

THOMAS P. DINAPOLI
STATE COMPTROLLER



110 STATE STREET
ALBANY, NEW YORK 12236

STATE OF NEW YORK
OFFICE OF THE STATE COMPTROLLER

September 27, 2023

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

Re: Adult Career and Continuing
Education Services – Vocational
Rehabilitation Supported Employment
Program
Report 2023-F-15

Dear Dr. Rosa:

Pursuant to the State Comptroller's authority as set forth in Article V, Section 1 of the State Constitution and Article II, Section 8 of the State Finance Law, we have followed up on the actions taken by officials of the State Education Department (Department) to implement the recommendations contained in our audit report, *Adult Career and Continuing Education Services – Vocational Rehabilitation Supported Employment Program* (Report [2020-S-46](#)).

Background, Scope, and Objective

According to the 2022 American Community Survey (ACS), in New York State, there were estimated to be over 1 million non-institutionalized working-age adults (ages 18–64) with a disability in the labor force. Further, ACS data shows that an estimated 25% of New Yorkers with disabilities are likely to live in poverty. Unemployment rates among New Yorkers with a disability were higher than for the general population over the past decade but decreased in 2019 just prior to the COVID-19 pandemic. However, the unemployment rate for individuals with a disability remains high and continues to eclipse the unemployment rate of individuals without a disability, disrupting progress made leading up to the pandemic.

The Department's Adult Career and Continuing Education Services – Vocational Rehabilitation (ACCES-VR) program provides vocational rehabilitation services for and supports the employment goals of people with a disability. Its mission is to assist individuals with a disability to achieve and maintain employment and to support independent living through training, education, rehabilitation, and career development. ACCES-VR's work begins with the presumption that all individuals with a disability can benefit from vocational rehabilitation services and should have opportunities to work in jobs integrated within their communities. As of June 2023, the Department maintains 15 ACCES-VR district offices with 218 full-time vocational rehabilitation counselors (counselors) and 96 vocational rehabilitation counselor assistants.

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

For new program participants, the Vocational Rehabilitation Policies and Procedures (Policy) require an eligibility determination to be made within 60 days of receipt of the participant's application. Once an eligibility determination has been made, the Policy requires an IPE to be finalized for the participant within 90 days. Additionally, the finalized IPE should be reviewed by the participant and their counselor as often as necessary but no less than once a year. For the federal fiscal year 2022, ACCES-VR reported that its Supported Employment Program arranged job placements for 5,830 people and had a total open caseload of 54,038 people.

The objective of our initial audit, issued on March 30, 2022, was to determine whether the ACCES-VR Supported Employment Program achieved its intended objectives, namely, to provide vocational rehabilitation supported employment services for individuals with a disability. It covered the period from April 2017 through December 2020. The audit found that the Department did not always meet the time frames for eligibility determinations or finalization and annual reviews of IPEs. In addition, IPEs did not contain all the required information in sufficient detail, and the Department did not provide any documented evaluations to show ACCES-VR was being adequately monitored.

The objective of our follow-up was to assess the extent of implementation, as of August 2023, of the three recommendations included in our initial audit report.

Summary Conclusions and Status of Audit Recommendations

Department officials have made progress in addressing the issues we identified in the initial audit report. Of the initial report's three audit recommendations, two were implemented and one was partially implemented.

Follow-Up Observations

Recommendation 1

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

Status – Implemented

Agency Action – In April 2023, the Department replaced its legacy Case Management System (CaMS) with a new web-based case management system (Aware). Department officials stated that Aware allows for improved oversight as supervisors may view caseloads by counselor and it integrates easily with other Department reporting programs. Aware has controls to help the Department address cases that do not meet the required time frames

for eligibility determinations, IPE finalizations, and IPE annual reviews. Specifically, the system will not allow a counselor to move forward on a case that has a past-due task until an extension is completed. Further, the counselor's supervisor is responsible for ensuring that the reason the case did not meet required time frames is documented. Additionally, the Department issued a District Office Operations Manual (Manual) that provides counselors with step-by-step guidance for eligibility determinations, IPE development and finalization, and IPE annual reviews. The Manual also outlines the expectations and practices for timely determination of eligibility and IPE development, as well as the roles of both the Central and district offices.

To determine if the added controls are working as intended, we reviewed data from the Department, and found that the overwhelming majority of cases (876 of 879) with an application on or after the date of the implementation of Aware met the timeliness requirements for both eligibility determinations and IPE finalizations. Because Aware was implemented in April 2023, it was too early to determine if annual reviews were completed timely. Additionally, we reviewed the case files for eight of 15,914 cases that had an application date between July 1, 2022 and June 30, 2023, and found sufficient evidence in the case file that either the eligibility determination and IPE finalization were completed timely or that documentation included a satisfactory explanation (e.g., unable to contact the participant) as to why they were not completed timely. We also reviewed two of 1,863 case files that had been closed and indicated that the participant could not be reached. For both cases, we found evidence of regular follow-up attempts to contact the participant.

Recommendation 2

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

Status – Implemented

Agency Action – The Department developed step-by-step guidance for counselors to follow when completing an IPE in Aware, including examples of how to fully develop an IPE that is unique and contains sufficient detail for each participant. Additionally, many of the pre-populated drop-down choices that counselors could previously select from to develop IPEs in CaMS are no longer available. Aware now requires counselors to input information that is specific to the individual. While there are still some fields that allow selection from a pre-populated list (which counselors can use for classification purposes), most data is now entered on a case-by-case basis and is, therefore, more closely tailored to each individual. Additionally, the Manual contains guidance as it relates to IPE development. The guidance addresses which tasks need to be completed by district offices through development and monitoring of the plans and district office management's role in discussing strategies for improvement at management and all-staff team meetings. The Manual also includes an IPE checklist for counselors to follow as they develop IPEs.

Recommendation 3

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

Status – Partially Implemented

Agency Action – Beginning in January 2021, the Department began conducting district meetings to provide training and discussion related to ACCES-VR performance measures outlined by the U.S. Department of Education's Rehabilitation Services Administration (RSA) and the Workforce Innovation and Opportunity Act. Effective September 2023, these meetings will be conducted quarterly. Initially, these meetings included staff from one district but have since expanded to include management staff from other districts. Currently, all districts are participating. Department officials stated that discussions at these meetings address various topics that have included the Department's RSA performance and how the Department compares with other states. Also, the meetings have addressed the counselor assistant's role in following up with participants to determine how they are doing in their training program and on gathering information such as progress reports to give to the counselor. The counselor then uses the information provided by the assistant to evaluate the participant's progress toward their employment goal, track progress toward obtaining the credentials needed for their employment goal, and determine if any interventions or services are needed to achieve success. However, Department management does not regularly evaluate such case-specific information as a whole to identify potential trends and possible improvements outside of the RSA measures. While the RSA performance measures allow the Department to monitor much of the process, other trends, such as the amount of time it takes for each case to be successful or the progress of participants throughout the process, can also provide insight into how the program is performing by region and by counselor.

Major contributors to this report were Christopher Herald, CIA, CGAP; Stephon Pereyra; and Joseph Southworth.

We would appreciate your response to this report within 30 days, indicating any actions planned to address the unresolved issues discussed in this report. We thank the management and staff of the Department for the courtesies and cooperation extended to our auditors during this follow-up.

Very truly yours,

Amanda Eveleth
Audit Manager

cc: Sharon Cates-Williams, SED
James Kampf, SED
Jeanne Day, SED