

Commission to Study the Division of Rehabilitation Services (DORS)

Final Report
(HB 660 of 2022)

March 2023



MARYLAND STATE DEPARTMENT OF EDUCATION

Mohammed Choudhury

State Superintendent of Schools

Sylvia Lawson, Ph.D.

Deputy Superintendent for Organizational Effectiveness

Scott Dennis

Assistant State Superintendent,
Division of Rehabilitation Services

Wes Moore

Governor

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Message from the Chair

During the 2022 legislative session, House Bill 660, Commission to Study the Division of Rehabilitation Services (DORS) was passed and established a Commission to Study the Division of Rehabilitation Services (Chapter 331 – Education Article of the Annotated Code of Maryland). The purpose of the Commission was to evaluate and make recommendations on improving various aspects of DORS programs and services. The Commission was charged with meeting five times prior to the submission of the report. However, the Commission met seven times from October 2022 through March 2023. Commission members remained invested in ensuring that this opportunity was not wasted or squandered. Instead, the Commission used this uniquely distinguished opportunity to elevate and strengthen DORS and the impact the Commission may have to provide services and training for the most vulnerable, and historically underserved citizens in Maryland. Without question, the value of the work of this Commission will have a lasting impact for countless individuals in need of assistance.

During each meeting, the Commission has taken deep dives into DORS practices ranging from policies to stakeholder input, eligibility criteria, pre-employment transitioning services, data and information about DORS and Disability Determination Services (DDS) vocational rehabilitation (VR) programs and services, factors influencing the waitlist, public-private partnerships, and budgetary support and considerations. Most importantly, the Commission received information about nationally recognized programs and best practices, effective strategies, and service-level agreements that have elevated and enhanced services provided to public VR constituents across the State and nation.

The recommendations from this report can serve as a roadmap to elevate, refine, and strengthen practices that DORS is undertaking and should implement to better serve Marylanders. DORS services must be based on continuous improvements and providing best-in-class resources and services. The final recommendations include action items that DORS must continue to focus on implementing and measures that DORS must show diligence in executing and operationalizing.

As a mother of two transitioning age young men and on behalf of families that have youth transitioning, it is with urgency that the Commission's recommendations be implemented. However, the most important findings of the Commission are that Maryland must make significantly greater investments into DORS financially and through increasing staffing. This means that the Maryland General Assembly should statutorily ensure that the State provide funds to meet the 21.3% federal Match requirement. Additionally, the Maryland General Assembly should ensure that DORS receives at least 74 new full time employment State PINS to bring the DORS caseload in line with the national average. These investments will enable DORS to be well-positioned to reduce the caseload levels of Vocational Rehabilitation Counselors and ultimately, eliminate the DORS waitlist to better serve all Marylanders in need.

It has been my pleasure to serve on the Commission on behalf of youth and families with disabilities in Maryland. On behalf of the Commission, I want to assure you that this endeavor was not undertaken without serious commitment and engagement. The Commission anticipates witnessing action based on final recommendations.

Sincerely,



Marlo Lemon

Executive Summary

During the 2022 legislative session, House Bill 660, Commission to Study the Division of Rehabilitation Services (Student Job Training Reformation Act),¹ was passed and established a Commission to Study the Division of Rehabilitation Services (Commission) within the Maryland State Department of Education (MSDE). The Commission was charged with studying the Division of Rehabilitation Services (DORS) to evaluate and make recommendations on improving various aspects of DORS' programs and services, whether the Division should continue to be a Division of the State Department of Education, and if the Division should have a governing board separate from the State Board of Education. DORS is responsible for two major disability programs that affect Marylanders with disabilities, as well as several smaller disability programs. The two major programs required to be reviewed by the Commission included DORS and the Disability Determination Services (DDS) program.

DORS has 648 employees and an overall fiscal year 2023 operating budget of over \$115 million. Of the \$115 million, \$98 million is from federal funding, \$15 million is from general funds, and \$2 million from special funds. The majority of federal funds come from two federal agencies, the Rehabilitation Services Administration (RSA) and the Social Security Administration (SSA). Over 87% of DORS funding is allocated for direct client services through the Vocation Rehabilitation (VR) and DDS programs.

This final report provides information and recommendations of the Commission pertaining to the following topics:

- stakeholder input;
- eligibility criteria;
- pre-employment transitioning services;
- data and information about DORS and DDS;
- DORS and DDS collaboration;
- VR programs and services;
- factors influencing the waitlist;
- public-private partnerships;
- governance of DORS;
- budgetary support and considerations; and
- other recommendations to improve DORS.

Commission members studied current information and data from DORS. The Commission heard from individuals that presented national models on best practices that occur in other VR programs around the country. Finally, the Commission studied the governance structures and federal requirements for the VR program.

¹ <https://mgaleg.maryland.gov/mgawebsite/Legislation/Details/hb0660/?ys=2022rs>

FINAL COMMISSION RECOMMENDATIONS

Recommendation 1: Methods for improving stakeholder input on the Division of Rehabilitation Services programs and services

To ensure improved and enhanced stakeholder input, DORS should:

- Partner with the Developmental Disability (DD) community and provide information to the underserved populations of the State about DORS' services and programs.
- Utilize various existing organizations, such as, the State Agencies Transitioning Collaborative, the Maryland Department of Disabilities' Listserv, and Parent's Place of Maryland to disseminate information to partner organizations, parents, and students.
- Disseminate transitioning information through the local education agencies (LEAs) Transition Coordinators, the Individual Education Program (IEP) chairs and families.
- Develop two-way communication at the LEA level about services that are being provided by DORS for school staff working with students and families.
- Embed a survey link in the online DORS' referral form to obtain additional information from individuals.
- Institute a plain language review of documents to assure that information being communicated to individuals provides a clear understanding of what is being asked of them and solicit stakeholder feedback from various organizations about changes to the forms and documents.
- Conduct pre-IEP meetings with individuals who possess knowledge of transitioning systems and how they intersect.

Final Recommendations 2: Methods for improving the relationship and communication between transition professionals working at the Division of Rehabilitation Services and the Developmental Disabilities Administration

To ensure the improvement of the relationship and collaboration between the professionals at DORS and the Developmental Disabilities Administration (DDA), DORS should:

- Increase DORS' partnership with DDA and approved employment Community Rehabilitation Providers.
- Increase the number of referrals from DDA providers for individuals seeking to be employed in a competitive, integrated work setting.
- Enter into a Memorandum of Understanding (MOU) with DDA that will enable DORS to access the necessary medical, psychological, and school documentation of DDA applicants seeking DORS services to expedite the eligibility process by DORS, thus creating more rapid engagement for DORS services.
- Increase focus on joint trainings.
- Conduct a deep dive into the documentation requirements for DORS and DDA to streamline obtaining necessary supporting documentation for services.

Final Recommendation 3: Methods for improving the amount of time it takes to provide vocational rehabilitation and transitional services

To improve the amount of time it takes to provide services, DORS should:

- Continue to explore enhancements that will facilitate and encourage the number of VR Counselors and Disability Determination Services Disability Claims Examiners that are hired and retained.
- Investigate additional partnerships that can be utilized to assist DORS with transitioning services.
- Work with the Social Security Administration to reduce the time it takes to approve background checks for VR Counselors.

Final Recommendation 4: Methods for improving public-private partnership to assist more Division of Rehabilitation Services' clients

To ensure public-private partnerships to assist more clients, the Division should:

- Provide links to resources for employers and individuals.
- Explore partnerships from across the State to increase community-based services and training provided by DORS, including those in non-traditional settings such as the arts, theater, or music.
- Develop partnerships between various employers that align with the strengths and interests of individuals.
- Outline processes so employers know about their ability to partner with DORS for training and employment opportunities.
- Expand partnerships with organizations serving families.

Final Recommendation 5: Methods for improving accountability and transparency of the Division of Rehabilitation Services' programs and services

To ensure accountability and transparency of services, the Division should:

- Provide information concerning performance with all stakeholders and other agencies.
- Expand outreach to families and organizations about the requirements for eligibility for the VR programs.
- Continue meetings with the Community Rehabilitation Provider Advisory Committee to provide information about DORS and discuss issues with the leadership of DORS.
- Provide meetings and opportunities for clients and stakeholders to discuss DORS services.

Final Recommendation 6: Whether the eligibility criteria for the Division of Rehabilitation Services' programs and services should be altered

- The criteria to determine eligibility to receive VR services is the same nationwide. The specific criterion for eligibility is cited in federal regulations, 34 CFR 361.42. Neither DORS nor the State has the authority to change the criteria used to determine eligibility for individuals who apply for VR services.

- DORS should create a waitlist and understanding within the disability community that the VR program is for individuals seeking employment in a competitive, integrated setting.

Final Commission Topic #7: Whether the Division of Rehabilitation Services should continue to be a division of the State Department of Education or should be transferred to another State agency

- The vote of the Commission indicated that the group lacked sufficient information and data to determine whether DORS should be relocated to another state agency.
- A second recommendation of whether an additional study was needed failed.

Final Commission Topic #8: If the Commission determines that the Division of Rehabilitation Services should continue to be a division of the State Department of Education, whether the Division of Rehabilitation Services should have a governing board separate from the State Board of Education

- The vote failed to establish a separate governing board for the Division of Rehabilitation Services.

Final Recommendation # 9: Whether there are specific budgetary requests that could support the job training programs provided by the Division of Rehabilitation Services.

To ensure the necessary budgetary investment needed by DORS to support the job training programs provided by DORS, the Division should:

- Statutorily ensure that the State adequately provides general funds to meet the 21.3% federal Match.
- Statutorily ensure the addition of at least 74 new full time employment State PINs to eliminate the waitlist, reduce caseload levels of VR Counselors, and expand training and services in community-based settings.

Final Recommendation #10: Any other improvements to the Division of Rehabilitation Services' programs and services the Commission considers appropriate.

- MSDE should conduct an analysis of the Blueprint for Maryland's Future to determine if funding from the Blueprint can be used to support DORS services under Pillar 3 College and Career Readiness. If it is determined that Blueprint funding cannot be used for DORS services, MSDE will inform the members of the General Assembly of the benefit of including funding for DORS services to support the goal of Pillar 3.

Commission to Study the Division of Rehabilitation Services

The Commission was charged with meeting five times prior to submission of the final report. Seven meetings were held. An interim report was submitted to the Governor and General Assembly on December 15th, 2022, and the final report will be issued on March 15th. The Interim report included meetings from October 6, 2022, through December 8, 2022. The final report includes meetings from October 6, 2022, through March 6, 2023.

The workgroup, chaired by Ms. Marlo Lemon, met in person and virtually. All meetings began with an overview of the agenda and an outline of prepared presentations and activities that would be covered during the meeting. Each meeting included guiding questions for each section of the presentation that aligned to the legislative mandates and included experts and practitioners who provided examples, strategies, and information about national best practices, research, evidence-based approaches, and strategies, related to topics which directly aligned with mandates of the legislation. In addition, staff from DORS presented existing State policies and practices and each meeting included State data related to the discussion. Meeting agendas included time to review information from the previous presentation, outstanding questions that required additional clarification, and topics that needed further discussion. Additional time was also provided during the December 8th meeting to allow Commission members to engage with MSDE staff and each other through asking clarifying questions and generating recommendations that aligned with research presented throughout the previous meetings. Commission meeting agendas and resources are posted on the MSDE website.²

The legislation charged the Commission with evaluating and making recommendations across ten topics:

1. Methods for improving stakeholder input on the Division of Rehabilitative Services programs and services;
2. Methods for improving the relationship and communication between transition professionals working at the Division of Rehabilitation Services and the Developmental Disabilities Administration;
3. Methods for improving the amount of time it takes to provide vocational rehabilitation and transitional services;
4. Methods for improving public-private partnerships to assist more Division of Rehabilitation Services' clients;
5. Methods for improving accountability and transparency of the Division of Rehabilitation Services' programs and services;
6. Whether the eligibility criteria for the Division of Rehabilitation Services' programs and services should be altered;
7. Whether the Division of Rehabilitation Services should continue to be a division of the State Department of Education or should be transferred to another State agency;
8. If the Commission determines that the Division of Rehabilitation Services should continue to be a division of the State Department of Education, whether the Division of Rehabilitation Services should have a governing board separate from the State Board of Education;

² <https://www.marylandpublicschools.org/programs/Pages/Gov-Rel/Commission/index-commission.aspx>

9. Whether there are specific budgetary requests that could support the job training programs provided by the Division of Rehabilitation Services; and
10. Any other improvements to the Division of Rehabilitation Services' programs and services the Commission considers appropriate.

House Bill (HB) 660 mandates that the composition of the Commission contain a specific group of individuals, which include at least one individual from the following categories:

- One parent of a student who reported a favorable outcome after working with the Division of Rehabilitation Services;
- One parent of a student who reported an unfavorable outcome after working with the Division of Rehabilitation Services;
- One individual who reported a favorable outcome after working with the Division of Rehabilitation Services;
- One individual who reported an unfavorable outcome after working with the Division of Rehabilitation Services;
- One individual employed by a local school system as a transition specialist;
- One individual employed by a private school as a transition specialist;
- One individual employed by a local school system as a special education teacher;
- One individual employed by a private school as a special education teacher;
- One individual employed by the State Department of Education as a transition specialist;
- One representative from the Department of Disabilities;
- One individual employed by the Division of Rehabilitation Services with experience working in the Division's training programs;
- The State Coordinator for Autism Strategy;
- One community behavioral health provider who provides vocational programs and employment support;
- One representative of a residential community and vocational program;
- One representative of the State Board of Education;
- One representative of the Developmental Disabilities Administration;
- One representative of the Maryland Association of Nonpublic Special Education Facilities;
- One representative of the Maryland Developmental Disabilities Council;
- One representative of ARC Maryland;
- One representative of Disability Rights Maryland who is an attorney and has experience working with the Division of Rehabilitation Services;
- One attorney who represents children and young adults with disabilities and has experience working with the Division of Rehabilitation Services;
- One representative of a community college; and
- Other members considered necessary by the State Superintendent of Schools.

MEMBERS OF COMMISSION

Chair

Marlo Lemon, Director of Training, The Parent's Place of Maryland

Parent of a student who reported a favorable outcome after working with the Division of Rehabilitation Services

Marlo Lemon, Director of Training, The Parent's Place of Maryland

Parent of a student who reported an unfavorable outcome after working with the Division of Rehabilitation Services

April Adams, Talbot County

Representative of a community college

Lillian Archer, Dean of Student Development, Community College of Baltimore County

Individuals employed by private school systems as transition specialists

Dareen Barrios, Maryland School for the Blind, Career Education Program

Individuals employed by private schools as special education teachers

Andrew Burlin, High Road School of Harford County, Non-public School Head Special Education Teacher

One attorney who represents children and young adults

Ellen Callegary, Esq.

Representative of the State Board of Education

Chuen-Chin Bianca Chang

Individual employed by the State Department of Education as a transition specialist

Eugene Chong Qui, Lead Secondary Transition Performance Specialists,
Maryland State Department of Education

One individual who reported an unfavorable outcome after working with the Division of Rehabilitation Services

James Dean, Division of Rehabilitation Services client

One individual employed by the Division of Rehabilitation Services with experience working with the Division's training programs

James Evans, Division of Rehabilitation Services, Manager for Workforce Development

State Coordinator for Autism Strategy

Katie Gandy, State Coordinator for Autism Strategy, Governor's Office of Community Initiatives

One representative from the Department of Disabilities

Jade Gingrich, Department of Disabilities, Director of Employment Policy

Individual employed by local school system as a transition specialist

Shanieka Herndon, Coordinator of Transition Service, Baltimore City Public Schools

Representative of Disability Rights Maryland

Megan Collins Jones, Senior Attorney, Disability Rights Maryland

Representative of Developmental Disabilities Administration

Stephanie Jones, Director of Innovations, Maryland Department of Health Developmental Disabilities Administration

Representative of ARC of Maryland

Ande Kolp, Executive Director, The ARC Maryland

Representative of the Maryland Developmental Disabilities Council

Rachael London, Executive Director, Maryland Developmental Disabilities Council

Representative of a residential community and vocational program

Katherine Lopez, Bilingual Transitioning Youth and Benefits Coordinator,
The Arc Prince George's County

One individual employed by private school as a transition specialist

Laura McKenzie, MANSEF/Non-public Transition Consultant

One Community behavioral health provider who provides vocational programs and employment support

Reanna Miller, Director of Day and Vocational Services, Appalachian Crossroads

One individual who reported a favorable outcome after working with the Division of Rehabilitation Services

Shannon Minnick, Deputy Director, Independence Now

Individuals employed by local school systems as special education teachers

Sarah Ray, Worcester County Public Schools, Special Education Teacher

Individuals employed by local public-school systems as transition specialists

Paul Reilly, Transition Specialist, Calvert County Public Schools

Other members considered necessary by the State Superintendent of Schools

Rene Averitt-Sanzone, Educator Director for The Parent's Place of Maryland

MARYLAND STATE DEPARTMENT OF EDUCATION STAFF

Sylvia Lawson, Ph.D., Deputy State Superintendent for Organizational Effectiveness

Deann Collins, Ed.D., Deputy State Superintendent for Teaching and Learning

Krishnanda Tallur, Deputy Superintendent for Operations

Scott Dennis, Assistant State Superintendent for the Division of Rehabilitation Services

Justin Dayhoff, Assistant State Superintendent for the Division of Financial Planning, Operations, and Strategy

Phil Lasser, Executive Director, Office of the State Superintendent

Jody Boone, Director of Office of Field Services for the Division of Rehabilitation Services

Toni Cobb-Cannon, Staff Specialist for Community Rehabilitation Programs

Shawn Rushing, Chief Information Officer, Office of Information Technology

Dylan Winslow, IT Partner, Assistant Director, Office of Information Technology

Ruth Downs, Executive Associate for the Deputy State Superintendent for Organizational Effectiveness

SUMMARY OF COMMISSION MEETINGS

To address the specific mandates of House Bill 660, Commission to Study the Division of Rehabilitation Services (DORS), the Commission held a series of seven meetings from October 2022 through March 2023. Each meeting focused on guiding questions and included information about the current programs at the Division of Rehabilitation Services, presentations from national leaders in the field of disability rehabilitation services, evidence-based national best practices, and research on each topic. The virtual format enabled national experts and researchers to present and answer questions from Commission members. MSDE staff provided an overview of Maryland's existing policies and practices, as well as an examination of pertinent data. Each meeting included an opportunity for Commission members to provide input and discuss topics that had been reviewed.

October 6, 2022

Guiding Questions: How does DORS ensure stakeholder input for programs and services? How should Maryland be investing to better support DORS job training programs? How does DORS utilize public-private partnerships to assist DORS' services for clients? What other partnerships should the DORS explore?

MSDE staff shared an overview of the two major programs that are operated by DORS, the public Vocational Rehabilitation program and the Disability Determination Services. Data about each of the two major programs was reviewed with the Commission members. In addition, key data points concerning the four topics that were covered were provided.

October 26, 2022

Guiding Questions: How does DORS ensure stakeholder input for programs and services? (Review from October 6) How does DORS utilize public-private partnerships to assist DORS' services for clients? (Review from October 6) What should Maryland's investment be in DORS to ensure that the vocational rehabilitation program is able to maximize its federal funding to provide services and training to individuals with a significant or most significant disability? What recommendations would you propose to DORS to reduce the waitlist or change the order of selection? How are local education agencies and transition specialists trained in what services DORS provides and what DORS cannot do?

MSDE staff shared information to address questions that were raised in the October 6, 2022, session. In addition, staff continued to present information and data on DORS' training programs, eligibility requirements and service delivery timeframe.

November 17, 2022

Guiding Questions: Should the eligibility criteria for DORS' programs and services be altered? How should Maryland be investing to better support DORS job training programs (Review from October 26)? How can the Developmental Disabilities Administration and DORS improve their working relationship? What recommendations should DORS consider increasing accountability and transparency?

Kathleen Biebel, Deputy Commissioner, Massachusetts Rehabilitation Commission and Amanda Baczko, Deputy, Office of Individual and Family Engagement, Massachusetts rehabilitation commission presented on program accountability and transparency through their Office of Individual and Family Engagement.

John Butterworth, Director for Employment Systems Change and Evaluation, Institute for Community Inclusion, University of Massachusetts shared a national perspective on the relationship intersection of services of the DDA and VR programs.

Stephanie Jones, Developmental Disabilities Administration and Toni Cobb, the Division of Rehabilitation Services co-presented information about Maryland's collaboration between the Disabilities Determination Administration and the Division of Rehabilitation Services.

December 8, 2022

Guiding Questions: What recommendations should the Division of Rehabilitation Services considered to increase accountability and transparency? What additional strategies and resources are needed to reduce the time needed to provide vocational rehabilitation and transitional services to meet federal requirements, and reduce consumer waiting time for planned services? Review of all information and discussion items from October 6, October 26, and November 17.

How does the Division of Rehabilitation Services ensure stakeholder input from programs and services? How can the Developmental Disabilities Administration and the Division of Rehabilitation Services improve their working relationship? How should the Division of Rehabilitation Services and the Disabilities Determination Administration strengthen their working relationship? How should the Division of Rehabilitation Services utilize public-private partnerships to assist the Division of Rehabilitation Services' clients? How should the eligibility criteria for the Division of Rehabilitation Services' programs and services be altered? How should Maryland be investing to better support the Division of Rehabilitation Services job and training programs? Should the Division of Rehabilitation Services criteria for Order of Selection be changed?

MSDE staff shared additional background information and data concerning accountability, transparency, and service delivery timeframes. The Commission reviewed the recommendations from the seven topic questions covered in the interim report due on December 15, 2022.

January 23, 2023

Guiding Questions: Whether the Division of Rehabilitation Services should continue to be a Division of the State Department of Education or should be transferred to another State agency. If the Commission determines that the Division of Rehabilitation Services should continue to be a division of the State Department of Education, whether the Division of Rehabilitation Services should have a governing Board separate from the State Board of Education.

MSDE staff shared information and data concerning the governance structure of VR agencies around the country. Background Information and data on selected States that either receives a similar level of funding or has a population size similar to Maryland was shared with the Commission.

February 13, 2023

Guiding Questions: Whether the Division of Rehabilitation Services should continue to be a division of the State Department of Education or should be transferred to another State agency. If the Commission determines that the Division of Rehabilitation Services should continue to be a division of the State Department of Education, whether the Division of Rehabilitation Services should have a governing Board separate from the State Board of Education (Review of questions from January 23)?

Melissa Diehl, M.A. Ed. CRC, Senior Technical Assistance & Research Analyst from the National Technical Assistance Center on Transition: The Collaborative George Washington University, Center for Rehabilitation Counseling Research and Education shared federal requirements to change the governance structure of a VR agency and a national perspective on the impact of such a move.

MSDE staff shared background information on the governance structure under the Maryland State Department of Education. In addition, information concerning possible costs to the State to transfer governance of the Division of Rehabilitation Services was shared with the Commission.

March 6, 2022

Guiding Questions: What should be the recommendation concerning moving the Division of Rehabilitation Services to another agency? What is the Commission’s recommendation concerning creating a separate Board for the Division of Rehabilitation Services? Are there any other recommendations for improving the Division of Rehabilitation Services?

MSDE staff shared with the Commission, the current governance structure of MSDE, and the level of support that MSDE provides to the Division of Rehabilitation Services. MSDE presented on current and future MSDE that will be implemented in support of the DORS’ mission and vision to support individuals with disabilities. Finally other suggestions on improving DORS were discussed. Final recommendations were discussed, and a vote was taken on Topics #7, #8, and #10.

Overview of the Division of Rehabilitation Services

The Division of Rehabilitation Services was established in 1929 as a Division of MSDE, under Senate Bill 174. The Division was called the Division of Vocational Rehabilitation (DVR) until the name was changed in the 1990's to its present name, DORS. At the time of its creation in 1929, DVR was responsible for providing Vocational Rehabilitation (VR) services under the Smith-Fess Act of 1920, which created a federal-state partnership to provide Vocational Rehabilitation services. However, services were limited to individuals with a physical disability.

At its creation DVR (DORS) had two employees and an annual operating budget of \$15,000. Today, DORS is responsible for two major disability programs that affect Marylanders with disabilities, as well as several smaller disability programs. The two major programs are the public VR program, commonly referred to as DORS and DDS. DORS has 658 employees (PIN and contractual) across all its programs and an overall FY 2023 operating budget of over \$115 million. Of the \$115 million, \$98 million is from federal funding, \$15 million is from general funds, and \$2 million is from special funds. The majority of the federal funding comes from two federal agencies, the Rehabilitation Services Administration (RSA) and the Social Security Administration (SSA). Over 87% of DORS funding is allocated for direct client services through the VR and DDS programs.

MAJOR PROGRAMS OPERATED BY THE DIVISION OF REHABILITATION SERVICES

Disability Determination Services

The Social Security Amendments of 1954 gave the States the responsibility of determining whether individuals were disabled and needed rehabilitation. The task of determining whether individuals were disabled was assigned to the DDS program. Because of the tie to disability and rehabilitation, the DDS programs were incorporated as part of the public VR agencies nationwide.

DDS is the program that adjudicates claims for individuals who apply for either Social Security Disability Insurance (SSDI) or Supplemental Security Income (SSI). DDS is funded by SSA as a reimbursement to the State. DDS has 239 employees (PIN and contractual) and is located in Hunt Valley, Maryland. DDS has 123 Disability Claims Examiners, and 14 Quality Assurance Specialists and Supervisors. The remaining staff are medical professionals, physicians, and other support staff.

Due to the complexities of adjudicating a claim, it takes approximately three to four years for a Disability Claims Examiner to become fully trained in all aspects of the SSA claims process. When fully staffed, DDS will adjudicate approximately 65,000 to 70,000 cases a year. During the pandemic years of 2020 and 2021, the number of cases that the DDS cleared dropped from approximately 63,000 to 49,000 and 43,000 cases respectively.

There were several reasons for this decrease. First, SSA made the decision to discontinue in-person medical examinations. Medical examinations are necessary for individuals who do not have current medical information available that is needed to adjudicate the individual's claim. Even though SSA eventually allowed some telehealth examinations, it was limited to very specific types of medical procedures. Second, the State decided to impose a hiring freeze, which prevented DDS from hiring staff despite the fact that staff were still leaving for other opportunities during the pandemic.

The past three to four years have been a challenge to attract and retain highly qualified Disability Claims Examiners due to several factors. First, State salaries, which had become uncompetitive when compared to the federal and local governments, as well as surrounding jurisdictions. It often required at least two recruitments in order to obtain enough applicants to hold interviews. Second, SSA requires an extensive background clearance

for applicants prior to the State making a final job offer. The background check includes an FBI criminal background investigation, a credit review, and a lengthy personal history questionnaire. This process is very time-consuming and frequently results in qualified individuals finding other employment opportunities at a higher salary.

Vocational Rehabilitation Program

The Vocational Rehabilitation program is authorized by the Rehabilitation Act of 1973 as amended (Act). The Act was reauthorized and amended in 2014 as Title IV of the Workforce Innovation and Opportunities Act. In the 2014 amendments, the Act set out five specific goals or objectives that Congress wanted the legislation to address, which are as follows:

- To empower individuals with disabilities to maximize employment, economic self-sufficiency, independence, and inclusion and integration into society, through: (A) a statewide workforce development systems defined in section three (3) of the Workforce Innovation and Opportunity Act that includes integral components, comprehensive and coordinated state-of-the-art programs for Vocational Rehabilitation; (B) independent living centers and services; (C) research; (D) training; (E) demonstration projects; and (F) the guarantee of equal opportunity;
- To maximize opportunities for individuals with disabilities, including individuals with significant disabilities, for competitive integrated employment;
- To ensure that the Federal Government plays a leadership role in promoting the employment of individuals with disabilities, especially individuals with significant disabilities, and assist States and providers of services in fulfilling the aspirations of such individuals with disabilities for meaningful and gainful employment and independent living;
- To increase employment opportunities and employment outcomes for individuals with disabilities, through encouraging meaningful input by employers and Vocational Rehabilitation service providers on successful and prospective employment and placement strategies; and
- To ensure, to the greatest extent possible, that youth with disabilities and students with disabilities who are transitioning from receipt of special education services under the Individuals with Disabilities Education Act (20 U.S.C. 1400 et seq.) and receipt of services under section 504 of this Act have opportunities for postsecondary success.

In Maryland, the VR program has an authorized staff of 390 State PIN and 46 contractual employees to deliver VR services across the State. The VR program provides services for a wide range of disabilities with the largest groups being cognitive, mental, and psychosocial. Services are provided around the State in 23 field offices and the Workforce and Technology Center. The Rehabilitation Act of 1973, as amended, allows States to select one of three organizational structures:

- Combined, which is a VR agency that provides services to all disability groups;
- General, which is a VR agency that provides services to all disability groups except individuals who are Blind; and
- Blind, which is a VR agency that only provides services for Low Vision, Blind, or Deaf/Blind.

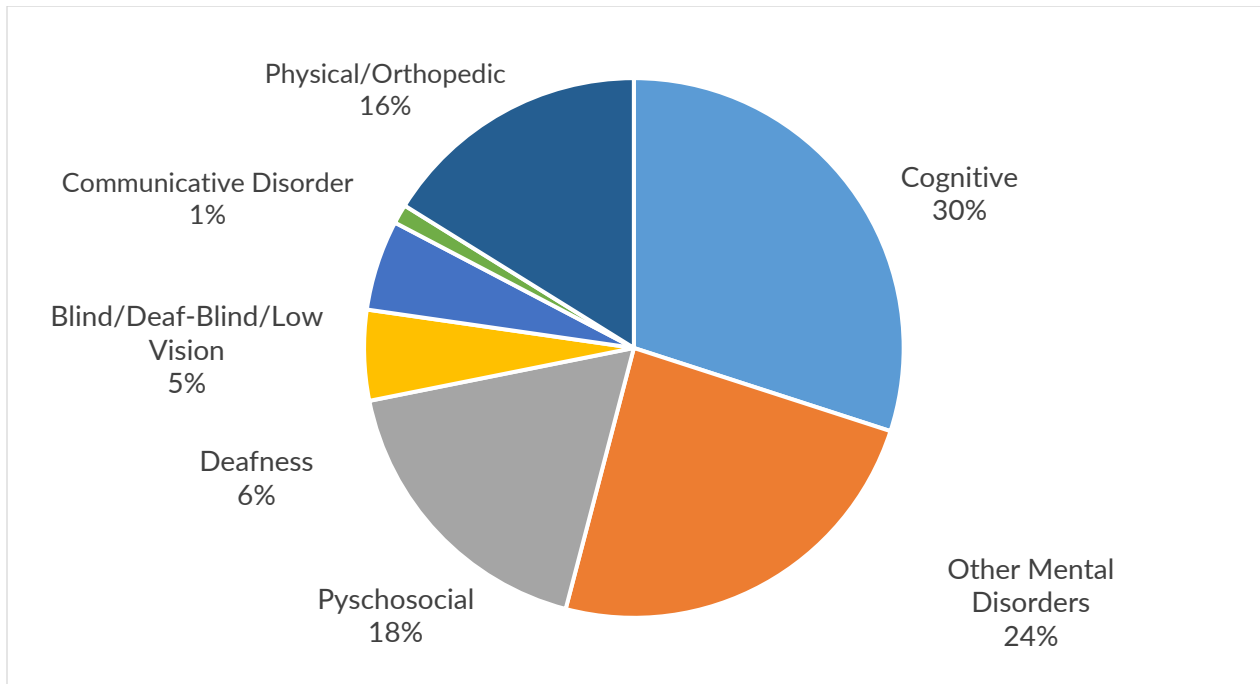
In Maryland, the VR program is a Combined agency. Direct services to VR consumers are provided through these three programs:

- Office of Field Services, which provides services to all disability groups, except the blind;

- Office of Blindness and Vision Services, which provides services to those individuals who are Low Vision, Blind, or Deaf and Blind; and
- Workforce and Technology Center, which provides training and assessments for individuals who are eligible to receive VR or Pre-ETS.

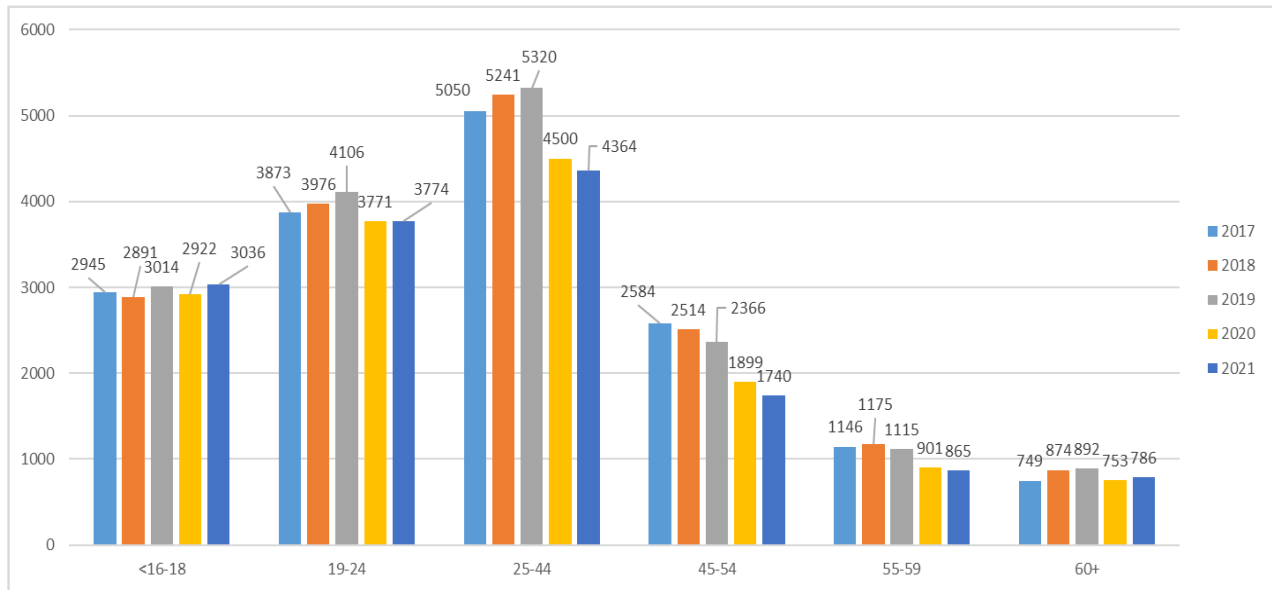
In FY 2022, DORS had 20,506 individuals in the VR program and 7,051 students in the Pre-Employment Transitioning Services program.

Clients Served by Disabilities, 2017-2021



In addition, the VR program does not establish a specific age range to determine which VR services can be provided.

Clients Served by Age Range, 2017-2021

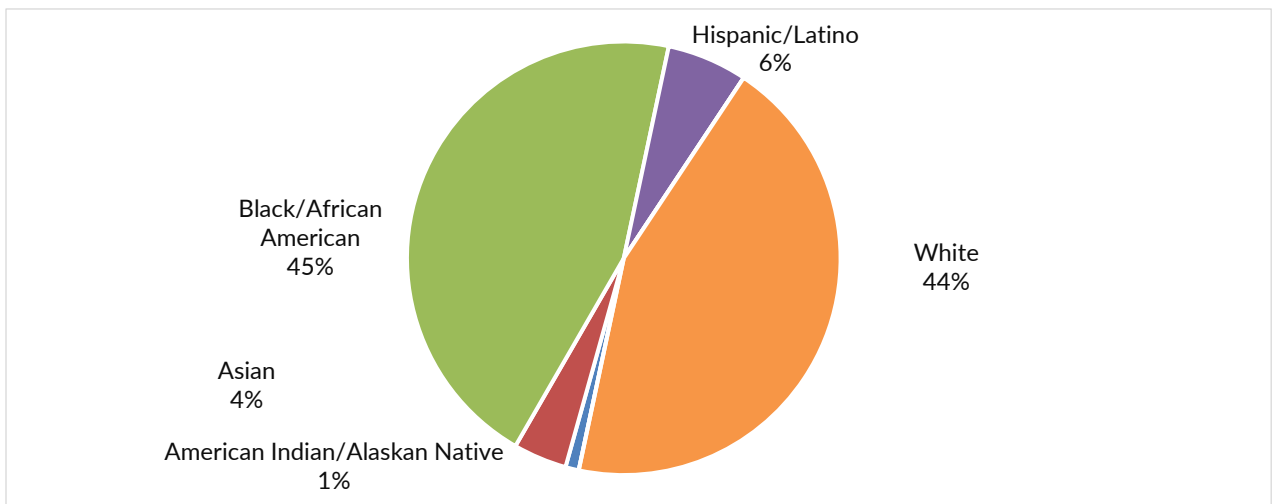


Prior to 2014, the VR program had a single focus on the employment of individuals determined to have a significant or most significant disability. In 2014, the WIOA dramatically altered that focus with the introduction of the Pre-ETS program. Pre-ETS does not focus on employment outcomes. The program provides clients with exposure to the world of work and possible career choices as a component of their transition from school into the world of work.

Under the WIOA, each state agency is required to set aside 15% of their annual VR grant to provide five specific services for students with a disability. WIOA defined students with a disability as an in-school student, who is between the ages of 14 but less than 22, has a disability as indicated on their Individual Education Program, 504 plan, or through other medical documentation.

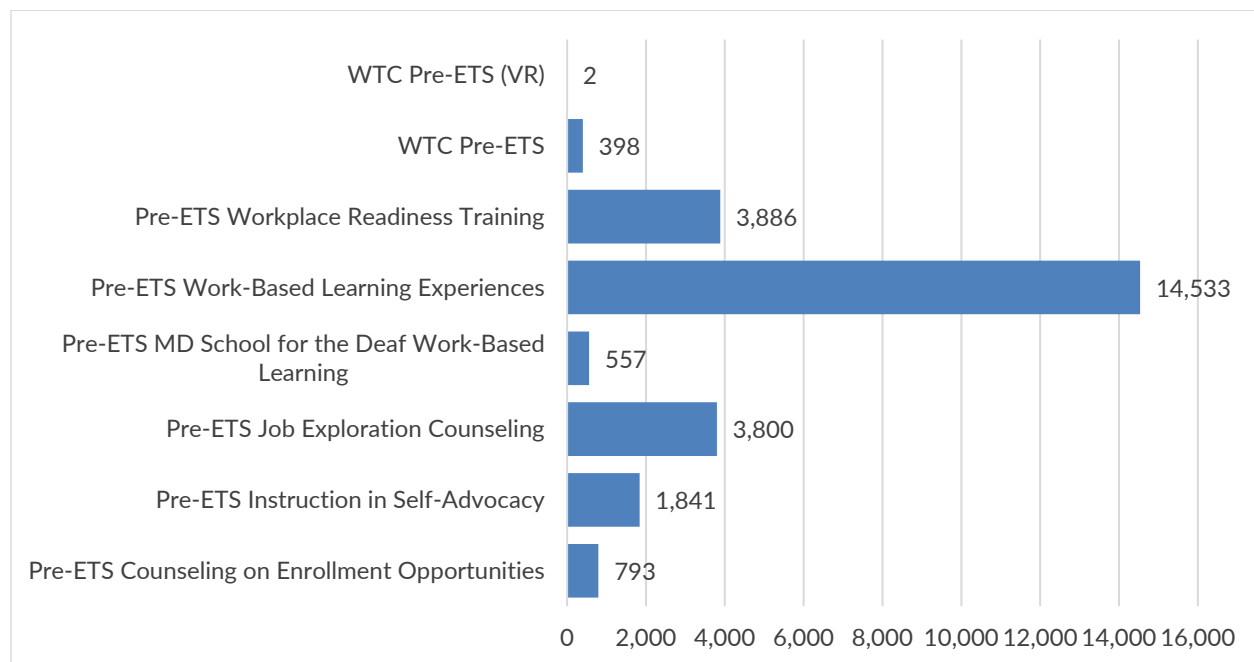
The Pre-ETS program serves an ethnically diverse group of students.

Current Pre-Employment Transitioning Services by Race



The five Pre-ETS services are Job Exploration and Counseling, Work-Based Learning Experience, Counseling on Post-Secondary Opportunities, Work Readiness, and Instruction in Self-Advocacy.

Pre-ETS Services provided since 7/1/2017.



As a result, the introduction of Pre-ETS had a ripple effect in several different areas. First, DORS had to shift a number of existing VR Counselors' positions away from providing VR services to focus on providing and coordinating Pre-ETS services. Second, 15% of federal funding was mandated to be used for the program, which was approximately \$7 million in FY 2022. For the funding that supports the client services' budget, Pre-ETS funds represent 25% of the budget. The combination of these two factors, impact service delivery for the VR program.

HIGH VACANCY RATES FOR DORS AND DDS

Starting in 2019, VR specialist staff began leaving DORS at a significant rate. The COVID-19 pandemic exacerbated the situation. In FY 2019, 20 employees left VR positions at DORS and 16 employees left Disability Claims Examiner positions at DDS. In FY 2020, the total number of vacant positions increased from 36 to 42 positions between DORS and DDS. By 2021, 39 VR Counselors resigned from DORS and 37 Disability Claims Examiners resigned from DDS. As of May 19, 2022, the resignation of VR specialists at DORS and DDS continued. By May 2022, the total number of vacant VR positions reached 90 between DORS and DDS. VR counselors and DDS Disability Claims Examiners are both in the same State classification series called VR counselors.

HISTORICAL DIVISION OF REHABILITATIVE SERVICES AND DISABILITY DETERMINATION SERVICES VACANCY DATA			
DATE	DORS	DDS	TOTAL
December 31, 2019	20	16	36
December 31, 2020	30	12	42
December 31, 2021	39	37	76
May 19, 2022	42	48	90

Senior leadership discovered that staff were leaving to acquire better pay in other States and jurisdictions. Voluntary DORS exit surveys indicated that staff were leaving for employment opportunities in Montgomery County, Prince George's County, and Baltimore County, as well as Baltimore City, Northern Virginia, and Washington DC. Each of these States and jurisdictions were paying VR specialist staff higher salaries than Maryland. Results from the survey also revealed that the starting pay in each of these locations for VR specialist positions was at a rate of \$20,000 to \$30,000 more than what Maryland was paying.

Retain and Attract New Staff

Subsequently, it became evident that the ability to retain and attract new staff was being hindered and impeded by the Department's low pay and starting salaries. At that time, the starting Grade and Step for a VR specialist was a Grade 12 Step 3, which was \$42,035. This compensation made it extremely difficult to attract individuals in the high-cost areas of the State. The surrounding jurisdictions started their VR Counselors at \$50,000 in Northern Virginia and \$57,162 in Washington, DC. The situation was even more problematic in efforts to hire and retain DDS Disability Claims Examiners. The District of Columbia actively recruits seasoned Maryland DDS Disability Claims Examiners due to their extensive training and knowledge and offers them a salary starting at \$76,550. In Northern Virginia, the starting salary for a new DDS Disability Claims Examiner is \$50,000.

Mr. Mohammed Choudhury, Maryland State Superintendent of Schools, who began his tenure in July 2021, immediately recognized challenges faced in providing services to Maryland citizens who are most in need due to problematic circumstances in recruiting and retaining of VR Counselors and DDS Disability Claims Examiners. In recognition of that fact, Mr. Choudhury became focused on researching and determining ways and means to alleviate the salary discrepancies between Maryland and other local jurisdictions and surrounding States. Mr. Choudhury immediately began researching backlog and waitlist issues involving the two key positions for both organizations, VR Counselors for DORS and the Disability Claims Examiners for DDS. He began meeting with the Assistant Superintendent of DORS on a weekly basis, mandated that three members of the senior leadership team also meet with the Assistant Superintendent on a weekly basis, and prioritized research from other States that would provide information pertaining to strategies that had been implemented nationwide to alleviate hiring, retaining staff, and eliminating backlog issues in organizations similar to DORS. As a result of those meetings, several factors were acknowledged. First and foremost, compensation for VR specialists at DORS and DDS offices in Maryland must compete with other States, jurisdictions, local education agencies, agencies, and outside organizations. The fact that jurisdictions such as the District of Columbia, and States including Virginia and Pennsylvania pay VR specialists above the rate of pay that they receive in Maryland should be corrected and rectified. Existing staff continue to leave for higher paying jobs in these areas, as well as with the federal

government and private industry. As a component of addressing the structural pay issues, MSDE began exploring ways to establish competitive pay structures.

Salary Study and Proposal

Mr. Choudhury directed MSDE leadership to begin a comprehensive salary study to determine what salary rates needed to be established at DORS and DDS for MSDE to become competitive in the marketplace. As a result, MSDE and DORS conducted a pay scale study of the surrounding States and the federal government to determine what Grades and Steps should be established for VR Counselors and DDS Disability Claims Examiners. Once the salary information was gathered, a fiscal analysis was conducted to determine the overall fiscal impact and long-term sustainability of implementing the proposed recommendations for the two programs. While the salary study was being conducted, MSDE reached out to the Maryland Department of Budget and Management (DBM) to assess their willingness to work with MSDE in consideration of a reconstructed salary scale for the VR Specialist series. Based on a positive response, MSDE continued working on the salary scale study to determine the feasibility of pay enhancements at DORS and DDS.

Approval and Salary Proposal Impact

Since the VR Specialist's classification is a unique classification within the State Personnel Classification system because it can only be used by DORS. This uniqueness allowed MSDE and DBM to pursue an off-cycle salary review of the positions. Based on the salary study comparison presented by MSDE to DBM, on June 9, 2022, DBM approved MSDE's request for a two Grade and four Step increase in the starting salary for a VR Specialist. Through the approval of DBM, effective July 1, 2022, the starting salary for an entry level VR Specialist increased from \$42,035 to \$54,605, which resulted in a \$12,570 pay increase. The increase in Grades and Steps applied to all existing VR Specialists. The salary study resulted in a minimum of a 20% salary increase for new and existing VR Counselors and supervisors. In addition, MSDE requested that specific Staff Specialist and Program Manager positions in both the DORS and DDS programs be reclassified in order to account for the new salary structure. This request was also approved by DBM. The impact of the new salaries on the retention and hiring for the DORS and DDS programs became evident immediately when:

- Two VR Counselors and two DDS Disability Claims Examiners rescinded their letters of resignation.
- The VR program reached out to six highly qualified VR Counselors who had recently left and informed them about the new salary scale. Four of the six have been reinstated. One of the reinstated VR Counselors had just recently been recruited by the District of Columbia.
- Neither the DORS or DDS programs has lost any VR Counselors or Disability Claims Examiners to any State agency or outside organization since the new salary structure has gone into effect.
- Prior to the new salary plan, the DORS program had an opening for a VR Counselor and had received just one (1) application. The position was advertised again after the new salaries were approved and DORS received 40 applications.
- From February to June, DDS only received 26 applications. Since the implementation of the new salary scale, DDS has received 180 applications. Once the interviews were completed 69 individuals were determined to be selectable pending their federal background check.

As of March 1, 2023, DORS only has nine VR Counselor vacancies. Since July 1, 2022, DORS has hired 25 VR Counselors. Additionally, DDS has hired 35 Claims Examiners since July 1, 2022, and currently has six Disability Claims Examiner vacancies. Of these vacancies, four candidates will be starting on March 22, 2023.

Based on the most recent data from DORS and DDS, the ability to hire and retain VR Counselors and Disability Claims Examiners will have an immediate positive impact for clients. Presently, there are more than enough

candidates to fill all the vacant DDS Disability Claims Examiner positions. Once these individuals are on board and have completed their training, the backlog at DDS should begin to decrease exponentially. The impact of the new salaries on the retention and hiring for the DORS and DDS programs is evident.

FUTURE IMPACT

The ability to hire and retain VR Counselors and Disability Claims Examiners will have an immediate impact on the DORS' waitlist. The federal law governing the VR programs requires that if a State does not have the resources, financial, or human capital to provide the full breadth of VR services as allowed under the Rehabilitation Act, the State must develop and implement an Order of Selection (OOS) process. In the late 1980's, Maryland became unable to provide services required by the federal government. The State implemented an OOS process. The purpose of an OOS process is to categorize the level of an individual's disability so the State agency can serve clients with the most significant disabilities first. Maryland has three Categories. Category one is for the most significantly disabled. Examples of the types of disabilities in this category would be blind, deaf and blind, quadriplegic, or individuals that have chronic mental illness. Category two provides services and supports for individuals with a significant disability. Examples of the types of disabilities in this category would be hard of hearing, low vision, or attention deficit/hyperactivity disorder. Category three includes individuals who have a non-serve disability. Examples would include carpal tunnel syndrome, mild hearing loss, flat feet, or high blood pressure. In Maryland, category three has been closed since the beginning of the State's OOS determination.

The federal funding formula that is used to determine VR funding level for each State uses poverty levels and population increases as a component in establishing the equation. Due to the relative wealth in Maryland, the VR program has experienced year over year funding cuts. As a result, DORS closed both category one and category two. In 2009, additional State funding was provided and category one was fully reopened, however, category two was only partially reopened, and consumers received assistance within six to nine months of applying for services.

In 2014, the Workforce Innovation and Opportunity Act (WIOA) created a new program within the VR program known as the Pre-Employment Transitioning Services (Pre-ETS), which focused on in-school students with disabilities. By 2018, due to the additional workload from this program and the difficulty in retaining staff in high-cost areas of the State, DORS was forced to close Category two. With the implementation of the new salary structure, there is a renewed sense that the VR program can now attract and retain highly quality staff. As a result, DORS has partially reopened Category two again.

In fact, the salary increases for DDS Disability Claims Examiners have contributed to a variety of immediate positive outcomes for consumers throughout the State. Due to SSA restrictions resulting from COVID-19 and the loss of DDS Disability Claims Examiners, the backlog of cases at the DDS has steadily increased. In 2019 there were 2,449 cases. Currently, there are over 24,000 cases waiting to be adjudicated. Prior to the change in the salary structure, the DDS was only able to employ nine (9) individuals who met the necessary qualifications to be a DDS Disability Claims Examiner. In the most recent recruitment initiative for DDS Disability Claims Examiners, after the new salary structure was put in place, DDS interviewed 69 candidates that met the necessary qualifications. Presently, there are more than enough candidates to fill all the vacant DDS Disability Claims Examiner positions. Once these individuals are on board and have completed their training, the backlog and waitlist at DDS should begin to decrease exponentially.

University Of Maryland Partnership

Mr. Choudhury also researched the waitlist issues. Simultaneously, with efforts to increase pay for VR Specialists, an initiative was investigated to reduce the waitlist. The Pre-Employment Transitioning Services Intake Partnership Program (Pre-ETS IPP) was launched with the University of Maryland (UMD) as a two-year

pilot program to assist students with a disability that experience difficulty in transitioning to employment. The grant program also provides for the independent study of a fee-for-service model. The Pre-ETS IPP is managed by DORS. This grant to the UMD Office of Research Administration is a program intended to be a two-year pilot program for the delivery of Pre-ETS qualification determination and assist eligible individuals in gaining access to training and skills necessary to enter the workforce.

Innovative Partnership With the University of Maryland Center on Transitioning and Career Innovation

DORS also partnered with the University of Maryland Center on Transitioning and Career Innovation to assist the EDU in managing the workload for Pre-ETS. This partnership will assist in connecting with students and families quicker. Most recent data from the start of the partnership is showing that 55% of the Pre-ETS referrals have submitted the necessary documentation for services compared to 39% at the start.

UMD must report progress towards specific service delivery and program goals. The college will develop a plan for how relevant stakeholder groups, including MSDE and DORS, will be informed of results from the program. Data will be gathered which will help inform the development of a fee-for-service program model for the pilot to be implemented during the final year of the grant period. In year two of the Pre-ETS IPP, grantee(s) are expected to evaluate data including, but not limited to, the number of received referrals, the number of completed intakes, the number of intakes not completed, and the number of non-contact referrals. This data will be used to develop a fee service program. The overall goal is to develop a fee-for- service model that will enable the VR program to shift job functions that can be delegated from the VR Counselors to an outside organization. Shifting those responsibilities will provide additional time for the VR Counselors to focus on a variety of responsibilities that they are required to do. When fully implemented, this program will ensure the reduction of the waitlist and the ability of DORS to provide services to customers in a more expedient manner. The initial format will be developed by October 31, 2023.

Eligibility and Determination Unit

On February 1, 2022, DORS implemented its new Eligibility Determination Unit (EDU). The EDU focuses solely on determining the eligibility for VR services for determining whether a student with a disability qualifies for Pre-ETS. The Pre-ETS programs provide education and hands-on learning experiences designed to support students. Specialized management services are employed to meet the special needs of youth preparing for transitioning to employment. This includes direct coordination and partnership with the 24 LEAs, Maryland Institutions of Higher Education, and other alternative secondary education programs. Additionally, to assist in tracking students, DORS is utilizing a product called Power-BI to create visualizations that make it easier for counselors, supervisors, and managers to track timelines on cases and address issues on the cases that have exceeded the requirements.

Commission Topic #1: Methods for improving stakeholder input on the Division of Rehabilitation Services programs and services

The Rehabilitation Act of 1973³ as amended assures that stakeholders have input into the programs and services offered by a State VR agency through the State Rehabilitation Council (SRC). The composition of the SRC and the roles and responsibilities of the SRC are established in accordance with 34. CFR 361.17. Members of the SRC are appointed by the Governor and can serve up to two, three-year terms. The SRC must represent a cross section of individuals with disabilities and employers. The SRC meets four times a year, in February, May, September, and November.

The SRC has specific responsibilities which include, working with the VR Specialist to review Order of Selection, if applicable, the waitlist, the extent, scope, and effectiveness of services provided, employment outcomes, assist in the development of goals and objectives, advise and review performance of the agency in accordance with the State's Combined or Unified Workforce Plan, collaborate in the VR agency's assessment of needs, and review the satisfaction of consumers in the services received by the consumers.

DORS is also required to seek stakeholder input through the Tri-Annual Comprehensive Statewide Needs Assessment (CSNA). The CSNA requires stakeholder input from consumers, the disability community, service providers, and employers. The CSNA is used as a guide to address areas of concern in the delivery of services and programs from around the State. The most recent CSNA can be found on DORS website.

Another area in which DORS seeks stakeholder input is through the Community Rehabilitation Provider (CRP). DORS holds three CRP advisory meetings with the CRPs each year. Information is shared on initiatives that DORS is coordinating and conducting and feedback is presented about how, and where DORS can improve. It also allows DORS to share data trends and concerns when trends are not positive. Meeting dates and times are advertised to all DORS approved CRPs, as well as on DORS' website.

Additionally, DORS holds public meetings to discuss DORS plans and services. These meetings are advertised to the public and DORS consumers via the DORS' website, Facebook, emails, and text messages. Internally, DORS reviews demographic data to identify underserved populations around the State. Currently, DORS also engages with several providers and organizations to increase knowledge of what DORS needs to do to increase the Division's presence in Hispanic and Latino communities. The VR data has identified that the Hispanic and Latino communities only represent about four percent of DORS VR consumers. According to 2020 census data, Hispanic and Latino citizens represent 12% of Maryland's population. When reviewing data from Montgomery and Prince George's counties, the percentage is approximately 20%. The student population in both counties, the percentages are even higher.

Further, DORS is partnering with The Parent's Place of Maryland to conduct listening sessions with parents and students concerning transitioning services. DORS anticipates gaining better insight into specific information that is important to parents concerning the services that DORS can provide for students who are transitioning from school to the world of work. Finally, DORS has a VR counselor assigned to every high school to attend Individual Education Program (IEP) meetings with the school transitioning team, parents, and students.

³ <https://www.eeoc.gov/statutes/rehabilitation-act-1973>

FINAL COMMISSION RECOMMENDATIONS

To ensure improved and enhanced stakeholder input pertaining to DORS, the Division should:

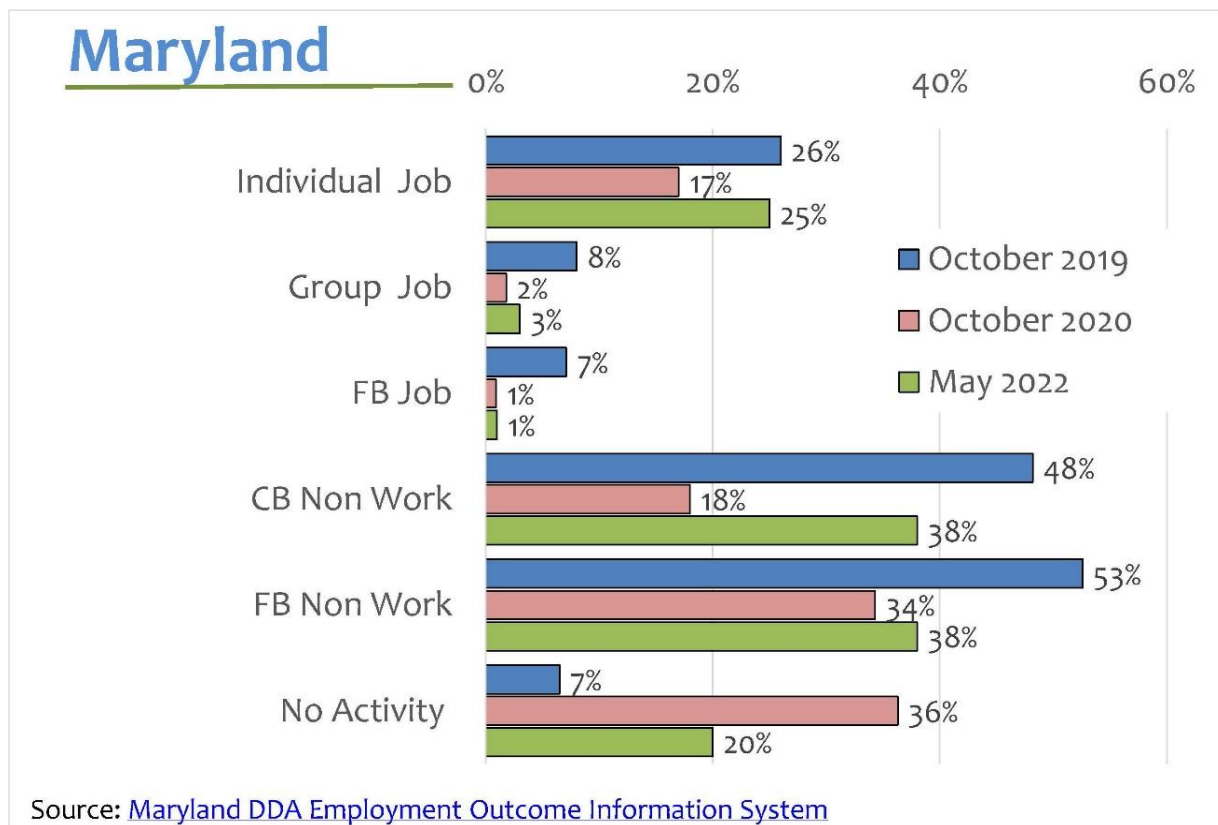
- Partner with the Developmental Disability community and provide information to the underserved populations of the State about DORS services and programs;
- Utilize various existing organizations, such as, the State Agencies Transitioning Collaborative, the Maryland Department of Disabilities' Listserv, or The Parent's Place of Maryland to disseminate information to partner organizations, parents, and students;
- Disseminate transitioning information through the LEA Transition Coordinators and the Individual IEP chairs, and the families;
- Develop two-way communication at the LEA level about services that are being provided by DORS with the school staff who are working with students and families;
- Embed a survey link in the online DORS' referral form to obtain additional information from individuals;
- Institute a plain language review of documents to assure that information being communicated is clear and that individuals have a complete understanding of what is being asked of them as well as solicit stakeholder feedback from various organizations on the changes to the forms and documents; and
- Conduct Pre-IEP meetings with individuals that possess knowledge of the transitioning systems and how they intersect.

Commission Topic #2: Methods for improving the relationship and communication between transition professionals working at the Division of Rehabilitation Services and the Developmental Disabilities Administration

According to the National Core Indicators in 2018-2019, (pre-pandemic), approximately 68% of individuals served by Developmental or Intellectual Disability agencies were employed in either unpaid community-based activities or facility-based activities. Approximately 32% of these individuals were in an employment setting, 16% were in an individual employment setting, and 14% in a facility-based employment setting.

When comparing these figures to 2020-2021, it is clear that the pandemic had a significant impact on this population. For individuals employed in either an unpaid community-based activity or a facility-based activity, the percentage fell to 46% and overall employment fell to 16%. In fact, individual employment fell to 11% and group-supported job settings fell to 4%.

The chart below illustrates how individuals receiving services through the Maryland Developmental Disabilities Administration fared during the same period.



FB= Facility-Based, CB=Community-Based

Note the percentage totals above exceed 100%, since an individual can be enrolled in multiple services.

In Maryland, there were several events that strengthened the partnership between DORS and DDA. Factors include the increased focus on Employment First for DDA, the passage of WIOA for DORS, and the Ken Capone Equal Employment Act, which impacted both DDA and DORS. All three of these initiatives have a single focus on employment of individuals with significant disabilities.

In 2008-2009, DDA undertook an initiative to engage stakeholders in their strategic planning process. A component of the strategic plan was to improve employment outcomes for people with developmental disabilities in Maryland. According to the DDA Employment First website, Employment First focuses on facilitating the full inclusion of clients with the most significant disabilities in the workplace and community. Under the Employment First approach, community-based, integrated employment is the first option for employment services for youth and adults with significant disabilities.⁴

WIOA made a legislative change in the definition of what it is considered employed under the Rehabilitation Act by making it clear that individual must be employed in a competitive integrated employment setting in order to receive VR services. This stipulation means that an individual cannot make an hourly wage that is less than the federal or State minimum wage depending on whichever is higher. The hourly wage and benefits received must be the same as non-disabled employees working at the same job. In addition, an individual with a disability must be fully integrated into the work environment with their non-disabled peers and must have the same promotional opportunities as their non-disabled peers.⁵

Under Section 511 of the Rehabilitation Act, the public VR agencies are required to provide guidance and counseling on competitive, integrated employment for all individuals who are paid sub-minimum wages. For an individual to be allowed to continue to be paid a sub-minimum wage, they are required to participate with DORS in a guidance and counseling session on competitive, integrated employment. DORS and DDA worked together to notify all DDA providers that hold 14c licenses which allowed them to pay individuals sub-minimum wages for work that the individual performed under a contract based on this federal requirement. From 2017 to October 1, 2020, DORS conducted sessions with individuals who were earning sub-minimum wages.

The Ken Capone Equal Employment Act of 2016 made Maryland just the second State in the country to eliminate the use of 14c for sub-minimum wage. In addition, the legislation adapted the definition of competitive, integrated employment as the new employment norm for individuals with significant and most significant disabilities in Maryland. By October 1, 2020, sub-minimum wage was abolished in Maryland.⁶ The timing of the abolishment of sub-minimum wages corresponded with the requirements under Section 511 of the Rehabilitation Act. As such, DORS worked with individuals to phase out of sub-minimum wage jobs into competitive, integrated employment.

In 2018, based on these three initiatives, DORS and DDA signed a new interagency agreement with the focus on employment of individuals with a significant disability in a competitive, integrated settings. The MOU establishes specific services each agency will be responsible for providing to mutual consumers.⁷

In addition, prior to the pandemic, DORS and DDA leadership met on a quarterly basis to address systemic issues and services gaps. During the pandemic, these quarterly meetings were suspended to provide each agency with time to focus on critical services delivery needs. Effective, November 2022, monthly meetings are occurring.

⁴ [DDA Employment First](#)

⁵ [Competitive Integrated Employment](#)

⁶ [Ken Capone Equal Employment Act](#)

⁷ [DORS/DDA MOU](#)

Prior to the pandemic, DORS and DDA also collaborated on joint training of staff to review the workflow for each of the organizations and to discuss critical information in the process that staff needed to know. Unfortunately, the pandemic impacted the ability for DORS and DDA to bring staff together. With a number of new staff at DORS and DDA, both organizations are committed to resuming this critical training.

FINAL COMMISSION RECOMMENDATIONS

To ensure the improvement of the relationship of communication professionals at the Division of Rehabilitation Services and the Developmental Disabilities Administration the Division should:

- Increase DORS partnership with DDA and approved employment Community Rehabilitation Providers;
- Increase the number of referrals from DDA providers for individuals seeking to be employed in a competitive integrated work setting;
- Enter into a Memorandum of Understanding with DDA that will enable DORS to access the necessary medical, psychological, or school documentation for DDA applicants who are seeking DORS services to expedite the eligibility process by DORS, thus a more rapid engagement for DORS services;
- Increase focus on joint training; and
- Conduct a deep dive into the documentation requirements for DORS and DDA to streamline the necessary supporting documentation of services.

Commission Topic #3: Methods for improving the amount of time it takes to provide Vocational Rehabilitation and transitional services

The Rehabilitation Act sets the federally required benchmarks for the initiation of VR services. Once an individual applies for services, the regulations indicate that a VR agency has 60 days to make an eligibility decision or if there is a need to extend that timeframe, there is an agreement between the agency and the individual. Once an individual is determined to be eligible, if a State has an Order of Selection, and the individual is placed into a service category that is currently open, then the agency has 90 days to have a signed Individual Plan for Employment (IPE).

In FY 2022, DORS made eligibility decisions in 37 days on average. Overall, 96.1% of all VR eligibility decisions by DORS were made within 60 days. The national average for VR agencies was 94.6%. For IPEs, DORS completed the IPE development within the 90-day requirement 94.3% of the time. While the national average was slightly higher at 95.5%, it should be noted that during this same time frame, DORS had between 38 to 43 and VR counselor and supervisor vacancies in the VR program.

There are factors that come into play that influence the time it takes for either an eligibility decision or a plan development to occur. For example, eligibility decisions must have current medical documentation available for the correct decision to be made. The Behavioral Health Administration (BHA) provides specific VR Counselors to assess the BHA case management system to pull the necessary supporting medical documentation. On average, it takes 23 days to make the eligibility decision and 31 days to move that individual into an IPE. For those individuals who do not have current medical documentation DORS must obtain a current medical assessment before making an eligibility decision, it then takes an average of 51 days to make that eligibility decision. Finally, it takes 63 days to move that individual into an IPE.

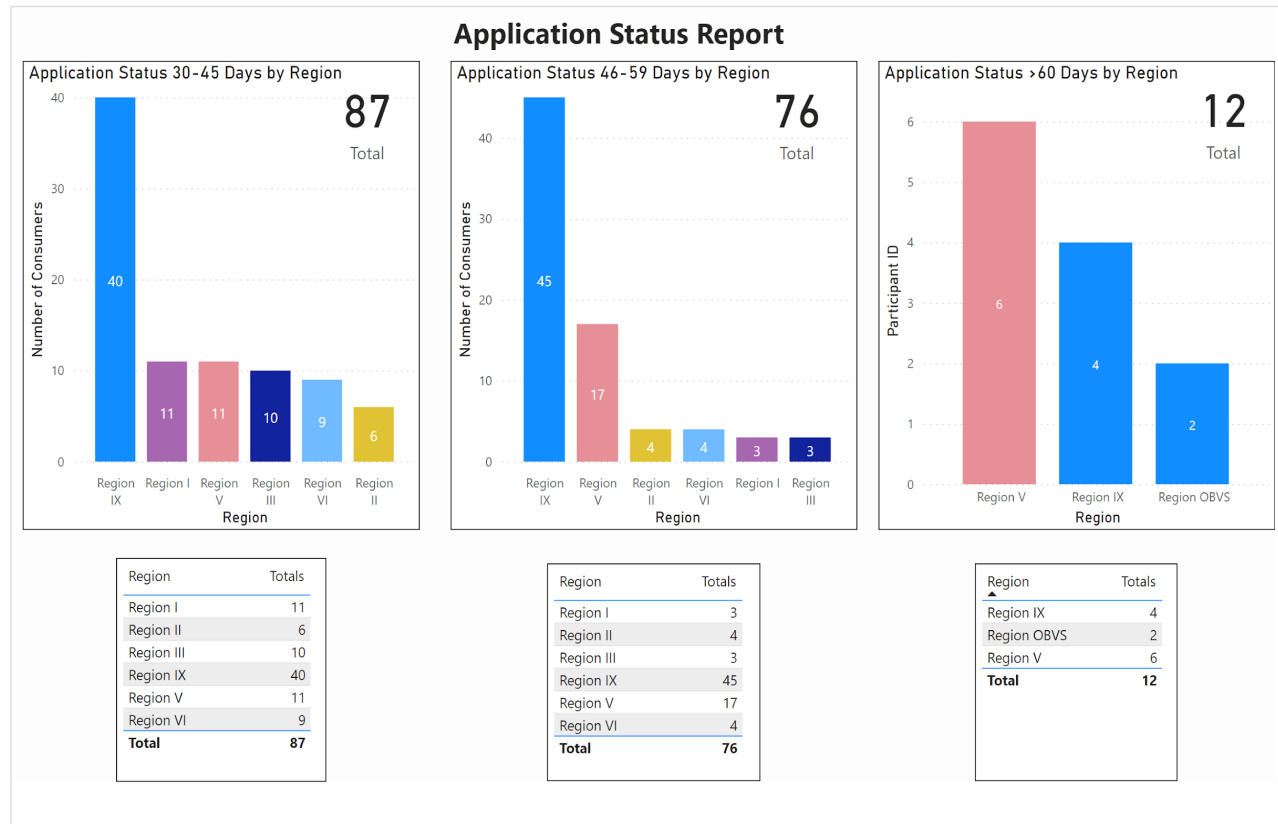
Another factor is the size of the caseloads DORS VR Counselors currently carry. Nationally, the average caseload size for a VR Counselor is between 85 and 100 consumers. In North Carolina, the caseload sizes are even smaller at 60 cases per counselor. Currently, the average active caseload size for a VR Counselor in Maryland is approximately 137 individuals, when DORS is fully staffed. When the cases on the waiting list are added into the count, the caseload size would increase to approximately 150 cases per counselor. Several of the DORS Student Transitioning Counselors are carrying caseloads between 250 and 300 cases. According to the 2016 article, *Understanding Consumer Engagement with VR Services*, published by the Research and Training Center on Disabilities in Rural Communities, overall consumer satisfaction increased with the number of contacts that the individual had with their VR Counselor during the VR process.

Overall, the Commission felt that there was a strong need for Maryland to invest in individuals with significant disabilities for DORS to adequately provide necessary services and training that is needed to address the ongoing staffing and workload issues at DORS. It was estimated that the services provided through DORS allow clients to potentially become productive citizens and taxpayers and that the additional staff would be a good investment in the future of Maryland.

Other factors that influence the time to provide services include the lack of family support or connection with a community provider to assist with following through with documentation or other assistance the individual may need to receive necessary services. The simple act of mailing documents back and forth between DORS and individuals can add several weeks to the process.

The final factor is community providers that work with DORS to provide the necessary services. These community providers, like many organizations, have found it difficult to hire and retain staff over the last few years. As such, these providers are short-staffed and as a result, the providers have their own waitlists of DORS consumers. For example, between the period of July 1 and September 30, 2022, DORS issued 2,965 authorizations to community providers for services on behalf of consumers. As of December 7, 2022, 1,797 of those authorizations have no documentation showing those services have been provided.

DORS recognizes the importance of engaging consumers quickly while they are the most interested in receiving services. With the staffing issues facing DORS, the Division has looked for ways to utilize technology to create new efficiencies for both the consumers and DORS staff. One solution that DORS initiated in December 2020, was to move from paper referral documents to an online referral system. This eliminated data entry requirements for DORS staff, as well as dramatically decreased the timeframe that it takes DORS to respond to referrals. Prior to this change, it took weeks for DORS to respond. Currently, DORS is mailing the information out in two days. By January 2023, DORS plans to move to an all-electronic process with the consumer receiving the necessary information via email or text messaging.



DORS continues utilizing technology that is accessible. One way the Division has done this is by working with Citrix, a software system that allows for electronic signatures. Citrix made several software adaptations to their electronic signature software package to improve accessibility of information for clients. As a result, DORS is now implementing an electronic signature that can be used securely across several different platforms. The use of secure portals allows clients to send documents to DORS without having to mail them.

DORS is currently working to purchase a two-way directional texting system that will allow DORS to provide individuals with follow up texts and reminders about their upcoming events with their cases and allow consumers to text back information.

However, additional strategies and resources are needed to reduce the time needed to provide VR and transitional services to meet federal requirements and reduce consumer waiting time for planned services. Additional strategies may include:

- Creation an online application form for individuals to complete paperwork;
- Elimination of the use of the State's Virtu encryption because the system is not user friendly to the public or accessible for blind users;
- Incorporation of the Student ID number into the DORS application;
- Expansion of the use of LEAs and school staff to provide additional Pre-Employment Transitioning Services; and
- Based on the Commission recommendation, increased staffing for DORS (that recommendation is included under Topic #9).

FINAL COMMISSION RECOMMENDATIONS

- To improve the amount of time it takes to provide services Maryland should:
- Continue to explore enhancements that will facilitate and encourage the number of VR Counselors and Disability Claims Examiners that are hired and retained;
- Investigate additional partnerships that can be utilized to assist DORS with transitioning services; and
- Work with SSA to reduce time it takes to approve background checks for VR Counselors.

Commission Topic #4: Methods for improving public-private partnerships to assist more Division of Rehabilitation Services clients

One of the key tenets of the WIOA is that an individual with a disability is capable of employment in a competitive, integrated setting when provided with the proper skills and supports. As one of the required partners under WIOA, DORS works in close partnership with three other required partners, as well as with other State and local organizations that are identified under Maryland's Combined State Plan. Partnerships are a key underpinning to DORS being able to deliver services for clients which allows clients to be successful in meeting their employment and career aspirations. Therefore, DORS partners with a number of public and private organizations around the State.

DORS has partnerships with the following organizations:

- 225 community rehabilitation providers throughout the State;
- All of the local Workforce Boards; and
- All of the Local Education Agencies.

State partnerships include:

- Behavioral Health Administration;
- Developmental Disabilities Administration;
- Department of Disabilities;
- Department of Labor; and
- Maryland State Department of Education, Office of Early Intervention and Special Education.

DORS also partner with the following Colleges and Universities:

- University of Maryland, Center for Transitioning and Career Innovation;
- Morgan State University;
- Loyola University of Maryland;
- Community College of Baltimore County; and
- Wor-Wic Community College.

Private partnerships have been established with:		
Amazon	Sodexo	Plaza Ford
CVS	Chick-Fil-A	Mercedes Benz
Mile One Auto Group	Safeguard Maintenance	Enterprise Holdings
Starbucks	Chase Quality Professionals	Sephora
Weis Markets	Tate Dodge	Certified Contractors Network

DORS PARTNERSHIP CASE STUDY

DORS’ Workforce and Technology Center (WTC) was contacted by Sephora to assist them in the training and hiring of individuals with disabilities for their warehouse operations in Harford County. One of Sephora’s corporate missions is to have their workforce be representative of the community, which includes individuals with disabilities. WTC staff worked with Sephora to modify the WTC Warehouse training to meet Sephora’s requirements. WTC then teamed up with the Community College of Baltimore County (CCBC) to provide onsite training at Sephora. To date, eight training sessions have been held and 17 individuals have been employed at Sephora with another three individuals obtaining employment at other warehouse operations after the training.

In October 2022, a DORS’ consumer, who went through the Sephora warehouse training, was recognized by Harford County Commission on Disabilities Employment Committee as the employee of the year.⁸

FINAL COMMISSION RECOMMENDATIONS

To ensure public-private partnerships to assist more clients DORS should:

- Provide links to resources for employers and individuals;
- Explore partnerships from across the State to increase community-based services and training provided by DORS, including those in the non-traditional settings such as the arts, theater, or music;
- Develop partnerships between various employers that aligns with the strengths and interests of the individuals; and
- Outline processes so employers know about their ability to partner with DORS for training and employment opportunities.
- Expand partnerships with organizations serving families.

⁸ Benchmark for Success. <https://content.govdelivery.com/accounts/MDDLRL/bulletins/3330152>

Commission Topic #5: Methods for improving accountability and transparency of the Division of Rehabilitation Services' programs and services

All programs and services that DORS provides are important to improving the performance of the VR program. DORS has implemented a variety of different processes and procedures to assist in providing information and understanding of programs that are available throughout the State.

To assist with this endeavor, DORS files a report on a quarterly basis to the U.S. Department of Education's Rehabilitation Services Administration (RSA). The report provides information about clients and activities that occur for the quarter. DORS is also required to provide performance information to the Governor's Office and the General Assembly through the Managing for Results Report and requirements. DORS, like other State agencies, undergo regular audits that review programs and services that are provided. For example, DORS has a State audit that reviews programs in the Division. In the most recent 2022 audit, there were no major findings. Outreach and services that are provided to clients are a major component of the audit. In addition, DORS is subject to an Office of Legislative Audits (OLA) audit every three years. The most recent OLA audit did not have any major audit findings. All audits and monitoring reports are public documents and are made available for public review.

DORS ACCOUNTABILITY

DORS reports on a quarterly basis to RSA on all clients and the activity that occurred for the quarter. DORS data is then compiled into an annual report that is posted on the RSA website. A report on DORS' performance, which includes the results of the consumer satisfaction survey, is also submitted to the Maryland State Rehabilitation Council. Every Rehabilitation Council meeting allows time for public comments and input. In addition, DORS is subject to a single State audit, which audits various aspects of DORS' two major programs. There were no financial findings and only policy update recommendations from the last RSA monitoring review.

DORS TRANSPARENCY

All audit and monitoring reports are public documents and are available for the public to review. A comprehensive, Statewide Needs Assessment is posted on the DORS website. DORS also has an annual public meeting to allow for the public to hear about programs and services offered through DORS and to provide input into those services. DORS meets three times a year with the Community Rehabilitation Provider Advisory Committee, which is open to all providers to attend to discuss what is occurring within DORS and to discuss any concerns with the leadership of DORS. Additionally, DORS staff attend numerous transitioning fairs, job fairs, and conferences around the State to discuss DORS services.

DORS ACCOUNTABILITY AND TRANSPARENCY: CURRENT AND FUTURE INITIATIVES

DORS will post the results of its quarterly consumer satisfaction survey results on the website. In 2022, DORS consumers rated the Divisions services and programs either satisfactory or neutral 83% of the time. DORS is working with San Diego State University on a data analytic tool which will enable DORS to analyze data from the last five years and identify trends of services that are provided and the outcomes that were produced. This will include data presented by disability, race, and gender, both statewide and by county. DORS is partnering with the Parent's Place of Maryland on listening sessions with parents, including those in the Hispanic and Latino community. DORS will share the recommendations with the Maryland State Rehabilitation Council.

FINAL COMMISSION RECOMMENDATIONS

To ensure accountability and transparency of services DORS should:

- Provide information concerning performance with all stakeholders and other State agencies;
- Expand outreach to families and organizations about the requirements for eligibility for the VR programs;
- Continue meetings with the Community Rehabilitation Provider Advisory Committee to provide information about DORS and discussed issues with the leadership of DORS; and
- Provide meetings and opportunities for clients and stakeholders to discuss DORS services.

Commission Topic #6: Whether the eligibility criteria for the Division of Rehabilitation Services' programs and services should be altered

THE DIVISION OF REHABILITATION SERVICES WAITLIST

Section 103(a) of the Rehabilitation Act as amended in 2014 (Act), outlines the vocational services for individuals who are determined eligible to receive services through the public VR program. Authorized services are intended to provide an eligible individual with the prerequisite skills and training necessary to be employed in a competitive, integrated setting.

There is recognition that State's public VR programs may not have the necessary resources to provide all the services for everyone in the State that may be eligible for VR Services. In these situations, in accordance with 34 CFR 361.36, a State is required to create an Order of Selection (OOS) process. The process identifies insufficient resources which include federal and State funding. An OOS outlines how a State intends to serve individuals who have been determined eligible for VR services. OOS is not based on the individual's disability, but on the significance of the individual's disability, and the impact the disability has on their functional levels. Each State that creates an OOS must place individuals into categories based on the significance of their disability, with the highest priority for any State being individuals that they have been determined to be the Most Significantly Disabled (MSD). Each State must submit the rationale for the determination and a plan to the RSA for review and approval.

NATIONAL OVERVIEW

There are a total of 78 public VR agencies in the country and U.S. territories. A State may have two VR agencies, one to serve just the Blind and another to serve all the remaining disabilities. Of the 78 agencies, 40 have no OOS and 38 have an OOS. According to the RSA website, as of October 2022, 38 States have an OOS. Seventeen had some categories closed and 21 States, while having an OOS, have all categories open. There are no VR agencies that have all categories closed. Nationally, there are over 9,000 individuals on a waitlist. Unfortunately, Maryland has the highest number of people on the waitlist with over 2,700 individuals.

Each State's OOS plan will indicate the number of categories it intends to use for their OOS. Nationally, 32 States, including Maryland use three categories. Five states have four categories, and one State has five categories. The charts below are examples of two of the three types of classification systems currently being used by States for their OOS. Maryland's classification system will be discussed in detail.

Five Categories- One State:

Significance Level	Meets Definition of Significantly Disabled	Categories of Functional Limitations	Duration of Services	Number of Services
1	Yes	Eligible individuals that have four or more major areas of functional limitations	Requires VR Services over an extended period of time	Requires multiple services
2	Yes	Eligible individuals that have three major areas of functional limitations	Requires VR Services over an extended period of time	Requires multiple services
3	Yes	Eligible individuals that have two major areas of functional limitations	Requires VR Services over an extended period of time	Requires multiple services
4	Yes	Eligible individuals that have one major areas of functional limitations	Requires VR Services over an extended period of time	Requires multiple services
5	No	Eligible individuals that have one or more major areas of functional limitations	No Extended duration of VR Services	Multiple Services not required

Four Categories- Five States:

Significance Level	Meets Definition of Significantly Disabled	Categories of Functional Limitations	Duration of Services	Number of Services
1	Yes	Eligible individuals that have three or more major areas of functional limitations	Requires VR Services over an extended period of time	Requires multiple services
2	Yes	Eligible individuals that have limitations in two major areas of functional limitations.	Requires VR Services over an extended period of time	Requires multiple services
3	Yes	Eligible individuals that have limitations in one major area of functional limitations	Requires VR Services over an extended period of time	Requires multiple services

Significance Level	Meets Definition of Significantly Disabled	Categories of Functional Limitations	Duration of Services	Number of Services
4	No	Non-significant disability	No Extended duration of VR Services	Multiple Services not required

MARYLAND ORDER OF SELECTION

In the late 1980's, Maryland recognized that it did not have the capacity to serve everyone who may be eligible to receive VR services from DORS. This resulted in DORS submitting its OOS request to RSA for approval. The request was granted. Maryland chose to use three designations or categories, as they are referred to. Individuals are placed into a category once a determination has been made that they are eligible for VR services. The three categories include:

- Category One, Most Significantly Disabled;
- Category two, Significantly Disabled; and
- Category three, Non-Severe.

The chart below is Maryland's classification system, which uses a three-classification system. DORS has not provided services to individuals in category three for more than thirty years.

Significance Level	Meets Definition of Significantly Disabled	Categories of Functional Limitations	Duration of Services	Number of Services
1	Yes	Eligible individuals that have two or more major areas of functional limitations	Requires VR Services over an extended period of time	Requires multiple services
2	Yes	Eligible individuals that have limitations in one) major areas of functional limitations.	Requires VR Services over an extended period of time	Requires multiple services
3	No	Eligible individuals that have no significant disability	No Extended duration of VR Services	Multiple Services not required

These scenarios provide examples of the type of analysis that the VR Counselor must take into consideration when reviewing the medical and other supporting documentation regarding which category to place an individual into once eligibility has been determined.

Category 1

Consumer has a diagnosis of Bipolar Disorder, Personality Disorder, and recovering substance abuse. Consumer reports that due to her depression, she stays in bed days on end at times, and she also reports past hospitalizations for her mental illness (Interpersonal Skills). Consumer stated she resides with her fiancé who supports her financially and he also helps her with daily living tasks (Self Care). Consumer reports she has not worked in approximately 16 years (Limited Work Skills).

Category 2

Consumer has progressively lost her hearing. Consumer provided a recent hearing evaluation and hearing aid recommendation. She communicates verbally and does not know sign language. Consumer is requesting services for DORS to assist with hearing aids so that she can use them as an accommodation on the job.

Category 3

Consumer is a 17-year-old student who has a 9th grade reading and math level. Documentation of ADHD but no medication or counseling is known.

DORS WAITLIST

The elimination of the DORS waitlist has been difficult to achieve because it is the result of a combination of factors. There are three main factors that have played a part in the continuing existence of the DORS waitlist, funding, staff reductions, and new workloads, as a result of the Workforce Innovation and Opportunities Act.

FUNDING

A State's allotment of the federal VR grant is based on a federal funding formula, which includes such elements as a State's population change, the relative wealth of the State, the poverty level of the State, and the change in the Consumer Price Index. In the 1990's and early 2000's Maryland's VR federal grant increased each year at a fairly predictable rate. However, in the mid-2000's, the relative wealth in Maryland increased compared to other States while at the same time, the population in the State grew at a very slow rate compared to other States. This resulted in a decrease in Maryland's grant allotment for one year and a very small increase in the following year. By the end of the 2006 federal fiscal year, DORS was running out of federal funds and shut down all non-essential spending. By June of 2007, DORS had to close both category one and two, and reduce staffing by approximately 30 individuals to bring spending in line with the Division's federal funding.

In 2009, the Governor and the General Assembly provided \$2 million in additional State funding to help address the DORS waitlist. With the additional funding, DORS was able to reopen category one and bring those individuals off the waiting list over a period of time. Eventually, category two was reopened, and individuals were brought off the waiting list. Even though DORS received additional federal funding through the American Recovery and Reinvestment Act, due to the national and State economy during this period time, DORS received an increased volume of applications for services, which resulted in individuals who were determined to be category two continuing to be placed on the DORS waitlist. Since Maryland continued to meet its Match and Maintenance of Effort requirements, by 2012, federal funding for DORS was no longer an issue.

DORS VR STAFFING LEVELS

In addition to the approximate 30 PINs that VR program lost because of the federal funding issues in 2007, the State was also reducing the number of authorized PINS across all agencies. Between fiscal years 2008 to 2023, DORS has lost over 100 positions in the VR position. The loss of this many positions has limited the flexibility of DORS to reallocate positions to areas of need, particularly in the ability to address the DORS waitlist and to handle the influx of students with disabilities under the Pre-Employment Transitioning Services program.

The chart below represents where the lost positions came from.

Programs	FY 2008	FY 2023	Difference	Percentage Change
DORS Headquarters	85	61	24	28%
Office of Field Services	229	198	31	14%
Workforce and Technology Center	130	90	40	31%
Office of Blindness and Vision Services	47	41	6	13%
Totals	491	390	101	21%

In addition to losing positions, DORS had difficulty in attracting and retaining VR Counselors. The State's starting salaries were low in comparison to salaries being paid by some counties, the federal government, and private organizations. Under the Rehabilitation Act, the expectation is that a VR counselor will have a master's degree. A number of the VR agencies around the country set their minimum hiring standard at the master's degree. However, the minimum allowable level for a VR Counselor is a bachelor's degree, which is the level that DORS has established. To meet the expectations under the Rehabilitation Act, DORS provides tuition reimbursement for those counselors that are hired at the bachelor's degree level. The combination of a master's degree and work experience requirements required by DORS has made the VR Counselors appealing candidates to other organizations, such as LEAs, the federal government, and the private sector.

In the metropolitan area of Baltimore and the District of Columbia, DORS began experiencing frequent turnover of the Division's VR Counselors. Counselors were leaving for higher paying jobs in other jurisdictions and States. Recruiting to fill the vacancies was difficult because the number and quality of applicants that applied for openings steadily decreased over the years. It was not uncommon for staff to leave within the first few years of their employment with DORS.

The inability to retain staff not only impacted the direct services to DORS clients, but also impacted DORS' ability to fill supervisory positions within the organization. On several occasions, DORS did not have staff in a region of the State who met the minimum qualifications to be a supervisor. Situations of this nature required other supervisors and DORS central office staff to manage these offices until someone could be employed that met qualifications and had the desire to become a supervisor.

As the chart below shows, the number of vacancies dramatically increased during the pandemic and the subsequent returning to the offices in July 2021 as the VR Counselors looked for better opportunities elsewhere. In one recruitment to fill a vacant VR counselor position, DORS received only one (1) application.

Date	DORS Vacancies
December 31, 2017	13
December 31, 2018	13
December 31, 2019	20
December 31, 2020	30
December 31, 2021	39
May 19, 2022*	42

*The number of vacancies prior to the implementation of MSDE's pay plan initiative.

VR COUNSELOR WORKLOAD

The criteria to determine eligibility to receive VR services is the same nationwide. The specific criterion for eligibility is spelled out in federal regulations, 34 CFR 361.42. As such, DORS nor the State has the authority to change the criteria used to determine eligibility for individuals who apply for VR services.

There are other considerations that a State must review in order to provide VR services. Federal regulations require that a State must determine if it has the necessary resources to provide the full range of services that are authorized under the Act for all eligible individuals. If a State determines that it does not have the resources, both financial and human, to fulfill this requirement, then the State must establish an Order of Selection. Order of Selection establishes the priority by which the State intends to serve individuals with disabilities. The regulations require that the highest priority are given to those individuals who have been determined eligible for VR services and meet the criteria of the Most Significantly disabled.

In the late 1980's, the State determined that the VR program did not have sufficient resources to serve all individuals who may be eligible for VR services in the State and Maryland moved into Order of Selection.

With the passage of the Workforce Innovation and Opportunities Act of 2014, Congress made a significant change in the focus of the VR program. Prior to WIOA, the VR program had a sole focus of employment of individuals with disabilities. For students in high school who were starting to transition from school into either post-secondary or going to work, DORS would start working with those individuals in their next to last year of school. DORS would determine their eligibility for VR services, if students were in category one, then an IPE was developed, and services were started. If students were in category two, they were placed on the DORS waitlist for a short period of time before being brought off the waitlist and have their IPE developed.

Under WIOA, a second program was created within the VR program called Pre-Employment Transitioning Services (Pre-ETS). This program had the sole focus on providing services for students with a disability while they were still in high school. Pre-ETS were for individuals who meet the following criteria:

- Between the ages of 14, but less than twenty-two.
- Currently in high school, post-secondary, or a vocational training program; and
- Have a documented disability as stipulated on an IEP, 504 plan, or through medical documentation.

WIOA also required the VR programs to utilize at a minimum, 15% of their federal VR grant to fund the Pre-ETS program. Unlike the VR program, which offers a variety of services, Pre-ETS is limited to just five services in which a student can participate. These services are:

- Counseling on post-secondary and career opportunities;
- Job exploration counseling;
- Work readiness training;
- Instruction in self-advocacy; and
- Work based learning.

As the Pre-ETS program grew the workload levels of the Counselors also increased. By 2018, DORS had to shift VR Counselors from handling both a VR and Pre-ETS caseload to having a number of counselors who were just assigned to Pre-ETS cases, which reduced the number of available counselors who were assigned to a VR caseload. Presently, DORS closed category two.

Nationally, the average caseload size is between 85 to 100 cases, for DORS the average active caseload is 137. If the number of individuals who are on the waiting list are added to the active caseload, that figure would increase to between 155 and 160. For the VR Counselors who have a transitioning caseload, the number of cases dramatically increases. The top three VR Counselors are carrying a caseload size of 379, 332, and 279, which is more than three times the national average. These high caseloads have led to counselor burnout and a high level of turn-over involving VR Counselors who have transitioning caseloads.

DORS current active caseload is 16,920 for both VR and Pre-ETS programs. In fiscal year 2022, DORS handled a total of 27,561 VR and Pre-ETS cases and had a waitlist of 2,743. This is in comparison to 2007, when DORS handled 25,795 cases and had a waitlist of 4,473. The reduction in available PINS has resulted in high caseloads for the VR Counselors, which directly impacts the quality of services being provided.

HOW IS DORS ADDRESSING INDIVIDUALS WITH A SIGNIFICANT DISABILITY ON THE WAITLIST?

Even though an individual may be placed on the DORS waitlist, DORS will continue to review and update documentation that will enable the VR Counselor to move the individual's designation from significantly to most significantly disabled. During the pandemic, due to a lower number of applications, a number of service providers shut down services, resulting in a reassignment of duties for the VR Counselors at the Workforce and Technology Center. DORS was able to reevaluate the medical information of individuals on the waitlist. With updated medical documentation, DORS was able to move over three hundred clients off the waitlist.

In one of the first meetings that Superintendent Choudhury had with DORS leadership, the issue of low salaries was discussed. Superintendent Choudhury immediately tasked the senior management of MSDE, which included DORS, to conduct a comprehensive salary study to determine what the salary structure should be for the VR Counselors. After working closely with the Department of Budget and Management, a new salary

structure was agreed to for those individuals who were in the VR Counselor series. On July 1, 2022, the starting salary went from \$42,035 to \$54,665, a two Grade and four Step increase in the starting salary, for existing staff. The increase was a minimum of a 20% increase in the existing wages. DORS has gone from having a high of 42 vacancies, to nine vacancies as of March 1, 2023.

As a result of this stabilization in obtaining VR Counselors at in DORS, the Baltimore and District of Columbia metropolitan areas have been able to start bringing individuals off the waitlist. As of December 2, 2022, DORS moved everyone from 2017 off the waitlist and has started bringing individuals from 2018 off of the waitlist.

FINAL COMMISSION RECOMMENDATION

- The criteria to determine eligibility to receive VR services is the same nationwide. The specific criterion for eligibility is spelled out in federal regulations, 34 CFR 361.42. DORS nor the State has the authority to change the criteria used to determine eligibility for individuals who apply for VR services.
- For the DORS waitlist, create an understanding within the disability community that the VR program is for individuals who are seeking employment in a competitive integrated setting.

Commission Topics #7 Whether the Division of Rehabilitation Services should continue to be a division of the State Department of Education or should be transferred to another State agency

CURRENT STATE OF DORS UNDER THE MARYLAND STATE DEPARTMENT OF EDUCATION

Students and Youth with Disabilities

The Division of Rehabilitation Services plays an important role in providing transitioning services for students with disabilities. DORS transitioning services provides an opportunity for students to explore their options for either post-secondary education or employment. With the passage of The Workforce Innovation and Opportunities Act (WIOA) the age that VR agencies can begin to engage transitioning students has been lowered. Traditionally, the VR program began to engage a student in their next to last year in school, which was usually between the ages of 18 to 21, under WIOA the age is now 14.

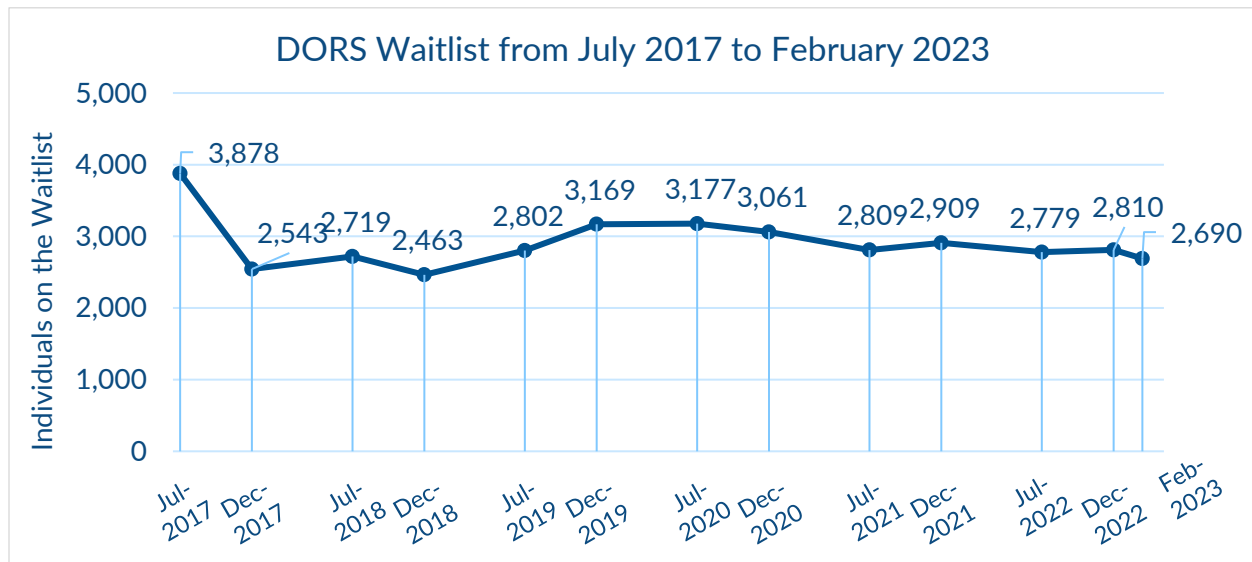
Today, the majority of the individuals that DORS provides services for are between the ages of 14 and 24. This age range comprises two categories of individuals, Students with a Disability and Youth with a Disability. A Student with a Disability is anyone between the ages of 14 and 21, enrolled in school, and has a documented disability. A Youth with a Disability is anyone between the ages of 14 and 25, who may or may not be enrolled in school.

Currently, DORS assists 10,838 individuals between the ages of 14 and 25 years old. Of that number, 5,777 are enrolled in the DORS' Pre-ETS program and 5,061 are enrolled in the VR program. Students and youth with a disability represent 53% of DORS active Pre-ETS and VR cases. Of the 2,690 individuals who are currently on the DORS waitlist, 1,109 are between the ages of 14 and 25 years old. This represents 41% of the individuals currently waiting for DORS services.

DORS Waitlist

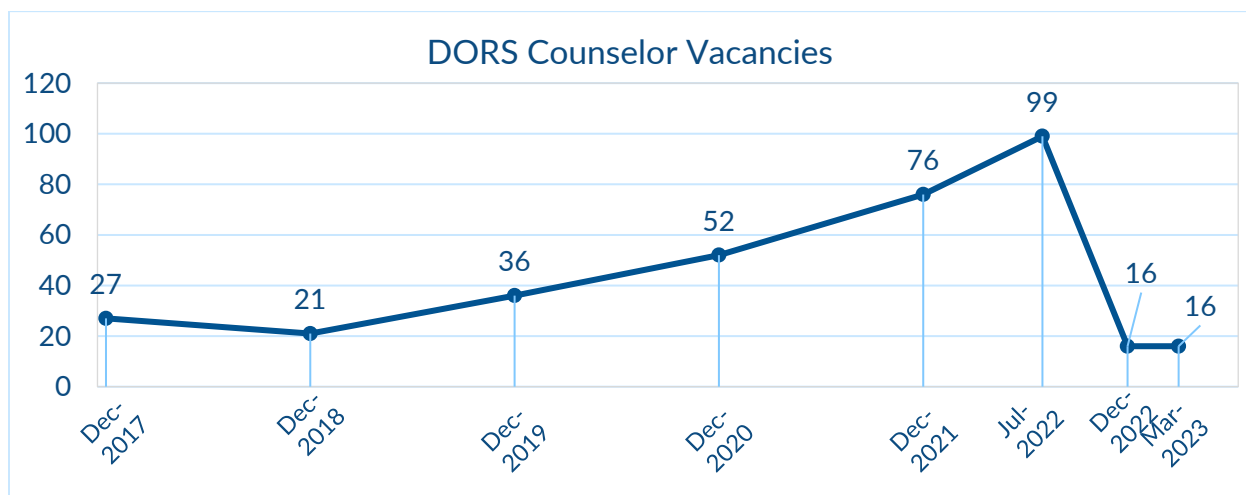
The persistent DORS waitlist is the result of insufficient resources to provide services for all individuals who are seeking VR services. The waitlist was initially created as a result of adequate funding in 2008. Over the years DORS was able to slowly bring individuals off the waitlist. With the passage of the WIOA and the creation of the Pre-ETS program, the influx of new clients resulted in large caseload sizes. Today, the DORS waitlist is the result of the lack of human resources needed to manage the client caseloads and provide services. Therefore, in 2018, DORS closed Category two, which provided VR services for individuals with a significant disability.

In addition to the workload levels, DORS was experiencing extreme difficulty in attracting and retaining VR counselors, which added to the existing counselors' workload levels. However, with the implementation of MSDE's pay plan initiative on July 1, 2022, DORS was able to stabilize its VR Counselor workforce and was able to start bringing individuals off the waitlist. As of March 1, DORS has been able to bring everyone with a significant disability off the waitlist from 2017 and 40% of the individuals from 2018. It is DORS' expectation that by June 2023 everyone from 2018 will be off the waitlist.



Maryland State Department of Education Pay Plan Initiative

In 2021, upon Superintendent Choudhury’s arrival, the situation at DORS became a major priority. The Superintendent began investigating the serious staffing situation at DORS and requested that leadership at MSDE and DORS undertake an extensive salary review of the VR Counselor series to address the high level of VR Counselor vacancies. The request of the Superintendent resulted in a pay increase for VR Counselors. On July 1, 2022, the starting salaries increased from \$42,035 to \$54,665. Today, the starting salary is \$57,125. The existing VR Counselors and supervisors received an approximately 20% salary increase, through a two (2) grade and a four (4) step increase on the salary schedule. As of March 1, 2023, DORS has only nine (9) VR Counselor vacancies and one (1) supervisor vacancy in the VR program and seven (7) claims examiner vacancies. There are no supervisor vacancies in the Disability Determination Services and the number of vacancies in these critical front line positions are trending towards zero.



Maryland State Department of Education Support in Managing DORS’ Workload.

With the staffing challenges that DORS faced, Superintendent Choudhury wanted to explore other ways of assisting the Division with its VR workload. In September 2021, MSDE provided approximately \$2 million to pilot alternative methods to handle the workload of DORS and utilize the support of outside organizations. The pilot focused on how to build a sustainable Fee-for-Service model to handle the increased number of referrals

for the Pre-Employment Transitioning Services (Pre-ETS). MSDE/DORS entered into a grant agreement with the University of Maryland Center for Transitioning and Career Innovation (CTCI) for a two-year pilot project. The program will study the best approaches to obtain the school or medical records needed to qualify a student for Pre-ETS, as well as what communication methods work best with parents/guardians, students, and schools in attaining that information. CTCI will handle obtaining all the required records and signatures so the Eligibility Determination Unit (EDU) can qualify the student for Pre-ETS.

The Initial funding for the grant was \$1.6 million. However, due to the increases in the number of Pre-ETS referrals from previous years, MSDE provided an additional \$350,000 in funding to increase the number of staff at CTCI to support this initiative. CTCI is responsible for reaching out to the parents/guardians of the students to review and discuss exactly what Pre-ETS is and is not, discuss what documentation is required, receive the proper consent to obtain that documentation, and collect signatures of the parents/guardians that provide permission for the student participate in Pre-ETS. If the parents/guardians don't have the necessary documentation, CTCI will contact the school system or medical provider to obtain the required records. Once all necessary documentation and signatures are collected, the information is transmitted to the DORS Eligibility Determination Unit to qualify the student for Pre-ETS. DORS has already seen positive results from this grant initiative. Currently, a higher percentage of Pre-ETS referrals being turned into open cases.

Aligning MSDE Resource to Support the Operation of DORS.

Internally, MSDE has realigned its support services to better support the overall mission of DORS. MSDE has created the Core Services Team. The Core Services Team consists of four individuals that are assigned to DORS to support DORS management in the delivery of services.

Core Services Team Role	Type of Support
Talent Partner	Human Resources
Information Technology Partner	Information Technology
Business Services Partner	Procurement and Contracts
Planning and Budget Analyst	Budget and Finance

The team members meet with DORS leadership on a regular basis to address issues, provide support for DORS initiatives, and provide resources that DORS does not have within DORS.

DORS Current Community-Based Services

While it may be the perception that DORS only provides specialized services at the Workforce and Technology Center, this assumption is not accurate. DORS provides a variety of community-based services such as:

- Work site assessment at the employer's business location;
- Low vision support groups locally in the field offices or virtually;

- Self-advocacy support group for Pre-ETS and transitioning virtually for students who are blind or low vision;
- Apprenticeship Services Program in person and virtually;
- Job placement and employment services in person and virtually;
- Academic assessment and remediation in person or virtually; and
- Pre-GED and GED training in person or virtually.

DORS Expansion of Community-Based Services

DORS is also expanding community-based training and services programs as well. For example, DORS' Workforce Services is working with CVS and has identified Prince Georges' County as an area of need. DORS is also working with partners at the Community College of Baltimore County (CCBC) and Prince George's County Community College (PGCC) to establish a curriculum for CVS training. The training will take place at PGCC and is expected started in late spring 2023. In addition, DORS' Workforce Services is working in conjunction with CCBC and will provide Certified Nursing Assistant (CNA) and Child Care training on CCBC's Catonsville campus. The childcare training will take place in the summer of 2023 and the CNA training will take place in the fall of 2023. DORS has also expanded its Autism Employment Job Club, which will work with individuals who are ready to start searching for a job. The Computer Skills Development Program which teaches basic computer skills has also been expanded. Both programs will be held in local field offices.

Collaboration between the Division of Early Intervention and Special Education Services and DORS

The Division of Early Intervention and Special Education Services (DEI/SES) and DORS has a long history of collaboration to improve the transitioning process for students. DORS staff specialist for Transitioning Services and the DEI/SES's Transitioning Specialist regularly collaborates on statewide initiatives. Training is jointly offered for LEA Individual Education Program coordinators and chairs on the intersection of special education and DORS transitioning services. DORS and DEI/SES jointly attend State Transition Facilitator Steering Meetings to inform and apprise steering committee facilitators about new DORS data and information. DORS participates in the Special Education State Advisory Council (SESAC). SESAC is a committee of family members, individuals with disabilities and State agency representatives tasked with advising DEI/SES in administering, promoting, planning, coordinating, and improving the delivery of special education and related services as directed by IDEA, Part B.

DEI/SES and DORS have several new initiatives planned. DEI/SES and DORS will provide professional learning opportunities for LEAs that will focus on the following four topic areas:

- Unpacking the DORS services and supports for students and youth;
- Understanding the process for the Vocational Rehabilitation and Pre-Employment Transitioning Services programs;
- Support services for special populations; and
- Coordination and collaboration between DEI/SES, DORS, and local education agencies.

DEI/SES and DORS will hold an annual joint training conference for VR transitioning counselors, LEA transitioning professionals, and other transitioning professionals. This conference will focus on best practices in Maryland and around the country.

DORS Creation of the Office of Individual and Community Engagement

Based on feedback from the Commission and DORS' own outreach efforts with the Parent's Place of Maryland, MSDE is supporting the creation of a new office within DORS called, the Office for Individual and Community Engagement that will report to the Assistant State Superintendent. The role of this office is to actively engage and seek feedback from the various disability communities that DORS serves. The office will have a dedicated staff person whose sole focus is continuous engagement with communities to improve overall communications and to identify systemic issues that affect individuals. The office will also serve as DORS' Ombudsman for the VR and Independent Living Older Blind clients when issues arise. The office will also collect data to improve DORS' overall services through training, improved communications, or policy changes. Additionally, the office will conduct research into best practices that have been identified that will improve the overall services provided by DORS.

GOVERNANCE OF DORS

Background information

Commission Topics #7 and #8 deal with the governance of the VR program at the State level. From the federal perspective whether DORS moves to another agency or whether a separate Board is created to govern DORS, the federal requirements on the State will be the same. Therefore, the technical requirements discussed in Topic #7 will apply to Topic #8.

In order to examine these two topics to the fullest extent possible, two Commission meetings, held on January 23, 2023, and February 13, 2023, and half of the March 6, 2023, meeting were devoted to the discussion of these two topics. DORS interviewed three current State VR Directors, who were involved in the transfer of the VR program, to gain their perspectives on the impact the transfers had on their programs.

The Commission was provided with a national perspective on the impact of moving a VR agency. In Session #6, DORS brought in an individual from the Rehabilitation Services Administration Technical Assistance Center. This individual has worked with several VR agencies that have moved. The individual brought the VR program perspective as a former staff person for DORS, the RSA perspective as a former member of RSA's VR State monitoring team, and now as the foremost authority on the requirements and impact of transferring a VR agency.

Current Governance Background

The Division of Vocational Rehabilitation Services was established in 1929, under Senate Bill 174 as a Division of the Maryland State Department of Education, under the State Board of Education. In the 1990's the Division's name was changed to the Division of Rehabilitation Services. Currently, the State Board of Education has fourteen members who are appointed by the Governor and approved by the Senate. The State Board of Education is responsible for hiring the State Superintendent, who is responsible for the oversight and management of the Divisions and programs within MSDE. DORS has an Assistant State Superintendent, who fulfills the federal requirement as the State Director of the Vocational Rehabilitation program. The Assistant State Superintendent reports directly to State Superintendent and the Deputy State Superintendent for the Office of School Effectiveness. All three positions are responsible for monitoring the overall performance of DORS.

In addition to the management oversight provided by the Superintendent and the Deputy Superintendent, DORS has a federally mandated State Rehabilitation Council (SRC). The Council is comprised of individual with a disability and have received services from DORS, individuals who represent individuals with disabilities, representatives from employers or labor, a representative of the Client Assistance Program, a representative of

the Statewide Independent Living Council, a representative of Vocational Rehabilitation counselors, and a Special Education representative.

Each member of the SRC must be appointed by the Governor through that State's appointment process. A member can serve up to two three-year terms. The federal law governing the public vocational rehabilitation program requires that the State has either a SRC or independent board comprised of individuals who have a disability, and representative of the disability community as a whole. In Maryland, the State has a SRC to fulfill that legal requirement. The SRC is required to meet at minimum, four times a year. The SRC has specific responsibilities to review, analyze, and advise the VR program regarding the performance of the program's responsibilities related to:

- Eligibility, including order of selection.
- Extent, scope, and effectiveness of services provided.
- Functions performed by State agencies that affect or potentially affect, the ability of individuals with disabilities in achieving employment outcomes.

In addition, in partnership with the VR program the SRC:

- Develop, agree to, and review State goals and priorities.
- Evaluate the effectiveness of the VR program and submit reports of progress to the Secretary...
- Advise the parent agency and the VR program regarding activities carried out and assist in the preparation of the vocational rehabilitation services portion of the Unified or Combined State Plan and amendments to the plan, applications, reports, needs assessments, and evaluations.
- Conduct a review and analysis of the effectiveness of, and consumer satisfaction with, services and programs provided by the VR program and the consumer's satisfaction with their employment outcome.

The Rehabilitation Act of 1973 as amended by the Workforce Innovation and Opportunity Act (the Act), does not specify the location within State government the public VR is located. The Act does specify that that the VR program must be identified as either a Designated State Agency (DSA) or a Designated State Unit (DSU).

For a State's VR program to be considered as the DSA it must be identified in State government as an independent organization. If the VR program is placed within a larger State organization, then that State organization is identified as the DSA and the VR program is then considered the DSU. In Maryland, the MSDE is the DSA and DORS is the DSU.

Whether the VR program is considered a DSA or DSU the State must ensure that the VR program is:

- Primarily concerned with the VR program and other rehabilitation programs for individuals with disabilities. In Maryland DORS is concerned with the VR program, the Disability Determination Services, the Independent Living, the Independent Living Older Blind, and the Randolph Sheppard programs.
- Administered by a full-time State Director, in Maryland the Assistant State Superintendent for DORS is the State Director.
- Employs staff to perform the rehabilitation work.
- Has official organizational status within the DSA that is comparable to other major programs within the DSA.

National Perspective

As mentioned, the Act does not specify a State’s placement of the VR program with its organizational structure. The below charts show the governance placement of various VR agencies around the country. The Act allows for three types of service delivery structures within the VR program. Combined programs serve all disabilities, General programs provide services to all disability groups except the blind, and Blind program which only serve the blind. If the chart does not designate either General or Blind by the State’s name, the VR program is a Combined program, which is the model for Maryland.

Twenty-two State VR programs are Designated State Units and are within a larger State agency. These agencies are also responsible for Titles I, II, and III of the Workforce Innovation and Opportunities Act. Typically, the DSA is the State’s Department of Commerce, Economics, Labor or Workforce Development. The chart below shows some of the States that are located in this type of agency.

Alaska	Delaware - General	Pennsylvania
Arizona	Maine	Texas
Arkansas	Michigan	West Virginia
Colorado	New Jersey - General	Wisconsin

Twenty VR programs are housed in a rehabilitation focused agency or an Independent Commission.

The below chart show some of the States that are located in this type of agency.

Alabama	Mississippi	Ohio
Georgia	Nebraska Commission for the Blind	Oregon Commission for the Blind
Iowa Commission for the Blind	New Mexico Commission for the Blind	South Carolina

Twenty VR programs are DSUs within DSAs whose primary focus is Social and Human Services.

The below chart show some of the States that are located in this type of agency.

California	Massachusetts	Oregon
Hawaii	Montana	South Dakota

Indiana	North Carolina	Washington
Kansas	North Dakota	Virginia

Ten VR programs are DSUs within DSAs whose primary focus is Education. The below chart show some of the States that are located in this type of agency.

Florida - Blind and General	Maryland
Iowa-General	Nebraska - General
Missouri	New York - General

Five VR programs are DSUs within DSAs that provide several disability services in the State.

The below chart show some of the States that are located in this type of agency.

Connecticut	Oklahoma
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Prior to the passage of WIOA, State VR programs moving from one DSA to another was rare. Since the passage of WIOA the number of VR programs moving from one DSA to another has increased. These are the VR programs since 2014 that have moved to different agencies.

- Utah (Combined) moved from State Board of Education to Department of Workforce.
- Texas Commissions for the Blind and General programs moved from Texas Department of Assistive Technology and Rehabilitative Services to the Texas Workforce Commission. After the move, Texas VR programs were converted to a Combined program.
- Colorado (Combined) moved from the Department of Human Services to the Department of Labor and Employment.
- Connecticut Blind and General moved from the Department of Rehabilitation Services to a newly create agency, the Department of Aging and Disability Services.
- Arkansas Blind and General agencies moved from separate State agencies to the Department of Commerce/Division of Workforce Services.
- Kentucky Blind and General VR programs were consolidated to create a Combined agency, the Designated State Agency did not change.
- West Virginia Combined moved from the State Board of Education to the Department of Workforce Services.

- Michigan Blind and Combined moved from two separate State agencies to Department of Labor and Economic Opportunities.

The reasons that VR program moved varied. Some of the VR agencies moves as a component of a much larger reorganization of State government that affect more than just the States' VR program. For example, the move in Kentucky was to consolidate the Blind and General agencies into a single program that is now managed by a single State Director, instead of two.

FEDERAL REQUIREMENTS FOR THE GOVERNANCE OF THE VOCATIONAL REHABILITATION PROGRAM

There are very specific federal organizational and operational requirements that States must adhere to in order to change the VR program's existing governance structure to a new one. These rules are included in § 361.13, which is a part of the Final Report's appendix for Session #6.

In addition, the federal regulations that the State agency is responsible for including:

- Conducting public meetings to seek input from the disability community about the transfer and the potential impact of that transfer. The public hearings also need to cover all federal sub-programs that are overseen by the VR program such as:
 - Independent Living Older Blind
 - Independent Living
 - Randolph Sheppard
- Amending the State's Workforce Innovation and Opportunities Act State Plan to reflect all changes that will occur, as a result of the transfer of the VR program from the current DSA to the new DSA.
- Amending the Statewide Plan for Independent Living if the VR agency is the Designed State Entity for the Independent Living program, which must reflect any changes that result from the transfer of the VR program to a new DSA.

The final federal requirements are the establishment of a fund transfer agreement between the Rehabilitation Services Administration, which is the federal agency for the Vocational Rehabilitation program. The new organizations must be agreed to by all parties. The fund transfer agreement will control the VR grant funds by:

- Specifying what funding the current DSA will need to pay all outstanding obligations generated by the VR program and all federal grant sub-programs operated by the VR program prior to the transfer date.
- Specifying who the new DSA will be and the amount of funds that will be transferred from the existing DSA's grant award to the new DSA and on what date the transfer takes effect.
- Ensuring that carry-over funding from any of the federal grants that is involved in the transfer, is granted permission by the Rehabilitation Services Administration to include the carry-over funds in the Transfer Agreement.
- Both DSAs will be required to submit financial reports on the expenditure of funds for the federal grants that were involved in the transfer.

STATE REQUIREMENTS THAT MUST BE TAKEN INTO ACCOUNT

There are also State issues that will need to be addressed prior to any transfer of DORS to another entity. The State will need to establish appropriations for federal, State, and special funds in the new DSA and all necessary FMIS accounting and procurement pathways and codes will need to be established to allow for continuation of services. Since DORS staff are covered by various union bargaining units, negotiations with the unions may be required. All personnel records from the current DSA to the new DSA will need to be moved for the purpose of

recruiting, hiring, termination, and payroll. DORS case management system accounting interface with FMIS and will need to be reprogramed. The interface will allow DORS to create thousands of encumbrances and payments to the DORS' community rehabilitation providers and other vendors for client services and commodities, as well as payments directly to the clients and transfer all equipment and property from the current DSA to the new DSA. Finally, all contracts, leases, grants, MOUs, and agreements will need to be amended to reflect change to the new DSA.

EXPLORATION: MAKING A CHANGE IN THE GOVERNANCE OF DORS

The Commission asked DORS to explore three agencies that could possibly support DORS as an alternative to MSDE. Those agencies were the Maryland Department of Disabilities (MDOD), the Departments of Health, and the Department of Labor.

Maryland Department of Disabilities

In 2019, MSDE and the Department of Disabilities (DOD) did explore the possibility of moving DORS to DOD. In 2019, DOD had a staff of approximately thirty-one full time employees and contractual positions. DOD back-office support was provided by the Governor's Office and the DBM. In 2019, DORS had 674 full time employees and contractual positions. The back-office support was split between DORS and MSDE. It was determined at that time that neither the Governor's Office nor DBM had the capacity to provide the back-office support for an organization for a Division the size of DORS. It was determined that in order for DOD to become the DSA for DORS, DOD would need approximately 20 to 22 new positions to fill the back-office operations that MSDE had been providing. The positions would have been paid for out of a combination of federal indirect funds and State General Funds. After reviewing the potential cost and the number of positions needed the decision was made not to move forward.

Based on the initial work that was performed in 2019, DORS updated the staffing requirements due to changes that occurred within MSDE. Since 2019, MSDE has centralized several back-office operations, which include Human Resources (HR) and Procurement. As a result, seven DORS HR staff were placed under the control of the MSDE HR Office with several staff being transferred from the DORS office to the MSDE office at 200 W. Baltimore Street. In addition, the DORS' procurement officer and one support staff were transferred to MSDE, as well. Therefore, the current analysis for the cost estimate includes the additional staff not included in the 2019 review.

Through examining back-office operations that MSDE currently provides DORS, it is estimated that it would take approximately 32 additional positions to recreate the back-office operations at DOD to support DORS operations.

From a fiscal perspective, DORS does have accountants on staff who are responsible for the day-to-day management of the VR programs grants. In addition, the DDS has accountants on staff who are responsible for the day-to-day management of the DDS funding from the Social Security Administration. Both the VR and DDS programs also have account payable staff who are responsible for the initial review and input of payments.

MSDE's Division of Financial Planning, Operations, and Strategy is responsible for the higher-level accounting functions, federal draw downs, payroll allocation to the appropriate federal grants, and year-end close out at both the State and Federal levels. While DORS creates its initial operating budget each year, it is MSDE's budget branch that is responsible for DORS' budget submission and converts that information into the required State budget submittal format. MSDE and the DORS procurement officer and support staff process all of DORS' administrative purchase orders, some specialized client, and all administrative procurements. Finally, MSDE provides the Internal Auditors, that are responsible for working with Office of Legislative, Single State, and federal auditors for all of MSDE, which includes the DORS programs.

To recreate this back-office operation at DOD it is estimated that it would take seventeen new fiscal staff. This would include fiscal managers, accountants, budget analyst, internal auditors, procurement officer, agency buyers, and fiscal support staff.

Prior to MSDE's decision to centralize HR functions across the agency, DORS had seven full time staff to handle the recruitment, health, and retirement benefits and some timekeeping for DORS. MSDE HR was responsible for recruiting for DORS positions that were over a grade 18, all employee relations matters including any union issues, and Employment Equity Office issues. Since MSDE has enterprise the HR functions across all programs, all HR functions are handled by the MSDE HR Office. DORS does have specific MSDE HR staff assigned to DORS to handle the recruitment for the VR and DDS programs. Based on the number of staff that DORS has combined with the staff at DOD, it is estimated that it would take fifteen individuals to recreate the HR back-office functions. This would include the Employment Equity officer, Employee Relations officers, Talent Acquisition officers, health benefits and retirement coordinators, timekeeping, and HR support staff.

Reviewing the current positions and classification at MSDE of the individuals who are currently handling these various responsibilities, it is estimated that it would cost \$3.4 million to fund these new positions. The funding for these positions would be a combination of State funding and federal indirect funds.

The Departments of Health and Labor

Unlike the DOD who receives their back-office support from the Governor's Office and the Department of Budget and Management, the Departments of Health and Labor are very large organizations with well-established back-office operations that support their various programs. To gain an understanding of the type of support that is provided to the programs in each of these Departments, DORS reached out to programs that DORS works with in the Department of Health and Labor. While there are slight differences between the Departments of Health and Labor, they are like MSDE in that most key back-office operations are centralized. Unlike DOD, a determination of estimated cost to move DORS to either of these two Departments cannot be determined until a thorough internal analysis is performed about what additional resources would be needed to absorb DORS.

LESSONS LEARNED

State Perspective

To fully understand the impact that moving a VR agency has on the VR program, DORS reached out to three State Directors that have been involved in the moving their organizations due to the fact that these State Directors are still employed by their agency, the specific State are not identified.

State 1:

The State Director reported that the VR program was moved by Executive Order with little notice provided to the existing Designated State Agency, the staff of the VR agency, or the public about the move to the Workforce agency. In addition, the transfer date did not correspond with either the State or federal fiscal year, making the transfer agreement extremely difficult to pull together by the time the transfer was to take place. The current VR agency structure does not meet the federal requirements for the placement of the VR agency within the DSA organizational structure. The DSA is using the VR program as a new source of revenue and often creates administrative overhead cost to generate additional revenue for the DSA. Another issue is that the VR program is a Statewide program, and the State Director is in charge of the VR program. The labor programs are locally controlled, leading to conflict between the VR program and the local workforce agencies. Additional conflicts between the VR program and the Workforce are occurring, as a result of the Workforce agency attempts to apply the U.S. Department of Labor regulations in the governance of the VR program. The U.S. Department of Labor regulations follows the U.S. Department of Education regulations. Finally, the move has

caused a great deal of disruption in the services delivery, both internally with staff leaving and externally with consumers.

State 2:

The State Director reported that the VR move was part of a complete reorganization of State government agencies. The VR agencies were moved to the State's Workforce Development Division, which was part of a newly created larger agency. However, this agency is considered the Designated State Agency since the VR agency had its own independent Board. The State Director reports to the Director of the Workforce Development Division within the larger agency. The Executive Administrators of the Workforce Development Division salaries are at the State's Executive pay scale, the VR State Director is at the civil services scale. As a result of the transfer, the VR agency was not able to access either their federal funding or State funding. As a result, all client services ceased for several months due to the VR program's inability to access funds to pay the providers and vendors. The VR agency had to obtain a loan from the State Treasury to pay staff salaries during the transition.

State 3:

The State Director reported that the VR agency's move was the result of the State's scheduled review of all State agencies to determine if the State should reauthorize the agencies function in State government or shift programs to other State agencies. The VR program was moved to the Workforce Development agency. The Workforce agency met the VR program with open arms and the State built in adequate time to support the transition, despite best efforts, resulted in a disruption in services while the VR agency was assimilated into the Workforce system. The VR program was buried within the Workforce system. VR consumers in the State thought that the VR agency had been disbanded by the State and that VR services were no longer available. There was a culture clash between the programs focusing on local control vs Statewide initiatives as required by the Rehabilitation Act. There was a marked increase in staff turnover after the consolidation with the Workforce agency. The State Director indicated that the number of individuals seeking services from the VR dropped after the move and has not returned to levels prior to the move. After facing the drop in the number of individuals with disabilities seeking VR services, the Workforce Agency leadership has begun to take steps to bring more focus and prominence to the VR agency.

Lesson Learned Nationally

The representative from the National Technical Assistance Center provided the Commission with an overview of the challenges that the VR program has faced when they were relocated. These challenges include accessing the federal funds and expending their federal funds. The VR program's ability to control the expenditures of the program funds has been difficult, along with the ability to control the VR program's own policies and procedures. Services for clients were disrupted due to program funding or other system issues. There are a number of federal compliance issues with the governance requirements and other governing regulations. The State Director of the VR program is relegated to an organizational level that is not commensurate to other major programs that are in the agency. There is a lack of understanding of the complexities in the management of the VR program by the new organization. Staff turnover has a major impact on the delivery of services for VR clients. Nationally, there is no correlation between governance structure, program location, and the overall performance of the VR program.

FINAL COMMISSION RECOMMENDATIONS

- The vote of the Commission indicated that the group lacked sufficient information and data to determine whether DORS should be relocated to another state agency.
- A second recommendation about whether an additional study was needed failed.

Commission Topic #8: If the Commission determines that the Division of Rehabilitation Services should continue to be a division of the State Department of Education, whether the Division of Rehabilitation Services should have a governing board separate from the State Board of Education

BACKGROUND INFORMATION

Commission Topics #7 and #8 deal with the governance of the VR program at the State level. From the federal perspective, whether DORS moves to another agency or whether a separate Board is created to govern DORS, the federal requirements on the State will be the same. Therefore, the technical requirements discussed in Topic #7 will apply to Topic #8.

In order to examine these two topics to the fullest extent possible, two Commission meetings, held on January 23, 2023, February 13, 2023, and half of the March 6, 2023, the meeting was devoted to the discussion of these two topics. DORS interviewed three current State VR Directors, involved in the transfer of the VR program, to gain their perspectives on the impact the transfers had on their programs.

The Commission was also provided a national perspective on the impact of moving a VR agency. In Session #6, DORS brought in an individual from the Rehabilitation Services Administration Technical Assistance Center. This individual has worked with several of the VR agencies that moved. The individual brought the VR program perspective as a former staff person of DORS, the RSA perspective as a former member of RSA's VR State monitoring team, and now as the foremost authority on the requirements for and impact of transferring a VR agency.

All the federal requirements stated in the discussion of Topic #7 are applicable to the creation of a separate Board to govern the Division of Rehabilitation Services. There are also additional requirements if a separate Board is established, which will be discussed under this topic. The terms commission and board are being used interchangeably. Federal statute refers to these independent bodies as commissions, while this topic question refers to them as boards.

CREATION OF A SEPARATE BOARD

How the Board is structured, and the statutory authority granted to the Board will determine the impact on the governance of DORS. Section 101(a)(21)(A) of the Rehabilitation Act requires the State plan to specify that the designated State agency be an independent commission or establish a State Rehabilitation Council, pursuant to section 105 of the Rehabilitation Act.

Federal Requirements of State Rehabilitation Council

The Division of Rehabilitation Service has the federal designation as the Designated State Unit, since it resides within the MSDE which is the Designated State Agency. Therefore, in Maryland the required State Rehabilitation Council (SRC) is a critical part of the overall governance structure of DORS.

The SRC must have a minimum of 15 members that represent a wide cross section individuals from around the State, as well as individuals represent individuals with disabilities, a representative from the State's parent and

advocacy program, the Client Assistance Program, representatives from business and industries, a service provider, a representative from special education, and a representative from the State's Workforce Board. Each member of the SRC may be appointed to no more than two three-year terms. The SRC function is to review, analyze, and advise the VR agency regarding overall performance of the agency. This includes, a State's eligibility, Order of Selection, if one is established, effectiveness of services being provided, and the functions performed by the VR agency.

The SRC must meet a minimum of four times a year. Maryland's SRC meetings are advertised on the SRC website and other social media platforms. The meetings are open to the public and SRC allows for a public comment period during each meeting. At the quarterly meetings, SRC is provided with information and data concerning the agency's performance, customer satisfaction results, major policy changes being proposed by the agency, and discusses matters that might have a bearing on service delivery. In addition, the SRC participate in the DORS annual planning meeting, which establishes goals and objectives for the upcoming year. The SRC also participates in the review of the DORS strategic plan,

If the structure of a new Board becomes on more of an advisory role versus being directly responsible for the program, an analysis would need to be conducted to ensure that the new Board and the SRC are not taking on similar roles and thus, duplicating the efforts of an existing, federally mandated organization.

Creation of an Independent Board

If a new Board is created to be completely independent of the Maryland State Board of Education and MSDE, then under federal governance requirements DORS moves from being the Designated State Unit under MSDE to the Board. The Board then becomes the new Designated State Agency. This redesignation essentially makes the Board an independent State agency located within the MSDE. While few of the State VR agencies are organized as stand-alone independent commissions or Board, there is only one small VR agency that is located within a larger State agency.

If the State chooses to create an independent Board or Commission, it must first fulfil all mandatory federal requirements outlined in Topic #7, since the State will be transferring governance from MSDE to this new Board. In addition, the Board must meet further federal requirements involving:

- The DSA's State Plan must provide that the DSA is an independent Commission.
- The Independent Commission must be responsible under State law for operating, or overseeing the operation of, the VR program in the State.
- The Independent Commission must be consumer-controlled by individuals who:
 - Are individuals with disabilities that substantially limit major life activities.

Represent individuals with a broad range of disabilities, unless the DSU under the direction of the Independent Commission is the State agency for the blind.

- The Independent Commission must include family members, advocates, or other representatives of individuals with mental impairments.
- The Independent Commission must perform the functions listed in section 105(c)(4) of the Rehabilitation Act.

Section 105(c)(4) requires that the Independent Commission to conduct, to the extent feasible, a review and analysis of the effectiveness of, and consumer satisfaction with:

- The functions performed by the DSA;
- VR services provided by State agencies and other public and private entities responsible for providing VR services to individuals with disabilities under the Rehabilitation Act; and
- Employment outcomes achieved by eligible individuals receiving services under Title I of the Rehabilitation Act, including the availability of health and other employment benefits in connection with such employment.

Potential Cost Considerations

A Board to govern DORS will need to be statutorily created by the General Assembly, depending on how the Board is structured will determine what additional staffing and financial resources are needed to support the Board. If the Board is structured as an advisory one, then the resources needed to support the board and its activities will be minimal, since MSDE would remain as the Designated State Agency (DSA) for DORS. However, if the structure of the Board is to be an independent organization, the Board would then become the DSA. As such, additional human and financial resources will be needed to support the new Board.

Currently MSDE provides core back-office services through its Cores Services Team, which consists of a talent, procurement, Information Technology partner and a budget analyst. Members of this team meet regularly to address any operational needs of DORS. In addition, MSDE has other critical staff that support DORS in other areas, including the Equity, the Employee Relation, and the Internal Audit Offices.

There are also critical functions that only MSDE, as the parent organization, can perform, such as the State level interfaces for such activities as payroll, budget, and State yearend close outs. At the federal level, MSDE handles the federal draw downs, federal audits, and negotiates the annual indirect cost rates with the US Department of Education.

A new Board could enter into an agreement with MSDE to continue the back-office support that DORS is currently receiving from the Core Services Team. MSDE is currently providing the back-office support for several small organizations. However, an organization the size of DORS presents a different set of challenges. Additionally, there are certain oversight services that MSDE could not provide to another independent state agency, such as equity assurance, employee relations, and internal auditing. As an independent state agency, the Board would have those responsibilities as part of their oversight of the VR and Disability Determinations Services programs.

Entering into a contractual arrangement with MSDE could provide a temporary solution during the transition. In the long term, a more permanent solution would need to be created. Conflicts over the priorities of the two agencies is likely to occur. The long-term solution for the Board would be to have its own back-office staff that is dedicated and focused on the priorities and mission of the organization.

Under Topic #7 it was estimated that 32 additional staff would be needed to support a move to Maryland Department of Disabilities at an estimated cost of \$3.4 million. Those same staffing resources would be needed to support back-office operations for DORS. In addition, there would need to be an increase of two additional staff to support the activities of the Board itself, similar to the Maryland State Board of Education, for a total of 34 staff and estimated cost of \$3.6 million.

FINAL COMMISSION RECOMMENDATIONS

A motion to recommend the establishment of a separate governing Board for the Division of Rehabilitation Services failed thereby preserving the current governance structure of DORS.

FUTURE MSDE INITIATIVES TO SUPPORT DORS

The Blueprint for Maryland's Future directs MSDE, in collaboration with the Accountability and Implementation Board, to develop and implement a new financial management system and student data system capable of tracking and analyzing minimum school funding requirements and integrating LEA data. MSDE will leverage the data communication components of this system to include DORS data. The system will, to the extent possible, enable DORS to:

- Increase data availability and transmission with LEAs.
- Provide information to the LEAs about the services that are being provided by DORS, including Federal Indicator 14, which tracks students who have an IEP, and what they are doing one year after they leave secondary school.
- Receive student information from the LEAs to enable DORS to make decisions about any student who has applied for services and track student progress needed for DORS federal reporting requirements.

If successful, non-manual data transmission will increase the speed of determination of services.

MSDE plans to leverage new and expanded high-quality artificial intelligence (AI) technologies to increase the provision of high-quality customer service across multiple Divisions and Offices. MSDE is exploring the creation of a new Pre-ETS AI screening pilot program through fiscal year 2025 that would leverage AI to reduce the manual human capital investment required for screening, the rate of moving applicants through the process and redeploying human capital for service delivery. This program, if successful, will be a first-in-the-nation approach and MSDE is eager to pilot, validate, and evaluate the program for a potential full-scale adoption.

Commission Topic #9: Whether there are specific budgetary requests that could support the job training programs provided by the Division of Rehabilitation Services.

The VR program is considered a federal or State partnership, thus funding for the VR program comes from two sources, the U.S. Department of Education Rehabilitation Services Administration and the State of Maryland. The VR program is considered a mandatory program, which means that Congress must fund the program each year in accordance with the requirements of the Act. Each year the VR federal funds are increased based on the Consumer Price Index (CPI) for the preceding federal fiscal year.

The VR funds that the State receives are based on a federal funding model, which is spelled out in the Act. The model considers several factors including average state wage (Maryland is ranked #1 with the highest median household income), poverty level of the State, and changes in the State's population. The funding formula does not consider the number of disabled individuals living in the State or the cost of living in that State.

The State is responsible for providing non-federal funding to meet the Match requirements that are set out in the Act. With the VR program, it is often referred to as an 80/20 federal to State funded program. The federal government will provide 78.7% of the total funding and the State is required to provide the remaining 21.3%, in order to receive the total allotment of federal grant funding each year. In addition, the VR program has a Maintenance of Effort requirement. Maintenance of Effort means that the State is required to provide the same State VR funding level it had in the previous fiscal years.

When the VR program has an annual increase in funding levels based on the CPI, that increase does not necessarily flow down to the State level due to the funding formula. While for the past decade Maryland has experienced increases in the allotment of federal funds, this has not always been a fact. In the early to mid-2000's the relative wealth of the State was increasing and at the same time there was a relatively small increase in the State's population compared to other States across the country. As a result, Maryland actually had a decrease in its federal funding level. During the same timeframe some States experienced close to a double digit increase from one year to the next. The criteria used in the federal funding formula may adversely impacts the amount of federal funds that Maryland receives when compared to States with a similar population.

Maryland

Population: 6.2 million⁹ | FY 23 Federal Award: \$52,041,475

Wisconsin

Population: 5.9 million | FY 23 Federal Award: \$70,474,814

Missouri

Population: 6.1 million | FY 23 Federal Award: \$80,921,068

DORS has been fortunate to have support from its elected officials through the years. In the mid-2000's when the federal funding level for DORS dropped, the Governor and the General Assembly provided \$2 million in additional State funding to help offset that loss. This General Fund funding level has remained fairly consistent over the years with some fluctuations as a result of State budgetary constraints. The additional funding also

⁹ Population figures are from the 2020 Census

established a new Maintenance of Effort level, which the State has continued to meet for the last decade. Since there was a difference between the federal Match requirements and the Maintenance of Effort requirements, DORS was able to utilize additional federal VR funds as a result of the reallocation of unused VR funds from other States.

Due to higher Maintenance of Effort requirements, the State has benefited from the fact that inflation has been held in check for the last 10 years, which resulted in small increases in Maryland’s VR grant allotment of between \$500,000 to \$800,000 a year. The Match requirements did not increase dramatically from one year to the next. This allowed the State to maintain a consistent funding level over this time span. However, that began to change in FY 22 when the DORS’ grant increased by \$1.8 million and then by \$3.4 million for FY 22. This fact was a result of the increase in the cost of living.

While the budget for the federal fiscal year 2024 will not be released until early 2023, there is an indicator that can be used as a guide to determine the impact that this past year’s inflation rate will have on Maryland’s VR grant in fiscal 2024. In October, the SSA announced that due to the increase in the CPI, Social Security beneficiaries would receive an 8.7% Cost-Of-Living-Adjustment (COLA) and an increase in retirement payments. Reviewing the increase in Maryland’s allotment for the last three fiscal years in comparison to the rate of the SSA’s COLA increase, there is a similar trajectory. In 2021, DORS received a 3.6% increase when the SSA announced a 1.3% increase. In 2022, DORS received a 7.0% increase and SSA provided a 5.9% increase. If this trend continues, Maryland’s VR grant go from approximately \$52 million to as high as \$56 million in FY 2024. In this case, if the State’s general fund appropriations remain at its current level, DORS will fall short of meeting its Match requirement and may lose approximately \$1.5 million in FY 2024. The potential loss of federal funds only grows in subsequent years as Maryland’s VR grant allotment continues to grow.

Federal Fiscal Year	Current Grant Award	Forecasted Grant Amount*	Required State Match	Difference Between State VR Appropriations vs Required Amount	Potential VR Grant Reduction*
2021	\$46,881,489		\$12,688,382	\$1,933,537	
2022	\$48,610,998		\$13,156,470	\$1,464,690	
2023	\$52,041,475		\$14,084,922	\$536,238	
2024		\$56,569,083	\$15,310,311	-\$689,151	\$2,546,300
2025		\$58,902,429	\$16,870,278	-\$1,281,269	\$4,879,646
2026		\$62,332,906	\$16,870,278	-\$2,249,118	\$8,310,123
2027		\$65,763,383	\$17,798,731	-\$3,177,571	\$11,760,600

The loss of federal funds would have a significant impact on DORS' ability to provide services and training for individuals. MSDE and DORS have undertaken several initiatives to assure services to consumers are continuing to be provided by increasing salaries for the VR Counselors to attract and retain these critical positions. Furthermore, DORS has increased the funding rates to providers so they can attract and retain the necessary staff to provide services. Finally, DORS has begun to take steps to bring individuals with a significant disability off the DORS waitlist.

Without ongoing increases in State General Funds, the DORS' VR grant will remain flat, thus hindering DORS' ability to fill vacant positions in the future, provide increased funding to providers to cover their ongoing costs, and return DORS to the mid 2000's with all Categories closed for individuals being placed on a waiting list.

As part of the discussion under Topic #3, the methods for improving the amount of time it takes to provide VR and transitional services is essential to develop because VR counselor caseloads are one and half times higher than the national average, which is between 85 to 100 cases per counselors. The Commission asked what is necessary to bring Maryland's VR counselor caseloads in line with the national average. Additionally, as part of the discussion for this topic, the Commission asked what it would take for DORS to expand training and other services offered at the WTC out into the community. During Session #4, DORS provided the staffing numbers and estimated cost below. The Commission recommended that this information be incorporated under Topic #9.

It is necessary to take all active cases into consideration for both VR and Pre-Employment Transitioning Services which includes the 2,700 individuals currently on the DORS waitlist. To bring the VR Counselors caseload to the national average would require 60 new FTE State PINS. The overall estimated cost for these positions, including benefits is \$4,800,000. To expand existing DORS services offered at the WTC out into the community, it would take 14 new FTE State PINS at an estimated cost of \$1,577,000. To bring an end to the waitlist and expand DORS training and other services would be at a total cost of \$6,377,000. Due to the level of federal funding in the VR program, DORS positions are typically funded with 80% federal funds and 20% general funds, which would equate to \$1,275,400. This funding would then be used to meet the State's requirement for Match and Maintenance of Effort funding.

FINAL COMMISSION RECOMMENDATIONS

To ensure there are specific budgetary requests that can support the job training programs and services provided by DORS, the Maryland General Assembly should:

- Statutorily ensure that the State adequately provides general funds to meet the 21.3% federal Match; and
- Statutorily ensure at least 74 new FTE State PINS to eliminate the waitlist, reduce caseload levels of VR Counselors, and expand training and services in community-based settings.

Commission Topic #10: Any other improvements to the Division of Rehabilitation Services' programs and services the Commission considers appropriate.

THE BLUEPRINT FOR MARYLAND'S FUTURE

Several members of the Commission inquired whether a portion of the funding for education under Pillar 3 College and Career Readiness could be directed to DORS to provide services for the students that DORS service.

The College and Career Readiness Pillar sets a new College and Career Readiness (CCR) standard that prepares graduates for success in college and the workforce by ensuring they have the knowledge and skills to complete entry-level credit-bearing college courses and work in high-wage and high-demand industries. The Blueprint aims to ensure that all students meet the CCR standard by the end of their 10th grade year, develops CCR-support pathways to support students in meeting the standard, enables students to enter a post-CCR pathway that builds on the student's strengths, develops a Career and Technical Education system that is aligned with industry's needs, and ensures that pre-kindergarten through 12th grade curriculum, standards, and assessments are all aligned with the new CCR standard.

FINAL COMMISSION RECOMMENDATIONS

- MSDE should conduct an analysis of the Blueprint for Maryland's Future to determine if funding from Blueprint can be used to support DORS services under Pillar 3, College and Career Readiness.
- If it is determined that Blueprint funding cannot be used for DORS services, MSDE will inform the members of the General Assembly of the benefit of including funding for DORS services to support the goals of Pillar 3.

Conclusion and Next Steps

The Commission to Study the Division of Rehabilitation Services brought together a diversified group of individuals from across the State, with a focus on determining how to improve the delivery of vocational rehabilitation services for students and individuals with disabilities. The mission of the Maryland State Department of Education Division of Rehabilitation Services is to provide leadership and support in promoting employment, economic self-sufficiency, and independence of Marylanders with disabilities. To that end, the Commission provided the opportunity for DORS to highlight its strengths, examine areas in need of improvement, and share challenges the program faces.

The Commission brought forth a set of recommendations that it believes will benefit the constituents that we serve. As a result, MSDE and DORS have already begun to address and implement some of those recommendations.

Currently, in the 2023 session of the Maryland General Assembly, there are three pieces of legislation that MSDE/DORS are supporting. House Bill (HB) 621 State Department of Education – Division of Rehabilitation Services – Information Posted on Website requires DORS to provide a variety of caseload data for the public to access, which DORS has already begun to post. In addition, DORS has posted its Customer Satisfaction Survey results, and its annual federal performance reports. HB 870 Division of Rehabilitation Services and Developmental Disabilities Administration – Memorandum of Understanding requires DORS and the Developmental Disabilities Administration (DDA) to enter into an MOU which will include the sharing of data between the two organizations. This initiative is well underway between DORS and DDA and should be concluded by June 2023. Finally, MSDE/DORS is working closely with sponsors of HB 1222/Senate Bill (SB) 934 State Department of Education – Division of Rehabilitation Services – Funding and Staffing which, if passed will codify the State’s requirement to meet the federal Match requirement. Meeting the federal Match requirement will enable the State to receive its full federal funding allotment. Additionally, the legislation provides for 60 additional VR counselor PINs and 14 PINs to expand community-based services.

DORS has taken steps to address other Commission recommendations and themes that emerged during meetings. One theme centers around better and increased community engagement. As a result, DORS is in the process of establishing an Office of Individual and Community Engagement. The sole purpose of the Office is to actively engage the community to identify concerns around the delivery of VR services early and develop strategies to address those concerns. The Office will also address individuals’ concerns about their cases and at the same time analyze each case from a systemic perspective to determine where DORS can improve in the areas of communication, training, or policy changes.

Another area that was highlighted by the work of the Commission is the need for ongoing professional development of DORS transitioning counselors and local education agency staff about student transitioning services. Therefore, the Division of Early Intervention and Special Education Services and DORS will be collaborating to provide joint training for transitioning specialists across the State.

The Commission stressed the need to expand the training and other services provided by DORS at the Workforce and Technology Center that will allow students and families to have other options and opportunities to remain in their communities. While DORS does offer several in person and in the community services, DORS will be expanding a number of services and trainings for clients. The DORS workforce services have already established two alternate training locations for several of its customized training that it offers. If passed HB 1222/SB934 will enable DORS to expand community-based services even further.

Finally, DORS will continue to work collaboratively with our partners to address remaining Commission recommendations. MSDE/DORS appreciates the time commitment of the Commission members, the open dialogue, and honest feedback that has occurred during the seven Commission meetings.

Appendices

Appendix A

Glossary Of Acronyms

Appendix B

Session One Agenda and Presentation (October 6, 2022)

Appendix C

Session Two Agenda and Presentation (October 26, 2022)

Appendix D

Session Three Agenda and Presentation (November 17, 2022)

Appendix E

Session Four Agenda and Presentation (December 8, 2022)

Appendix F

Session Five Agenda and Presentation (January 23, 2023)

Appendix G

Session Six Agenda and Presentation (February 13, 2023)

Appendix H

Session Seven Agenda and Presentation (March 6, 2023)

Appendix A

GLOSSARY OF ACRONYMS

BHA: Behavioral Health Administration

CCBC: Community College of Baltimore County

CCR: College and Career Readiness

CNA: Certified Nursing Assistant

CPI: Consumer Price Index

CRP: Community Rehabilitation Provider

DBM: Department of Budget and Management

DD: Developmental Disability

DDA: Developmental Disabilities Administration

DEI/SES: Division of Early Intervention and Special Education Services

DDS: Disability Determination Services

DORS: Division of Rehabilitation Services

DSA: Designated State Agency

DSU: Designated State Unit

DVR: Division of Vocational Rehabilitation

EDU: Eligibility Determination Unit

IEP: Individual Education Program

IPE: Individual Plan for Employment

ILOB: Independent Living Older Blind

LEA: Local Education Agency

PGCC: Prince George's County Community College

MOU: Memorandum of Understanding

MSDE: Maryland State Department of Education

OLA: Office of Legislative Audits

OSS: Order of Selection

PRE-ETS: Pre-Employment Transitioning Services

Pre-ETS IPP: Pre-Employment Transitioning Services Intake Partnership Program

SESAC: Special Education State Advisory Council

SSA: Social Security Administration

SSDI: Social Security Disability Insurance

SRC: State Rehabilitation Council

CSNA: Comprehensive Statewide Needs Assessment

RSA: Rehabilitation Services Administration

UMD: University of Maryland

VR: Vocation Rehabilitation

WCT: Workforce and Technology Center

WIOA: Workforce Innovation and Opportunities Act

Appendix B

SESSION ONE AGENDA AND PRESENTATION (OCTOBER 6, 2022)

Agenda:

https://marylandpublicschools.org/programs/Documents/Gov-Rel/DORS_Agenda_10.6.2022.pdf

Presentation:

https://marylandpublicschools.org/programs/Documents/Gov-Rel/DORS_Presentation_10.6.2022.pdf

Appendix C

SESSION TWO AGENDA AND PRESENTATION (OCTOBER 26, 2022)

Agenda:

https://marylandpublicschools.org/programs/Documents/Gov-Rel/DORS_Agenda%2010.26.2022.pdf

Presentation:

https://marylandpublicschools.org/programs/Documents/Gov-Rel/DORS_Presentation_10.26.2022.pdf

Appendix D

SESSION THREE AGENDA AND PRESENTATION (NOVEMBER 17, 2022)

Agenda:

https://marylandpublicschools.org/programs/Documents/Gov-Rel/DORS_Agenda-11.17.2022-v2.pdf

Presentation:

<https://marylandpublicschools.org/programs/Documents/HB660-DORS-Session3.pdf>

Guest Presentation from the Massachusetts Rehabilitation Commission:

<https://marylandpublicschools.org/programs/Documents/Presentation-MD-VR-11.15.22.pdf>

Guest Presentation from the Institute for Community Inclusion, UMass Boston:

<https://marylandpublicschools.org/programs/Documents/Gov-Rel/11172022/MarylandDORSWorkingGroup111722.pdf>

Documents from the Institute for Community Inclusion, UMass Boston:

[Supported Employment Services Flowchart](#)

[Employment Services Workflow](#)

Appendix E

SESSION FOUR AGENDA PRESENTATION (DECEMBER 8, 2022)

Agenda:

https://marylandpublicschools.org/programs/Documents/Gov-Rel/DORS_Agenda%2012.8.2022.pdf

Presentation:

https://marylandpublicschools.org/programs/Documents/Gov-Rel/DORS_Presentation_12.8.2022.pdf

Appendix F

SESSION FIVE AGENDA AND PRESENTATION (JANUARY 23, 2023)

Agenda:

https://marylandpublicschools.org/programs/Documents/Gov-Rel/DORS_Agenda_1.23.23_v2.pdf

Presentation:

https://marylandpublicschools.org/programs/Documents/Gov-Rel/DORS_Presentation_01.23.2023_a.pdf

Appendix G

SESSION SIX AGENDA AND PRESENTATION (FEBRUARY 13, 2023)

Agenda:

https://marylandpublicschools.org/programs/Documents/Gov-Rel/DORS_Agenda_2.13.23_v3.pdf

Presentation:

https://marylandpublicschools.org/programs/Documents/Gov-Rel/HB660-DORS-Session-6_A.pdf

Appendix H

SESSION SEVEN AGENDA AND PRESENTATION (MARCH 6, 2023)

Agenda:

https://marylandpublicschools.org/programs/Documents/Gov-Rel/DORS_Agenda_3.06.23_v2_A.pdf

Presentation:

https://marylandpublicschools.org/programs/Documents/Gov-Rel/HB660-DORS-Session7_V3_A.pdf