

State Rehabilitation Council and Independent Commission Resources

State Rehabilitation Councils

The State Rehabilitation Council (SRC) collaborates with the VR agency in administering the VR program. Among its several responsibilities, the SRC reviews, evaluates, and advises the VR agency regarding its performance and effectiveness in delivering services, including the effect of service provision on the achievement of employment outcomes by individuals with disabilities. The SRC also seeks input from community advocates, business and industry representatives, and disability groups, as agencies develop and implement policies and procedures that directly affect the individuals served by the VR agency.

The SRC composition and responsibilities requirements are specified in Section 105 of the Rehabilitation Act and 34 C.F.R. §§ [361.16](#) and [361.17](#).

SRC Membership

Governors appoint SRC members unless State law grants appointing authority to another entity. In making appointments to the SRC, the appointing authority should consider the extent to which minority populations are represented on the SRC. SRC members serve for three-year terms and cannot serve more than two consecutive terms. The two-term limit does not apply to the Client Assistance Program (CAP) or the American Indian VR program representatives. The SRC must have at least 15 members including:

- at least one representative of the Statewide Independent Living Council (SILC)—who must be either the chairperson or another designee of the SILC;
- at least one representative of a parent training and information center established pursuant to section 682(a) of the Individuals with Disabilities Education Act;
- at least one representative of the Client Assistance Program (CAP) who must be either the CAP director or another individual recommended by the CAP;
- at least one qualified VR counselor with knowledge of and experience with the VR program, who serves as a nonvoting, ex officio member if he or she is employed by the DSA;
- at least one representative of community rehabilitation program service providers;
- four representatives of business, industry, and labor;
- representatives of disability advocacy groups: (a) representing a cross-section of individuals with physical, cognitive, sensory, and mental disabilities; and (b)

representing individuals with disabilities who have difficulty representing themselves or are unable to represent themselves due to their disabilities;

- at least one former or current applicant for, or recipient of, VR services;
- at least one representative of the directors of AIVRS projects, if such projects are funded under section 121 of the Rehabilitation Act in the State;
- at least one representative of the State educational agency responsible for the public education of students with disabilities; and
- at least one representative from the State workforce development board.

The majority of SRC members must be:

- individuals with disabilities; and
- not employed by the designated State unit (DSU).

For purposes of SRC membership, an "individual with a disability" is anyone who:

- has a physical or mental impairment that substantially limits one or more major life activities;
- has a record of having such an impairment; or
- is regarded as having such an impairment.

SRC Functions

In partnership with the VR agency, here are some important functions of the SRC, that include, but are not limited to:

- Develop and review State goals and priorities;
- Evaluate the effectiveness of the VR program;
- Conduct statewide needs assessments;
- Consult regularly regarding the development, implementation, and revision of State policies and procedures, and other VR related activities;
- Provide comments during the development of the VR Services Portion of the [WIOA Unified or Combined State Plan](#); and
- Prepare and submit to the Governor and to RSA no later than 90 days after the end of the Federal fiscal year an annual report on the status of the VR program and make the report available to the public.

SRC Meetings

SRC meetings must be:

- held at least four times a year;
- publicly announced;
- open and accessible to the public unless there is a valid reason for an executive session; and
- may consist of hearings and forums as deemed necessary by the SRC.

State Independent Commissions

Section 101(a)(21)(A) of the Rehabilitation Act requires the State plan to specify that the designated State agency (DSA) either: 1) is an independent commission; or 2) has established a SRC pursuant to section 105 of the Rehabilitation Act (34 C.F.R. § 361.16(a)). Most states have established an SRC to work in partnership with the DSA and the DSU. There are, however, a few State VR agencies that are organized as "independent commissions." The Rehabilitation Act sets forth general requirements for the composition and functions of these independent commissions, whereas, with the SRC, the Rehabilitation Act is very prescriptive in terms of composition and functions.

Statutory Requirements for State Independent Commissions

If a DSA claims to be an independent commission, the following requirements must be met pursuant to section 101(a)(21)(A) of the Rehabilitation Act (34 C.F.R. § 361.16(a)(1)):

- 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 persons who:
 - are individuals with disabilities that substantially limit major life activities; and
 - 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; and

- the independent commission must perform the functions listed in section 105(c)(4) of the Rehabilitation Act and reiterated in 34 C.F.R. §361.17(h)(4).

Section 105(c)(4) of the Rehabilitation Act and 34 C.F.R. §361.17(h)(4) require 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.

Key Legal Citations

- Sections 101(a)(21) and 105 of the Rehabilitation Act of 1973, as amended by Title IV of WIOA
- Federal Regulations at 34 C.F.R. §§ [361.16](#) and [361.17](#).

SRC Annual Report

Following each Federal fiscal year (October 1-September 30), the SRC Annual Report is due by December 30. The Rehabilitation Act of 1973, as amended by Title IV of WIOA, requires SRCs to submit an annual report to RSA and the Governor of the State. The Act does not provide specific requirements regarding the content or format of the SRC Annual Report. VR program regulations at 34 C.F.R. § 361.17(h) state that the report is to provide information on the status of VR program(s) operated within the State. The report is to be made available to the public through appropriate modes of communication. SRCs should email the report to the assigned [RSA State Liaison](#) and copy RSA's liaison to the SRCs, [Jason Hunter](#).

Resources

The [National Coalition of State Rehabilitation Councils](#) (NCSRC) develops useful resources for SRCs. The NCSRC Board of Directors offers mentoring to SRCs as it strives to ensure NCSRC members receive support and opportunities to network with SRCs across the country.

National, S. C. (n.d.). *State Rehabilitation Council and Independent Commission Resources*.
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Services Administration. <https://rsa.ed.gov/about/programs/vocational-rehabilitation-state-grants/SRC-independent-commission-resources>