDRS is in the process of developing standardized reporting procedures to be used by QA specialists when submitting the district reports to the QA manager.

**TA:** 2.2 WVDRS participated on the July 24<sup>th</sup> RSA teleconference to learn about QA pilots and gain TA from the pilots on how to improve its QA process.

2.1 and 2.3 WVDRS does not request TA.

### **3. Supported Employment – Extended Services**

**Observations:** WVDRS utilizes 43 providers of extended SE services for individuals with disabilities requiring long-term supports to maintain employment. WVDRS' tracking of SE

services in the case management system is inaccurate and reduces the validity of SE data, including the ability to evaluate SE services.

- There are limited extended services resources for individuals in SE at WVDRS from the Developmental Disabilities Council and the Title XIX Medicaid waiver. The state, by statute, provides \$119,034 annually for extended services funds, with WVDRS serving as the fiscal agent to disburse the funds to eligible CRPs. Currently, individuals with disabilities are typically eligible for two job coaching hours per month from these funds, with special requests made in circumstances requiring more than two hours.
- WVDRS staff indicated that the number of hours is sufficient to meet the needs of those in extended services since there is an exception to provide additional hours if necessary.
- Discussions with special education staff and CRP staff indicated that the limited number of job coaching hours is not sufficient to meet the needs of the general population or the transition population.

**Recommendation:** Assess the actual needs of individuals with disabilities regarding extended SE services job coaching hours and develop resources as needed to meet the demand.

**Agency Response:** The agency agrees with the observation and recommendation regarding the extended services of the SE program. The agency will be reviewing the needs of individuals with disabilities, the utilization of extended services for job coaching, and the availability of resources to meet the needs of individuals with disabilities.

**TA:** WVDRS requests that RSA provide information on how other states administer extended services.

#### 4. Case Management System

**Observations:** The case management system contains all of the VR records at WVDRS. Though the system is stand-alone, it shares information with other state agencies associate with WVDRS, including responsibilities regarding agreements. The individual's initial information is the only part of this Internet-based electronic case management system that requires manual data input. New counselors and supervisors receive end-user training and one year of monitoring in the use of the system.

- The case management system at the WVDRS includes all the data elements for the RSA-2, RSA-113 and RSA-911 reports. Counselors and managers indicate it is user friendly and the training they received allows them to query information without on-site information technology support.
- The system does not provide a tickler function to incorporate key procedural steps (e.g., 60-day from application to eligibility or 90-day closure after employment) to assist counselors in managing the case flow.

- Fiscal information for individuals receiving IL and OIB services is maintained in a separate accounting system and does not connect with the case management system.

**Recommendations:**

- 4.1 Build an internal data check component within the case management system to (a) reduce the dependence of external human verification of data accuracy and data quality and (b) incorporate policy procedures for an individual's case flow. The tickler function would alert field staff to key timelines, including 60-day eligibility and 90-day closure, to ensure timely progress through the VR process.
- 4.2 Establish the connection between the expenditures and services for an individual in the case management system that calculates the expenditures by counselor and by service.
- 4.3 Install a check-up button for the IL Part B program.
- 4.4 Ensure SE status of an individual at closure is congruent with the SE status on the individualized plan for employment (IPE).

**Agency Response:** WVDRS agreed with the recommendations and provided the responses below.

- 4.1 At present, the case management system has a built-in warning flag when cases have been sitting in the application status (Status 02) for more than 60 days without a signed waiver. When a counselor, supervisor, manager, or state office personnel look up the report on cases for selected territories, the report will highlight in red the cases that have been sitting in Status 02 for more than 60 days along with the actual number of days in that status. All field counselors, case service personnel, and administrators, including the field supervisors and district managers have been trained and instructed to monitor this report. In addition to the "red flag" on the report, the state office personnel still want to monitor the compliance to ensure that all field counselors are following the 60-day requirement for Status 02 cases. Based on the agency's experience, reviewing cases in the case management system and reporting back to the field personnel any Status 02 cases that are not meeting the 60-day requirement will reinforce the agency's commitment to the 60-day policy. At present, the case report in the case management system does not have a similar red flag that provides warnings regarding the 90-day closure rule. The agency will be adding to the case management system a similar warning system that currently exists for the 60-day eligibility determination rule in the future.

Additionally, the agency will review the case management system to identify specific places where the system can better incorporate or locate policy procedures that will result in a better case flow.

- 4.2 WVDRS is in the process of working toward connecting the expenditures and services for individuals in the system. The agency would like to see the system generate expenditure reports by counselor and by service in the future.

4.3 WVDRS does not directly serve IL clients and uses three CILs to provide IL services to the IL population across the state. The CILs maintain their databases that collect necessary information for program administration/maintenance and state/federal/other reporting. Given the current method of service provision with respect to IL services, WVDRS will not need a check-up button for IL Part B population in the agency's case management system.

The case management system was originally constructed when WVDRS was providing direct services to IL consumers in addition to VR consumers and already has built-in tags for specific data for IL consumers served by WVDRS. The agency can retrieve specific data from former IL cases that are still in the case management system.

Additionally, WVDRS retains designated IL territories in case management system for possible future usage. The case management system can collect data and generate caseload reports relating to IL consumers directly served by WVDRS, should we need it in the future.

4.4 WVDRS will adapt the case management system to link the SE status with employment status at closure for SE cases. Once completed, the case management system requires/ensures proper employment status for rehabilitants in the SE program.

**TA:** WVDRS does not request TA.

## 5. IPE Timeline

**Observations:** There is a discrepancy between the timeline written in the CSM policy and the timeline VR counselors stated they use on a daily basis. Data analysis provided evidence that, in practice, agency staff implement the IPE in a shorter time than stated anecdotally, with longer periods for special populations such as transition-age youths.

- WVDRS' current timeline for IPE development specified in policy is six months (CSM 2701.3). However, management staff indicated that in practice the timeline is nine months to take into account the longer time that may be necessary to conduct career exploration with transition-age youths. The current policy does not include an exception to the timeline for extenuating circumstances such as the career exploration for transition-age youths.
- Based on an analysis of three-year trend data, the median time for IPE development was 62 days for FY 2007, 49 days for FY 2006, and 44 days for FY 2005.
- The median time for transition-age youths was 81 days for FY 2007, 87 days for FY 2006, and 84 days for FY 2005.
- Twenty five (25) percent of transition-age youths' eligibility to IPE implementation time exceeded 177 days for FY 2007, exceeded 202 days for FY 2006, and exceeded 216 days for FY 2005.

- In summary, while IPE development for the total population usually takes less than six months, there are a significant number of transition-age youths with IPEs that take more than six months to develop (see Table 2.3 below).

**Table 2.3**  
**Days Taken From Eligibility to IPE for VR Participants by Age Group for FY 2005 - FY 2007**

Days Taken From Eligibility to IPE	2007			2006			2005		
	Total	Non-Transition	Transition	Total	Non-Transition	Transition	Total	Non-Transition	Transition
# of cases having IPE dates	2590	1299	1291	3742	2257	1485	3692	2255	1437
Average # of days	134.4	118.9	149.9	125.1	91.9	175.4	129.4	99.8	175.9
Median # of days	62.3	44.4	80.8	49.4	31.4	86.8	44.4	29.0	83.8
Mode # of days	0	0	0	0	0	0	0	0	0
Standard Deviation in # of days	222.6	227.3	216.7	216.1	180.1	253.4	223.6	196.9	253.2
Range from min. to max. days	3737.8	3737.8	1733.8	2674.3	2674.3	2356.1	2573.0	2155.2	2573.0
Minimum days	0	0	0	0	0	0	0	0	0
Maximum days	3737.8	3737.8	1733.8	2674.3	2674.3	2356.1	2573.0	2155.2	2573.0
# and % of cases with Eligibility & IPE in the same day	257 (9.9%)	167 (12.9%)	90 (7.0%)	423 (11.3%)	313 (13.9%)	110 (7.4%)	521 (14.1%)	377 (16.7%)	144 (10.0%)
# of days for 25% of individuals from eligibility to IPE	13.0	8.0	21.0	10.0	6.0	25.0	7.0	4.0	21.0
# of days for 50% of individuals from eligibility to IPE	62.3	44.4	80.8	49.4	31.4	86.8	44.4	29.0	83.8
# of days for 75% of individuals from eligibility to IPE	157.4	136.7	177.1	141.9	100.3	202.5	150.7	112.3	215.9

**Recommendation:** Review the current timeline for IPE development and clarify with VR counselors whether it is six or nine months; determine whether to revise the timeline or not, and inform/train VR counselors accordingly; and consider including an exception to the timeline based on extenuating circumstances, such as career exploration for transition-age youths.

**Agency Response:** The agency agrees with the recommendation regarding the IPE timeline. The agency reviewed the current IPE timeline and decided to implement a six-month IPE development timeline with an exception on cases with extenuating circumstances such as transition-age youths' cases.

**TA:** WVDRS does not request TA.

## 6. Staff Development/Continuing Education

**Observations:** WVDRS provides opportunities to address the in-service training needs of staff to enhance the knowledge, skills, and abilities needed to deliver services proficiently to individuals with disabilities. The counselor perspective differed from the management perspective on the agency's support of continuing education requests.

- Discussions with VR counselors revealed a desire for additional opportunities for continuing education credits to aid the counselors in retaining credentials.
- Agency management indicated that WVDRS provides ample opportunity for counselors to earn continuing education credits.

**Recommendation:** Conduct dialogue between WVDRS management and agency staff, including VR counselors, to examine whether staff needs for continuing education are congruent with opportunities provided by WVDRS.

**Agency Response:** The agency agrees with the observation and the recommendation regarding staff development and continuing education. The agency plans to conduct a survey of all VR counselors on their continuing education needs at the agency-sponsored state conference in September 2008.

**TA:** RSA provided on-site TA regarding the creation of an on-line resource library and will also follow up with additional information on how to organize it.

## CHAPTER 3: FISCAL MANAGEMENT OF WVDRS' VR AND SE PROGRAMS

RSA reviewed WVDRS' fiscal management of the VR program. During the review process RSA provided TA to the state agency to improve its fiscal management and identified areas for improvement. RSA reviewed the general effectiveness of the agency's cost and financial controls, internal processes for the expenditure of funds, use of appropriate accounting practices, and financial management systems.

### Fiscal Management

The data in the following table, based on data reported on the fiscal reports submitted by the state agency, address the overall fiscal performance of the agency. The carryover data are taken from the unobligated balance of federal funds portion of the fourth quarter Financial Status Report (SF-269). The data related to matching requirements are taken from the respective fiscal year's final, or latest, SF-269 report. The maintenance of effort (MOE) requirement data are taken from the final, or latest, SF-269 report of the fiscal year that is two years prior to the fiscal year to which it is compared. Fiscal data related to administration, total expenditures, and administrative cost percentage are taken from the RSA-2.

**Table 3.1**  
**Fiscal Data for WVDRS for FY 2003 through FY 2007**

Fiscal Year	2003	2004	2005	2006	2007
Grant Amount	23,879,486	24,381,098	24,171,790	25,010,537	25,539,997
Required Match	6,462,936	6,598,696	6,542,047	6,769,053	6,912,350
Federal Expenditures	23,879,486	24,381,098	24,171,790	25,010,537	**24,949,764
Actual Match	9,383,620	9,541,032	9,394,687	9,655,676	10,310,317
Over (Under) Match	2,920,684	2,942,336	2,852,640	2,886,623	3,397,967
Carryover at 9/30 (year one)	141,196	1,271,608	592,549	0	451,466
Program Income	5,355,794	3,325,030	4,894,237	1,397,159	2,072,396
MOE	8,836,285	8,815,399	9,383,620	9,541,032	9,394,687
Administrative Costs	5,914,174	6,535,837	5,743,045	8,440,406	9,837,816
*Total Expenditures	34,770,921	36,875,511	36,266,724	36,403,629	35,861,286
Percent Admin Costs to Total Expenditures	17.01%	17.72%	15.84%	23.19%	27.43%

\*Includes SE Program Expenditures.

\*\*Deadline for obligating FY 2007 federal grant funds – September 30, 2008.

## Explanations Applicable to the Fiscal Profile Table

### Grant Amount:

The amounts shown represent the final award for each fiscal year, and reflect any adjustments for MOE penalties, reductions for grant funds voluntarily relinquished through the reallocation process, or additional grant funds received through the reallocation process.

### Match (Non-Federal Expenditures):

The non-federal share of expenditures in the state VR program, other than for the construction of a facility related to a CRP, was established in the 1992 amendments to the Act at 21.3 percent. As such, a *minimum* of 21.3 percent of the total allowable program costs charged to each year's grant must come from non-federal expenditures from allowable sources as defined in program and administrative regulations governing the VR Program (34 CFR 361.60(a) and (b); 34 CFR 80.24).

In reviewing compliance with this requirement, RSA examined the appropriateness of the fund sources used as match in the VR program, the amount of funds used as match from appropriate sources, and the projected amount of state appropriated funds available for match in each federal fiscal year. The accuracy of expenditure information previously reported in financial and program reports submitted to RSA was also reviewed.

### Carryover:

Federal funds appropriated for a fiscal year remain available for obligation in the succeeding fiscal year only to the extent that the VR agency met the matching requirement for those federal funds by September 30 of the year of appropriation (34 CFR 361.64(b)). Either expending or obligating the non-federal share of program expenditures by this deadline may meet this carryover requirement.

In reviewing compliance with the carryover requirement, RSA examined documentation supporting expenditure and unliquidated obligation information previously reported to RSA to substantiate the extent to which the state was entitled to use any federal funds remaining at the end of the fiscal year for which the funds were appropriated.

### Program Income:

Program income means gross income received by the state that is directly generated by an activity supported under a federal grant program. Sources of state VR program income include, but are not limited to, payments from the Social Security Administration for rehabilitating Social Security beneficiaries, payments received from workers' compensation funds, fees for services to defray part or all of the costs of services provided to particular individuals, and income generated by a state-operated CRP. Program income earned (received) in one fiscal year can be carried over and obligated in the following fiscal year regardless of whether the agency carries over federal grant funds. Grantees may also transfer program income received from the Social

Security Administration for rehabilitating Social Security beneficiaries to other formula programs funded under the Act to expand services under these programs.

In reviewing program income, RSA analyzed the total amount (as compared to the total percentage of income earned by all VR agencies and comparable/like VR agencies), sources and use of generated income.

### **MOE:**

The 1992 amendments revised the requirements in section 111(a)(2)(B)(ii) of the Act with respect to MOE provisions. Effective federal FY 1993 and each federal fiscal year thereafter, the MOE level is based on state expenditures under the title I State Plan from non-federal sources for the federal fiscal year two years earlier. States must meet this prior year expenditure level to avoid monetary sanctions outlined in 34 CFR 361.62(a)(1). The match and MOE requirements are two separate requirements. Each must be met by the state.

In reviewing compliance with this requirement, RSA examined documentation supporting fiscal year-end and final non-federal expenditures previously reported for each grant year.

### **Administrative Costs:**

Administrative costs means expenditures incurred in the performance of administrative functions including expenses related to program planning, development, monitoring, and evaluation. More detail related to expenditures that should be classified as administrative costs is found in VR Program regulations at 34 CFR 361.5(b)(2).

### **Fiscal TA Provided to WVDRS During the Review Process**

RSA provided the following VR and SE program TA to WVDRS during the review regarding:

- a synopsis of each fiscal requirement and reviewed with financial staff RSA's assessment of the agency's compliance with the specific financial requirements of match, MOE, carryover, reallocation, program income, liquidation of outstanding obligations, and grant closeout;
- OMB Circular A-87 time distribution documentation requirements with staff working on more than one program (federal and/or state), the feasibility of transferring program income (Social Security reimbursements) to the IL OIB Program, and the reporting requirements for transferring and documenting program income used in other RSA-funded formula grant programs;
- the sufficiency of steps that WVDRS has taken over the past two years to strengthen internal controls over consumer procurements and vendor payments and current issues related to setting/adopting standards for small service providers and the feasibility of conducting yearly training sessions for these providers to enhance the quality of purchased services;

- the increase in non-federal expenditures in FY 2005 and FY 2007, the future impact on the state's MOE requirement, and strategies for the future management of this requirement;
- WVDRS' plans for the bulk purchase of laptops for staff and WV's policies related to ensuring property upon receipt from the vendor, since OMB Circular A-87 prohibits the use of federal funds to replace stolen laptops that could, or should have been insured;
- the federal requirements for carrying over federal grant funds and strategies, obligation and liquidation deadlines for using these funds;
- the acceptable methodologies for charging indirect costs to federal programs as outlined in OMB Circular A-87 and the need for WVDRS to develop an indirect cost rate to charge these costs;
- the increase in costs reported on the RSA-2 for the administration of the State VR and SE programs and advised staff that reported costs are increasing as a result of improperly classifying some program costs as administrative costs, and program staff as administrative staff;
- the actions to be taken to properly report the cost of purchased services on the RSA-2 report;
- the state VR program innovation and expansion (I & E) authority's tie-in to WVDRS' State Plan and the requirement to segregate and report all expenditures for I & E activities in the Block 12 (remarks) of SF-269s; and
- reviewed, corrected and approved SF-269s for formula grant programs for FY 2005 through FY 2008.

## **VR and SE Programs' Fiscal Management Performance Observations and RSA Recommendations**

RSA identified the following fiscal performance observations and made recommendations to WVDRS about those observations. WVDRS responded to each of the recommendations and in those instances when RSA and WVDRS agreed upon a recommendation, RSA and WVDRS identified the TA that RSA would provide to WVDRS to successfully implement the recommendation.

### **1. RSA-2 Reporting**

**Observation:** Inaccuracies were noted in the reporting/classifying of expenditures (resulting in artificially inflated administrative costs), indirect costs (including application of the indirect cost rate), and purchased services on the RSA-2.

**Recommendation:** Improve the accuracy of RSA-2 reporting through assignment of expenditures to the appropriate classification category on each schedule, and through the correct utilization of the indirect cost rate to report administrative expenses on Schedule I.

**Agency Response:** The agency agrees with the recommendation to improve the RSA-2 report. The agency will be working on the assignment of expenditures to the appropriate classification category and also on the correct utilization of the indirect cost rate for reporting expenses on Schedule I of the RSA-2. The agency is looking forward to receiving additional TA from RSA to successfully accomplish these activities in the coming months.

**TA:** TA was provided at the National Fiscal/Data Conference to address these issues. Following the conference, RSA will request that additional guidance be provided by the U.S. Department of Education's Indirect Cost Group to clarify the development and utilization of an indirect cost rate to charge indirect costs to federal programs.

## CHAPTER 4: IL PROGRAM

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### Agency Information and Performance

Based on data in the 704 Part II annual performance reports of the CILs, WV served 1,001 individuals in FY 2007 through contracts with the Appalachian CIL, Mountain State CIL, and the Northern WV CIL. WV applied \$301,477 in Part B funds to supplement the Part C funds of the CILs. Table 4.1 below displays the funding for the WV IL program during FY 2006 and FY 2007.

**Table 4.1**  
**Funding for WV IL Program for FY 2006 and FY 2007**

Data Elements	2006	2007
Funding: Title VII, Chapter 1, Part B	301,477	301,477
Funding: Total Resources (including Part B funds)	1,109,981	1,071,629

### IL Program Administration and Service Delivery

WVDRS is the DSU for the IL Part B program in WV. At the time of RSA's on-site visit, the SILC was responsible for the disbursement of Part B funds. The SILC issued requests for proposals (RFPs) and participated in the monitoring, oversight and evaluation of contracts entered into with the CILs to provide IL services to individuals with significant disabilities in the state. In addition, the SILC receives direct state funds of approximately \$350,000 to provide personal attendant services.

### Personnel

At the DSU level, WVDRS assigns one liaison to the SILC. The SILC performs responsibilities for the Part B program, including overseeing the annual audit of the CILs, disbursing federal funds, and preparing reports. To carry out these responsibilities the SILC receives \$16,749, or five percent of Part B funds, from the DSU as administrative fees. The SILC is incorporated as a 501(c)(3) nonprofit and employs an executive director, an administrative assistant, and a program assistant.

### Data Management

Each of the three CILs in WV collects data through its own data system. These data are made available to RSA through each CIL's 704 Part II annual performance report. The data are also shared at SILC meetings.

## **Fiscal Management**

At the time of RSA's on-site visit, WVDRS delegated all program and fiscal management activities for Part B grantees/contractors to the SILC. The SILC was responsible for establishing and maintaining procedures and internal financial controls governing the management and utilization of Part B funds provided to the CILs through grants and contracts.

## **Quality Assurance**

The QA process for the IL program is conducted through consumer satisfaction surveys jointly developed by the SILC, DSU and the CILs. The SILC issues the surveys to all IL consumers.

## **Planning**

The SILC and WVDRS engage in strategic planning and goal development, including joint development of the SPIL. They conducted public meetings and incorporated input into the SPIL goals. The SILC executive director also participates in monthly planning meetings with the WVDRS executive management team.

## **IL Program TA Provided to WVDRS During the Review Process**

RSA provided the following IL program TA to WVDRS during the review process regarding:

- clarification of the nondelegable duties of the DSU to receive, account for, and disburse Part B funds;
- clarification of the requirements related to the use of Part B funds by the SILC in fund raising/resource development;
- information clarifying the SILC's mandated roles and responsibilities;
- requirements related to SILC appointments and term limits; and
- clarification regarding the respective roles of the DSU, the SILC and the CILs in the administration of the Part B program.

## **Observations of WVDRS and Its Stakeholders about the Performance of the IL Program**

RSA solicited input from WVDRS, the SILC and a wide range of its stakeholders about the performance of the IL program. The WVDRS, SILC and its stakeholders shared the observations below.

- The SILC administers the Part B program in the state, including disbursing federal funds, overseeing the use of Part B funds, and conducting the annual audit of the CIL contractors under the Part B program.
- WV receives additional state funds that supplement the IL Part B funds for the provision of IL services.
- WV has a waiting list for Part B IL services.
- Ex-officio nonvoting members of the SILC are not appointed by the Governor and are not subject to the same term limits as other SILC members.
- The SILC conducts an annual youth leadership caucus and a disability caucus.

RSA discussed the observations of its stakeholders with WVDRS and addressed as many of them as possible either directly or by consolidating them into a broader issue area.

## **IL Program Compliance Findings and Corrective Actions**

RSA identified the following compliance findings and corrective actions that WVDRS and the SILC are required to undertake. WVDRS and the SILC must develop a corrective action plan for RSA's review and approval that includes specific steps the agency will take to complete the corrective action, the timetable for completing those steps, and the methods the agency will use to evaluate whether the compliance finding has been resolved. RSA anticipates that the corrective action plan can be developed within 45 days and is available to provide TA to assist WVDRS and the SILC.

### **1: SILC Responsibilities**

#### **Legal Requirements:**

Section 704(c)(1): The plan shall designate the designated State unit of such State as the agency that, on behalf of the State, shall--

- (1) receive, account for, and disburse funds received by the State under this chapter.

Section 705(c) of the Act provides:

The Council shall:

- (1) jointly develop and sign (in conjunction with the designated State unit) the State plan required in section 704;
- (2) monitor, review, and evaluate the implementation of the State plan;

- (3) coordinate activities with the SRC established under section 105, if the State has such a Council, or the commission described in section 101 (a)(21)(A), if the State has such a commission, and councils that address the needs of specific disability populations and issues under other Federal law;
- (4) ensure that all regularly scheduled meetings of the SILC are open to the public and sufficient advance notice is provided; and
- (5) submit to the Commissioner such periodic reports as the Commissioner may reasonably request, and keep such records, and afford such access to such records, as the Commissioner finds necessary to verify such reports.

**Findings:**

- The SILC is performing responsibilities outside its mandated functions, including disbursing funds, conducting resource development, and monitoring evaluation of the plan.
- The SILC issues RFPs and participate in the monitoring, oversight, and evaluation of contracts with CILs to provide IL services.
- The SILC conducts a Disability Caucus under the authority of Section 705(d) function to hold such hearings and forums as the Council may determine to be necessary to carry out the duties of the Council.
- The SILC's fundraising activities using federal funds to organize and participate in the Disability Caucus are not authorized activities under the Act.
- The SILC organizes an annual youth leadership caucus and conducts fundraising activities using federal funds, activities not authorized under the Act.

**Corrective Actions:**

- 1.1 Take corrective action to restructure responsibilities to comply with requirements regarding the nondelegable duties of the DSU.
- 1.2 Revise the SPIL to align the duties of the SILC and the DSU with federal requirements.
- 1.3 Take corrective action to restructure responsibilities to comply with 705(c) requirements regarding the statutory duties of the SILC, including activities related to fundraising for the Disability Caucus, and responsibilities regarding the participation with the organization of events such as the annual youth leadership caucus.

**Agency Response:** With respect to the compliance finding (in connection to the SILC responsibilities), the agency agrees with the corrective action and is in the process of working with relevant stakeholders to develop a corrective action plan. This plan will specify steps that

the SILC will take to restructure responsibilities to comply with federal requirements, including activities related to fundraising for the Disability Caucus, and responsibilities regarding the participation with the organization of events such as the annual youth leadership caucus.

## **2: SILC Appointments and Term Limits**

### **Legal Requirement:**

34 CFR 364.21(b)(1), and (b)(2)(i)(b).

(b) Appointment and composition-(1) Appointment. Members of the SILC must be appointed by the Governor or the appropriate entity within the State responsible, in accordance with State law, for making appointments.

(2) Composition. (i) The SILC must include- (B) As ex-officio, nonvoting members, a representative from the DSU and representatives from other State agencies that provide services to individuals with disabilities (34 CFR 364.21(f), and (f)(3)).

(f) Terms of appointment. Each member of the SILC shall serve for term of three years, except that-

(3) No member of the SILC may serve for more than two consecutive full terms.

**Finding:** Ex-officio members of the SILC are not appointed by the Governor and are not subject to the same term limits as other SILC members. DSU staff reported that the WV Governor does not appoint ex-officio non-voting council members to state councils.

**Corrective Action 2:** Take corrective action to ensure that all SILC members are appointed by the Governor, including ex-officio, nonvoting members, and are subject to uniformly implemented term limits.

**Agency Response:** With respect to the compliance finding (in connection to SILC appointment), the agency agrees with the correction action and will develop and implement a CAP. This plan will have the steps to ensure to the best of the agency's ability that all SILC members are appointed by the Governor, including ex-officio, nonvoting members.

## CHAPTER 5: IL OIB PROGRAM

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### Agency Information and Performance

Based on data in the FY 2007 7-OB annual performance report, WVDRS served 271 individuals directly and expended \$227,290 in Title VII, Chapter 2 funds, \$2,334 in third-party contributions (including local and community funding), and \$37,371 of in-kind contributions. Table 5.1 below displays expenditures and performance data for WV in FY 2006 and FY 2007.

**Table 5.1**  
**Expenditures and Performance for WV for FY 2006 and FY 2007**

Data Elements	2006	2007
Expenditures: Title VII, Chapter 2	228,991	227,290
Expenditures: Total (including Chapter 2)	268,202	266,995
Performance: Total Older Individuals who are Blind Served	321	271

### OIB Program Administration and Service Delivery

Prior to FY 2007, WVDRS administered the OIB program under a contract with WV University Center of Excellence for Disabilities. Based on unsatisfactory performance under the contract, WVDRS currently administers the program directly through its VR counselors.

### Personnel

WVDRS devotes .24 full time equivalent (FTE) administrative staff, .31 FTE support staff, and 2 FTE direct service staff to the program. WVDRS currently has four vacancies in the direct service staff.

### Data Management

WVDRS utilizes a web-based data collection/case management system to collect and compile data for purposes of developing the RSA 7-OB annual performance report. This is a separate database from the case management system utilized for the VR and SE programs. The database provides case monitoring and management capacity and includes security features designed to comply with program confidentiality requirements.

### Fiscal Management

WVDRS provides fiscal management for WV's OIB program.

## **Quality Assurance**

WVDRS conducts annual consumer satisfaction surveys. The results are used for program monitoring and improvement. WVDRS also conducts annual service record reviews of OIB consumers. The program manager reviews between 20 and 25 percent of active and completed consumer service records.

## **Planning**

WVDRS OIB staff coordinate planning activities in the state with the VR blind services program.

## **OIB Program TA Provided to WVDRS During the Review Process**

RSA provided the TA to WVDRS during the review process regarding strategies to improve outreach efforts to serve the OIB population located in the rural areas of WV.

## **Observations of WVDRS and Its Stakeholders about the Performance of the OIB Program**

RSA solicited input from WVDRS and a wide range of its stakeholders about the performance of the OIB program. WVDRS and its stakeholders shared the observations below.

- OIB stakeholders indicated the need for increased outreach and community awareness to serve additional older blind individuals in rural WV.
- WV is increasing collaborative activities with the CILs to leverage resources.
- WV plans to purchase and locate closed circuit televisions in public places for use by older blind individuals.

RSA discussed the observations of its stakeholders with WVDRS and addressed as many of them as possible either directly or by consolidating them into a broader issue area.

## **OIB Program Performance Observations and RSA Recommendations**

RSA identified the following performance observations and made recommendations to WVDRS about those observations. WVDRS responded to each of the recommendations and in those instances when RSA and WVDRS agreed upon a recommendation, RSA and WVDRS identified the TA that RSA would provide to WVDRS to successfully implement the recommendation.

## 1. Outreach

**Observation:** OIB staff and stakeholders agree that the OIB program needs to serve more rural consumers across the state, especially in the northern part of the state, including Morgantown, Wheeling and Weirton.

**Recommendation:** Increase outreach efforts, especially in the rural parts of the state, including Morgantown, Wheeling and Weirton.

**Agency Response:** The agency agrees with the need to increase the rural outreach. The agency is in the process of realigning the areas covered by the OIB service providers to meet the needs of OIB consumers. By realigning the coverage areas of the OIB service providers, the agency will focus more attention on the underserved OIB population, especially in the northern part of the state, including Morgantown, Wheeling and Weirton.

**TA:** WVDRS does not request TA.

## CHAPTER 6: PROGRESS ON ISSUES RAISED IN PREVIOUS REVIEWS OF WVDRS

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As a result of the RSA review conducted with WVDRS in FY 2004, WVDRS developed a CAP. A summary of the progress that WVDRS has made on the CAP is described below.

### CAP

Through the implementation of its CAP, WVDRS has successfully resolved compliance findings related to the following topics:

- developing a cooperative agreement with the WV Public Institutions of Higher Education;
- updating and providing policy exceptions to medical services in the fee schedule; and
- establishing a written policy describing the nature and scope of rehabilitation teaching services.

WVDRS has not successfully resolved compliance findings related to the following topics and continues to work toward their resolution:

**1. Motor Vehicle Purchase:** The 2004 monitoring report identified four compliance findings and WVDRS, through implementation of its CAP, successfully resolved three of the four findings.

The remaining finding relates to a policy that prohibits the purchase of vehicles for individuals receiving VR services, and does not include exception language for extenuating circumstances.

WVDRS was instructed to wait for additional guidance from RSA to assist with the resolution of this finding.

At this time, the finding has not yet been resolved. However, WVDRS indicated it intends to delete the current policy as a result of the implementation of a new initiative, the Good News Mountaineer Garage (GNMG) that will allow for the provision of vehicles.

**Status:** WVDRS has a draft policy for the GNMG, and the agency is currently following procedures necessary to implement new policies.

**Agency Response:** With respect to compliance issues from previous reviews (regarding vehicle purchase), the agency agrees with RSA and took the corrective action by removing the policy that prohibits vehicle purchase from the current WVDRS CSM. The agency is in the process of implementing a new I & E project that will allow for the provision of vehicles for qualified individuals with disabilities at WVDRS.

## APPENDIX: SOURCES OF DATA

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### VR and SE Program Highlights

- Total funds expended on VR and SE - RSA-2 line 1.4
- Individuals whose cases were closed with employment outcomes - RSA-113 line D1
- Individuals whose cases were closed without employment outcomes - RSA-113 line D2
- Total number of individuals whose cases were closed after receiving services - RSA-113 line D1+D2
- Employment rate - RSA-113 line D1 divided by sum of RSA-113 line D1+D2, multiplied by 100
- Individuals whose cases were closed with SE outcomes - Total number of individuals whose employment status at closure (record position 161) = 7 in the RSA-911 report
- New applicants per million state population - RSA-113 line A2 divided by the result of the estimated state population divided by 1 million. The estimated state population is found on the following website:<http://www.census.gov/popest/states/NST-ann-est.html>
- Average cost per employment outcome - Sum of individuals' cost of purchased services from the RSA-911 (record position 104-109) for individuals who achieved an employment outcome (record position 198 = 3) divided by the total number of these individuals
- Average cost per unsuccessful employment outcome - Sum of individuals' cost of purchased services from the RSA-911 (record position 104-109) for individuals who did not achieve an employment outcome (record position 198 = 4) divided by the total number of these individuals
- Average hourly earnings for competitive employment outcomes - Sum of individuals' weekly earnings at closure (record position 163-166) divided by the total hours worked in a week at closure (record position 167-168) for individuals where weekly earnings at closure > 0, where the type of closure (record position 198) = 3, and where competitive employment (record position 162) = 1
- Average state hourly earnings - Using the most relevant available data from the Bureau of Labor Statistics Report (<http://www.bls.gov>), state average annual earnings divided by 2,080 hours

- Percent average hourly earnings for competitive employment outcomes to state average hourly earnings - Average hourly earnings for competitive employment outcomes (above) divided by the Average state hourly earnings (above) multiplied by 100
- Average hours worked per week for competitive employment outcomes - Average hours worked in a week at closure (record position 167-168) for individuals where weekly earnings at closure (record position 163-166) > 0 and where the type of closure (record position 198) = 3 and competitive employment (record position 162) = 1
- Percent of transition age served to total served - Total number of individuals whose age at closure is 14-24 and whose type of closure (record position 198) is 3 or 4 divided by all individuals of any age whose type of closure (record position 198) is 3 or 4
- Employment rate for transition population served - Total number of individuals whose age at closure is 14-24 and whose type of closure (record position 198) = 3 divided by the number of individuals whose age at closure is 14-24 and whose type of closure (record position 198) is 3 or 4 multiplied, the result of which is multiplied by 100
- Average time between application and closure (in months) for individuals with competitive employment outcomes - Average of individuals date of closure (record position 201-208) minus date of application (record position 15-22) in months where type of closure (record position 198) = 3 and competitive employment (record position 162) = 1

#### **IL Program Highlights (From RSA 704 report)**

- Funding: Title VII, Chapter 1, Part B - Subpart I, Administrative Data, Section A, Item 1(A)Funding: Total Resources (including Part B funds) - Subpart I, Administrative Data, Section A, Item 4
- Performance: Total Served - Subpart II, Number and Types of Individuals with Significant Disabilities Receiving Services, Section A(3)
- Performance: Total Consumer Service Records Closed - Subpart II, Number and Types of Individuals with Significant Disabilities Receiving Services, Section B(6)
- Performance: Cases Closed - Completed All Goals - Subpart II, Number and Types of Individuals with Significant Disabilities Receiving Services, Section B(4)
- Performance: Total Goals Set - Subpart III, Section B, Item 1, sum of (A) + (B) + (C) + (D) + (E) + (F) + (G) + (H) + (I) + (J) + (K) + (L) for the column "Goals Set"
- Performance: Total Goals Met - Subpart III, Section B, Item 1, sum of (A) + (B) + (C) + (D) + (E) + (F) + (G) + (H) + (I) + (J) + (K) + (L) for the column "Goals Achieved"
- Performance: Total Accesses Achieved - Subpart III, Section B, Item 2, sum of (A) + (B) + (C) for the column "# of Consumers Achieving Access"
- Staffing: Total FTEs - Subpart I, Section F, sum of Item 2 for the column "Total Number of FTEs"

- Staffing: Total FTEs with Disabilities - Subpart I, Section F, sum of Item 2 for the column “Total Number of FTEs with Disabilities”

**ILOB Program Highlights** (From RSA 7-OB Form)

- Expenditures: Title VII, Chapter 2 - Part I-Sources and Amounts of Funding, (A)(1)
- Expenditures: Total (including Chapter 2) - Part I-Sources and Amounts of Funding, (A)(6)
- Performance: Total Older Individuals who are Blind Served - Part III-Data on Individuals Served During This Fiscal Year, (B)-Gender, sum of (1) + (2)
- Staffing: Total FTEs - Part II-Staffing, sum of (1) + (2) + (3) + (4) for the column “Total FTEs: State Agency + Contactors”
- Staffing: Total FTEs with Disabilities - Part II-Staffing, sum of (1) + (2) + (3) + (4) for the column “FTEs with Disability”