

1. **How does RSA's notice of interpretation (NOI) related to pre-employment transition services affect RSA-911 data collection and reporting?**

On February 28, 2020, RSA published a NOI in the [Federal Register](#) to:

- Clarify current policy regarding the use of Federal Vocational Rehabilitation (VR) funds reserved for the provision of pre-employment transition services to pay for auxiliary aids and services needed by all students with disabilities in order to access or participate in required pre-employment transition services under section 113(b) of the Rehabilitation Act of 1973, as amended by WIOA; and
- Announce a change in policy with respect to additional VR services needed by eligible students with disabilities that may be paid for with Federal VR grant funds reserved for the provision of pre-employment transition services and the circumstances under which those funds may be used to pay for those additional VR services.

While VR agencies report the costs of all purchased services on RSA-911, RSA does not use RSA-911 data to track expenditures related to the reserve requirement for the provision of pre-employment transition services for students with disabilities. Instead, RSA uses fiscal data reported through the Annual Vocational Rehabilitation Program/Cost Report (RSA-2) to assess compliance with this requirement.

2. **How should VR agencies report the provision of auxiliary aids and services to Potentially Eligible Students with Disabilities?**

Consistent with RSA's instructions to VR agencies prior to the NOI, if a VR agency provides auxiliary aids and services to a potentially eligible student with a disability, in support of one of the five required activities, the VR agency reports the auxiliary aid or service under the corresponding Data Element for that required activity.

- Example 1: The VR agency provides an auxiliary aid so that a potentially eligible student may participate in a Work-Based Learning Experience under pre-employment transition services. The VR agency reports this auxiliary aid using the appropriate Data Elements 103-106 for Work-Based Learning Experience as a pre-employment transition service.

3. **How should VR agencies report the provision of auxiliary aids and services to Students with Disabilities with IPEs?**

If VR agencies provide auxiliary aids and services to students with disabilities, who have an IPE, to support the provision of a required activity, under pre-employment transition services, these auxiliary aids and services should be reported on the RSA-911 using the specific Data Elements for the auxiliary aid or service.

- *Example 2: The VR agency purchases Rehabilitation Technology to assist a student, who has an IPE, to participate in job-exploration counseling (one of the five required activities). The VR agency reports the provision of the Rehabilitation Technology using

the appropriate Data Elements 301 through 307 and the provision of Job-Exploration Counseling using the appropriate Data Elements 97-100.

- *Example 3:** The VR agency provides an in-house interpreter to a student, who has an IPE, to allow participation in workplace readiness training (one of the five required activities). The VR agency reports Interpreter Services using Data Elements 329-335, as appropriate, and the Workplace Readiness Training using the appropriate Data Elements 115-118.

4. How should VR agencies report the provision of other VR services that support the delivery of the pre-employment transition service?

For those VR services that may now count toward the reserve requirement, resulting from the change outlined in the NOI, the same reporting instructions for these VR services apply because the student has an IPE. Therefore, the specific VR service that supports the required activity, under pre-employment transition services, is reported using the appropriate Data Elements.

- *Example 4:** The VR agency provides Transportation services to help a student, who has an IPE, attend self-advocacy training sessions (one of the five required activities). The VR agency reports Transportation using Data Elements 287-293, as appropriate, and the Instruction in Self-Advocacy using the appropriate Data Elements 121-124.
- *Example 5:** The VR agency provides Maintenance to a student, who has an IPE, cover the cost of clothing so that the student may participate in a work-based learning experience (one of the five required activities). The VR agency reports Maintenance using Data Elements 294-300, as appropriate, and the Work-Based Learning Experience using the appropriate Data Elements 103-106.

*In Examples 2, 3, 4, and 5, all of these services – the pre-employment transition services and the VR services that support them – must be documented on the student's IPE in accordance with [34 C.F.R. § 361.46](#).

5. What are the reporting requirements for SWD who are “known” to the VR agency? Are SVRAS required to report on all SWD who are potentially eligible for VR services?

No. VR agencies should only report SWD who receive one of the five required Pre-ETS activities on the RSA-911. For example, if a SWD receives a Work-Based Learning Experience in Q1, does not receive a required activity in Q2, and then receives another required activity in Q3, the VR agency would report, at least, three quarters for this SWD.

6. If a VR Counselor attends an IEP meeting (as a Pre-ETS Coordination Activity) for a student who is Potentially Eligible and the VR agency does not provide any of the required Pre-ETS activities, is the agency required to report this SWD on the RSA-911? What if the parent/student opts not to accept Pre-ETS and does not sign consent for VR to get the data elements needed to report the SWD?

No. If Pre-ETS are offered to a student with a disability, but the parent does not consent, or the student/parent deny services, there is no requirement for the VR agency to report the SWD on

the RSA-911. If the VR counselor is attending IEP meetings as a Pre-ETS coordination activity, this should be documented through the agency's mechanism for tracking staff time, but it is not reported on the RSA-911 because the VR agency did not provide one of the five required activities.

- 7. In regard to reporting Data Element 78, if a participant is enrolled in secondary education at the time of IPE, do VR agencies need to specifically state that completing secondary education is a goal on the IPE? Or is it implied?**

This requirement is related to the Credential Attainment Indicator under the WIOA Performance Measures. The guidance in [TAC 17-01](#) states "All participants who are enrolled in secondary education and who have the attainment of a secondary school diploma or its equivalent identified on their Individualized Plan for Employment (IPE)." DE 78 is where VR agencies report that completing secondary education is a goal for the participant on his or her IPE. A student might be pursuing a special education certificate (i.e., Code 2) while some are pursuing a high school diploma (i.e., Code 1). As of July 1, 2020, PD 19-03 added an additional DE 400 which has the same expectation, but for those enrolled in a recognized equivalency program (i.e., GED). Adhering to this requirement ensures that these students are accurately included in the Credential Attainment denominator.

- 8. How do we use DE 22 – Student with a Disability? When do VR agencies report that an individual no longer meets the definition of SWD (i.e., Code 0)? Can VR agencies simply stop reporting potentially eligible SWD if they are not receiving Pre-ETS?**

Reporting Code 0 in DE 22 does not "exit" the case because potentially eligible SWD do not exit the VR program, like applicants, eligible individuals, and participants do. Reporting Code 0 in DE 22 means that the individual is no longer potentially eligible for Pre-ETS because he or she does not meet the definition of SWD. If the VR agency report Codes 1 (i.e., IEP), 2 (i.e., 504 Plan), or 3 (i.e., SWD Other) for DE 22 in Q1, but in Q2 they no longer meet the definition of a SWD (e.g., drops out of school), the agency reports Code 0 for DE 22 in Q2. Then the reporting of all DEs for that student stops in Q3. After the agency has stopped reporting the DE associated with that student, if the student later meets the definition of a SWD (e.g., re-enroll in an educational program) and starts receiving pre-ETS again (one of the five required activities), the VR agency is responsible for collecting and reporting all of the required potentially eligible DE, including DE 22, in a new case.

Unique Identifiers follow the individual. If a new case is opened, the Unique Identifier would remain the same.