



The National Association for the **Employment** of People who are **Blind**

**NAEPB Board of Directors Teleconference**

**Monday, June 8, 2015**

**10:30am – 12:00pm EST**

**Dial-in number: 1-877-860-3058**

**Pass Code: 925356**

**AGENDA**

- |   |               |
|---|---------------|
| 1. Call to Order                                      | Steiner       |
| 2. Roll Call  | Garrett       |
| 3. Minutes for Approval                               | Garrett       |
| a) DRAFT- NAEPB Board Minutes_4_28_15                 |               |
| 4. Treasurer's Report                                 | D'Amico       |
| a) NAEPB Treasurer's Report for period ending 4-30-15 |               |
| 5. Consent Calendar Report                            | Steiner       |
| a) NAEPB PP report - 6-8-15 FINAL (Wells)             |               |
| 6. BSC Updates  | Horton        |
| 7. 2015 Public Policy Forum Wrap-Up                   | Wells         |
| 8. 2015 Grassroots Forum                              | Wells         |
| 9. WIOA Letter from NAEPB                             | Wells         |
| 10. By-Law Change Updates                             | Taylor        |
| 11. NAEPB 2015 Strategic Plan Revision Update         | Monteferrante |
| 12. NIB Update  | Lynch         |
| 13. Other Business                                    | All           |
| 14. Adjournment                                       | Steiner       |



**The National Association for the Employment of People who are Blind**

**Crowne Plaza Old Town, Alexandria, VA  
2015 NIB/NAEPB Public Policy Forum  
Tuesday, April 28, 2015  
8:30am – 10:00am EST**

**NAEPB Board of Directors Meeting**  
**Minutes Approved on June 8, 2015**

**Call to Order**

The meeting of the NAEPB Board of Directors was called to order on Tuesday, April 26, 2015 at 8:30am EST by NAEPB President Dennis Steiner. Secretary Garrett proceeded with the Board Roll Call, after which he announced that a quorum was reached.

**NAEPB Board Roll Call**

Rudy D’Amico	Treasurer
Robert Garrett	Secretary
Reinhard Mabry	Vice President of Services
Dennis Steiner	President
Eric Stueckrath	Vice President, Operations
Dave Wells	Vice President, Public Policy
Ken Fernald	Assistant Vice President, Operations
Shelly Taylor	Chair of Ethics
David Horton	Vice President, Base Supply Chains
Michael Monteferrante	Vice President, Strategic Planning
Kevin Lynch	Ex-Officio Member, President and CEO, NIB

**NAEPB Board Members Not Present**

Erika Arbogast	Assistant Vice President, Public Policy
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**NIB Staff Members Present**

Steve Brice	Chief Financial Officer
Marie-France Vareilles	Vice President, Products
Angela Hartley	Executive Vice President, Chief Program Officer
Carrie Laney	Executive Director, NYSPSP
John Qua	Vice President, Services
Laura Reimers	Vice President, Communications
Carla Williams	NAEPB/NIB Administrative Assistant

**Member Agency Representatives Present**

Kevin Kelley	Georgia Industries for the Blind
Mike Jackson	Georgia Industries for the Blind
Cindy Pinkney	IB Milwaukee
Deanna Dockman	Beacon Lighthouse
Matt Koch	Virginia Industries for the Blind
Stephen Comency	AVRE



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David Huffman	East Texas Lighthouse for the Blind
Karen Walls	Midwest Enterprises for the Blind
Mike Gilliam	San Antonio Lighthouse for the Blind
Jonathan Fister	Keystone Vocational Services, Inc.
Jim Kerlin	Beyond Vision
Rob Buettner	Beyond Vision
Melanie Wimmenauer	The Lighthouse for the Blind, Inc. (Seattle)
John Mitchell	CABVI
CJ Lange	IB Milwaukee

**Approval of Minutes – Bob Garrett, Secretary**

Mr. Garrett presented minutes in draft form from the February 5, 2015 Board of Directors Meeting in West Palm Beach. As there were no proposed changes to the content, a motion was made for approval (Mabry), followed by a second (D'Amico). The minutes were approved as distributed.

**Treasurer's Report – Rudy D'Amico, Treasurer**

Mr. D'Amico presented the Treasurer's report for the period ending 2/28/2015 orally and written as follows. Please see the financial statements ending in 2/28/15. The checking account value was \$7,689 and savings account \$186,697. Accounts receivable balance was \$4,000. A dues write off expense was recognized for 2015 at \$1,000. Remaining dues for agencies as listed continue to be collected. Accrued expenses consist of 5 months of accrued accounting fees at \$625 and 15 months of accrued website maintenance fees at \$5,900. Total equity at the end of February 28, 2015 was \$198,386. Total revenue for the year to date was \$30,054, all income a result of collected dues. There were no expenses paid out in February. At the conclusion of the reporting, there was a motion made to approve the financial report subject to audit (Taylor). The motion was followed by a second (Mabry), and then approved unanimously.

**Consent Calendar – Dennis Steiner, President**

Mr. Steiner introduced the consent calendar, consisting of two reports as follows: NAEPB Public Policy report - 4-17-15 (Wells) and NAEPB Services Update (Mabry) for NAEPB Board. As there were no deletions or additions to the reports, the Consent Calendar was approved unanimously as distributed.

**Brief Overview of the Public Policy Forum – Dave Wells, Vice President, Public Policy**

Mr. Wells commended NIB's staff and planning committee for putting together the 2015 Public Policy Forum. Mr. Wells encouraged everyone to attend the breakfast, luncheon, sessions and pay close attention to the information that was distributed in the welcome materials. He added that there would be great speakers, Congressional representatives and stressed the importance of having full attendance. Mr. Steiner stated that it is important that members spend time meeting with Representatives and added that the program is in a critical time with the issues that face the organization.



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**Letter from Commission: Treatment of AbilityOne Employees - Dennis Steiner, President**

Mr. Steiner introduced a letter that was sent from the US AbilityOne Commission to NIB and SourceAmerica regarding the welfare and health of employees throughout the AbilityOne Program. The letter stemmed from complaints that the Commission received from employees whom were dissatisfied or felt as if they were being harassed in some form.

As a result, the Commission has directed NIB and SourceAmerica to conduct an agency survey in an attempt to receive further insight into the issues and allegations brought forth by the employees. Mr. Lynch added that the letter was discussed at the NIB Board Meeting and that he and the NIB Board Chair (Lou Jablonski) would be meeting with Mr. Poleo (Chair, AbilityOne Commission) and Ms. Ballard (Executive Director, AbilityOne One Commission) at the upcoming SourceAmerica meeting to address some of the concerns. Mr. Lynch stated that this letter was the second one from the Commission with regards to employee complaints. The first letter was received a year ago in January. NIB responded to the Commission, that there were systems already in place in addition to governmental agencies that had the authority to address the employee's concerns.

The Commission stated that they did not have investigative authority nor did they expect the CNA's to have authority, but the expectation was that the issues would be investigated. Mr. Lynch estimated NIB's cost for an investigative study at \$250,000, while SourceAmerica would likely have to pay a ½ half million dollars. Mr. Lynch stated that the issue will be further discussed in a meeting later during the day with several NAEPB Board members and staff persons from the Commission. In response to an inquiry by Mr. Mabry, Mr. Lynch stated that NIB receives about 6-10 employee calls per year, that would not be classified as EEOC, or hostile work environment issues. All issues are forwarded to the agencies and many times, most are aware of the problem. No corrective action is taken, NIB serves at the messenger. Mr. Monteferrante suggested incorporating a standing item in terms of future meetings where NIB can report out on the pulse of what is happening on the topic. He stated that there could then be discussion surrounding the issues. Mr. Lynch stated that the idea was proactive, but compliance reviews and training is in place to support healthy customer environments and there had been no calls this quarter. Mr. Garrett stated that Federal programs were in place to deal with serious allegations, but HR should be able to report a supervisor or contractor with whistleblower policies. Mr. Steiner stated that the TIGER team will be meeting with the Commission staff in the afternoon where additional thoughts and ideas would be presented. Mr. Steiner concluded the discussion by stating that it is important to look at the issues from a proactive standpoint.

**NAEPB 2015 Strategic Plan Draft Review – Michael Monteferrante, Vice President, Strategic Planning**

Mr. Monteferrante presented the draft of the strategic plan. He stated that the revised document was expansive and had similar format and content from the existing plan. He further stated that the plan was up for discussion and modification. Mr. Mabry suggested that the plan be sent to each of the committees to propose 3-5 metrics to bring to the group for consideration from which a subset could be generated. A strategic plan is as only as good as the set of goals that you can, stated Mr. Mabry.



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Mr. Monteferrante stated that the Board needed to set-up achievable goals which required modification and collaboration of the committees. Mr. Wells stated that some of the items couldn't be measured and that there was no way to quantify some goals so certain areas would need a reanalysis. Mr. D'Amico commented that it was the Committee Chairs responsibility to give a report on where we stand with completion and progress with different objectives to ensure that Mr. Monteferrante has the most updated information. Mr. Monteferrante will work with committee Chairs, revalidate areas and convene on suggested metrics for Board review. A redraft of the strategic plan will be reviewed at the next Board meeting. Mr. Steiner thanked Mr. Monteferrante for taking on the challenge of redrafting the Strategic Plan.

**President's Remarks – Dennis Steiner, President**

Mr. Steiner stated that he would like to try to keep the 2016 NAEPB Retreat in line with NIB Board meeting. He commented that the intention was to keep the Retreat in the same time frame as the NIB Board meeting due to the amount of NIB employees attending. He stated that the Retreat is a chance for the NAEPB Board members to network and interact with NIB staff, which is important.

The 2016 NAEPB Retreat will take place in conjunction with the NIB Board meeting at the end of January in Arizona. He also stated that having the Retreat gives the opportunity to do networking and visit the sister agency in Arizona. Mr. Steiner will work with Dick Monaco (CEO, Arizona Industries for the Blind) to set-up an agency visit. More details will be available in the coming months.

**New Business**

**Proposed By-Law Changes – Shelly Taylor, Chair, Ethics**

Ms. Taylor stated that the committee started the year with four basic points under what qualifies for Membership in NAEPB (Mergers, Subsidiary, Agencies with Management Contracts, SourceAmerica/NIB Agency Mergers). The Committee focused on the first two, which were reviewed from a legal standpoint. Under Mergers, the controlling agency would become the NAEPB Member. In subsidiary circumstances (where there are parent organizations) both agencies are considered one membership.

For the last two focus areas (Agencies with Management Contracts, SourceAmerica/NIB Agency Merge) the topics would be handled by internal Board mechanisms, but did not require a membership change. Ms. Taylor stated that the proposed changes had to be noted to the President 60 days in advance and then to the membership 30 days in advance, followed by a vote. Changes will be voted on during the fall conference by the general membership. Members will have time to review the proposed changes and make comments beforehand. Mr. Steiner commended Ms. Taylor for her work on the By-Laws.

**Adjournment / Board Meeting Recess**

As there was no further business to be discussed, at 9:30am the Board meeting recessed in advance of the start of the Executive Session.



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**\*\*Break to start Executive Session Meeting (confidential, only open to members of the NAEPB Board) followed by start of General Membership Meeting where the Board meeting will convene.\*\***

NAEPB Treasurer's Report  
For the period ending 4/30/2015

Please see the financial statements ending 4/30/15. The checking account value was \$5,468 and savings account \$187,220. Accounts receivable balance was \$3,500. Remaining dues for agencies as listed continue to be collected.

Accrued expenses consist of 7 months of accrued accounting fees at \$875 and 17 months of accrued web site maintenance fees of \$6500. Total equity at the end of April 30, 2015 was \$188,813.

Total revenue for the year to date was \$30,078, all income a result of collected dues. There were no expenses paid out in April.

Respectfully Submitted  
NAEPB Board Meeting- June 8, 2015  
Rudy D'Amico, Treasurer

NAEPB  
Balance Sheet  
As of April 30, 2015

ASSETS

Current Assets

Cash Checking	5,468
Cash Savings	187,220
Accounts Receivable	3,500
NIB Reimbursement Receivable	0

Total Current Assets 196,188

TOTAL ASSETS 196,188

LIABILITIES & EQUITY

Current Liabilities

Accounts Payable	0
Accrued Expenses	7,375

Total Current Liabilities 7,375

Equity

Opening Equity Balance	165,312
Net Income/ (Loss)	23,501

Total Equity 188,813

TOTAL LIABILITIES & EQUITY 196,188

NAEPB  
Income Statement  
For the Period Ending April 30, 2015

REVENUE	ACTUAL YTD	BUDGET YTD	VARIANCE	Budget 2015
Investment Income	78	8	70	100
Membership Dues	30,000	30,000	0	30,000
Voluntary Donations	0	0	0	0
<b>TOTAL REVENUE</b>	<b>30,078</b>	<b>30,008</b>	<b>70</b>	<b>30,100</b>
<b>EXPENSES</b>				
Business Expenses	0	0	0	0
Accounting Fees	405	875	470	1,500
Website Maintenance	2,500	2,333	(167)	4,000
Postage	0	0	0	0
Supplies	0	0	0	0
Telephone / Communications	0	0	0	0
Awards / Honors	0	292	292	500
Insurance - Liability / D&O	1,126	700	(426)	1,200
Bad Debt Expense	0	1,750	1,750	3,000
Miscellaneous Other Costs	0	117	117	200
Officers Expenses	0	2,917	2,917	5,000
Annual Retreat	2,546	8,750	6,204	15,000
Conference Planning	0	0	0	0
Service Committee	0	2,917	2,917	5,000
Operations Committee	0	2,917	2,917	5,000
BSC Committee	0	2,917	2,917	5,000
Public Policy Committee	0	1,750	1,750	3,000
Communications Committee	0	1,167	1,167	2,000
G4 Committee	0	0	0	0
Medical Advisory	0	0	0	0
CMS Committee	0	0	0	0
(NIB Reimbursement)	0	0	0	0
Annual Audit Meeting	0	292	292	500
CEO Annual Training	0	292	292	500
Miscellaneous Meetings & Travel	0	2,333	2,333	4,000
NIB Reimbursement	0	(29,167)	(29,167)	(50,000)
		0		
<b>TOTAL EXPENSES</b>	<b>6,577</b>	<b>3,150</b>	<b>(3,427)</b>	<b>5,400</b>
<b>SURPLUS (DEFICIT)</b>	<b>23,501</b>	<b>26,858</b>	<b>(3,357)</b>	<b>24,700</b>



## **The National Association for the Employment of People who are Blind**

Key Issues:

### Public Policy Forum

The committee has been busy with the Public Policy Forum and the NIB staff did their usual great job. We were trying to get at least 40 agencies to attend and we had 35, which is even with last year's participation. On a more positive note, we had thirteen new employees in the Advocates for Leadership and Employment program, and a total of twenty-four Advocates from all three classes participating in this year's Forum.

Unlike other conferences, we measure participation in terms of agencies attending, not by the total number of people at the conference.

Due to the cost of the Forum the committee feels as if we owe NIB and NAEPB higher levels of participation at this event and in advocacy efforts throughout the year. The committee met on April 21<sup>st</sup> to discuss how we can increase engagement from the members.

### Workforce Innovation and Opportunity Act (WIOA) Working Group

WIOA will have an impact on every NAEPB agency, so we have put together a working group and Joe Abely has taken the lead. The working group is working in collaboration with NIB and VisionServe in putting together a position paper and a template to help our members respond to this threat to our VR services and to the employment of people who are blind.

#### 1. Linkage between Issues / Strategic Plan

Our relationship with NIB continues to be excellent and we have been working closely to coordinate our efforts. The committee has been proactive in addressing threats for the various aspects of the program.

## 2. Committee/Subcommittee Activities

### a. Wins

The Commission has finally published a permanent ETS policy, and this is a win for the AB1 program. For years the Commission has said they were unable to enforce ETS without an approved policy. Now we will see if the policy has any teeth.

### b. Challenges

Getting more agencies involved in public policy at home at their agencies, continue to promote our overall advocacy efforts, and getting better attendance at the Public Policy Forum. We need make our members understand that established and maintained relationships with elected officials are a critical and necessary step before ever asking officials for help when we need it.



**The National Association for the Employment of People who are Blind**

**DRAFT COPY**

June 8, 2015

Honorable Janet LaBreck  
Commissioner, Rehabilitation Services Administration  
U.S. Department of Education  
400 Maryland Ave. SW, RM 5086  
Washington, DC 20202

RE: Comments for WIOA NPRM  
Docket Number: ED-2015-OSERS-0001

RIN: 1820-AB70  
Document Number: 2015-05538

The National Association for the Employment of People who are Blind (NAEPB) welcomes the opportunity to submit comments on the Notice of Proposed Rule Making (NPRM) issued by the Department of Education in the April 16<sup>th</sup>, 2015 edition of the Federal Register (80 FR 21059). NAEPB represents associated nonprofit agencies committed to enhancing the social and economic independence of people who are blind, primarily through creating, sustaining, and improving employment. Our 64 member agencies employ over 4,600 people who are blind and visually impaired, making our associated agencies the largest employers of this vastly underserved group. Although we are primarily concerned with employment our nationwide network of associated nonprofits provide a wide range of rehabilitation services, from essential training in orientation and mobility, to critical independent living skills, to job readiness and career placement.

Our goal is not only to provide jobs, but to provide good jobs and a career path for people who are blind or visually impaired. We believe this is evidenced by the fact that several of our associated agencies have CEO's that are blind or visually impaired. In addition many more of our agencies have managers, supervisors and administrators that are blind or visually impaired. In FY 2014 our members served over 142,000 people with vision loss. Every employee working on an AbilityOne contract earns a competitive salary, averaging \$9.99 on manufacturing contracts and \$14.14 on service contracts.

NAEPB is a leading expert on the complex issues encompassing the rehabilitation and employment of Americans who experience vision loss. Based on our expertise we wish to focus our comments on the increased concern that older-aged individuals will be put adversely at risk if the Rehabilitation Services Administration does not adequately provide supports and services in a timely manner.

In submitting its comments for the WIOA (Workforce Innovation and Opportunity Act) NPRM covering 34 CFR 361, 363, and 397, NAEPB wishes to draw attention to the ongoing need for services provided to Americans who currently, or will be in the near future, suffering from significant vision loss. It is a vital working-age population which, if given the appropriate services and supports, can continue to live productive and independent lives through the remainder of their work years.

We have identified two major themes in the proposed WIOA regulatory changes to 34 CFR 361 et seq. which will have a positive impact for youth who are blind or visually impaired, but if implemented would have serious implications for older individuals who experience serious vision loss later in life.

## **State Vocational Rehabilitation Services Program**

### **361.5(c)(9) – Competitive Integrated Employment**

The Javits Wagner O’Day (JWOD) Act (42 USC 8501 et seq.) requires our agencies to maintain a 75% direct labor rate on all work performed for the federal government, because of this the definition of *Integrated Setting*, is of significant concern. Since the Senate Report language in the Workforce Investment Act of 1998 shifted focus away from congregated settings; which this NPRM references in its explanation behind the *Integrated Setting* definition; the members of NAEPB have made significant gains in creating greater inclusiveness between employees with disabilities and others interacting in an individual’s work setting. Initiatives like Quality Work Environment (QWE) have been incorporated throughout our nationwide network of nonprofit agencies. This program has been instrumental in employee participation in our member agencies operations and decision making.

Our member agencies are not sheltered workshops; they are simply small businesses that just happen to employ people who are blind and visually impaired. These employees have the same benefits and pay as their sighted co-workers and the same opportunity for promotions and advancement. Together with National Industries for the Blind (NIB) we have supported several training initiatives that have given our blind and visually impaired employees the opportunity for training that has led to upward mobility and career advancement. This training also encourages other employees to aspire to positions of greater leadership and opportunity.

Since RSA has strengthened its definition on integrated setting, following the passage of WIA in 1998, NAEPB members in coordination with NIB has also launched a Contract Management Services (CMS) program, which is available to both employees who are blind at NIB associated agencies, and any individual who is blind and looking to enter a career in government contracting. Since this program started in 2009, it has placed over 110 individuals in AbilityOne service contract jobs, and moved 49 individuals into federal contracting positions with partner contractors like Boeing, Northrop Grumman, and even into federal jobs with the Defense Contract Management Agency and other federal agencies. These job opportunities pay high-skill wages with opportunities for advancement, with starting salaries in the \$30K - \$40k range, and even up to \$50k when individuals are transitioned into jobs with other federal contractors.

As highlighted by RSA in this section, “...the DSU must determine, on a case-by-case basis, that a work location is in an integrated setting if it both is typically found in the community, and is one in which the employee with the disability interacts with employees and other persons, as appropriate to the position,

*who do not have disabilities to the same extent that employees without disabilities interact with these persons.”*

Our goal is to identify new ways to expand and integrate workplace settings so that we have no need for the 25% non-disabled employees, we are empowering individuals who are blind and fostering real career growth and opportunity. The NAEPB members are not trying to hire people without disabilities so that our employees with disabilities have someone to interact with.

Due to the opportunities and advancements we offer to people who are blind we respectfully submit that our members should be considered employment outcomes. The Department of Education should not limit an individual's choice for career opportunities and advancement by excluding opportunities to work at our member agencies in a person's Individualized Plan for Employment (IPE). We request that Section 361.5.(c)(9)(iii) be amended to include opportunities for employment at an AbilityOne nonprofit agency, when that opportunity offers a significant opportunity for advancement through competitive wages and benefits that would normally be provided by a similar employer.

### **Section 361.5(c)(11) – Employment Outcome**

NAEPB is deeply concerned by RSA's decision to eliminate the *Homemakers* outcome through cutting uncompensated outcomes in this definition. In the NPRM, RSA reports that while only 0.8% of outcomes rely on this program, it goes on to note that over 10% of outcomes utilize this amongst individuals who are receiving services through Designated State Units (DSU) for the blind. This outcome has long been a means for services offered to individuals who require essential rehabilitation but may not have the confidence to enter back into the workforce. We have heard from multiple agencies that frequently an individual will begin in their IPE as a Homemaker, and then realize after receiving services that they will be able to return to work. It may take time for some, but this outcome is an essential pathway back to independence, and if removed, we are concerned that a number of individuals will be shut in and shut out from the community, as their need for services are so specialized that other referring agencies are not equipped to provide training in braille, orientation & mobility, or other vital independent living services.

For this reason, since the number of participants is rather low except for those in the blindness community, we request that this provision be struck, so that individuals who are blind will not be singled out and negatively impacted. If the Department of Education wishes to continue with removing uncompensated outcomes, we request that additional outreach to the blindness community that would otherwise have chosen this outcome be made available by CAP (Client Assistance Program) and other self-advocacy groups, who can assure that the necessary services will be referred so that an individual will not be close off from the community.

### **Section 361.48(a) – Fifteen Percent Set Aside for Students and Youth with Disabilities**

NAEPB commends RSA for working to identify ways in which future participants in our nation's workforce may prepare for and engage in competitive integrated employment consistent with an individual's *"unique strengths, priorities, concerns, abilities, capabilities, interests, and informed choice."* These values are critical for developing not just the skills necessary for an individual who is blind to succeed on the job, but also necessary to foster confidence despite the challenges of a

significant disability. Indeed, previous misconceptions and low expectations continue to erode confidence, which is a major barrier to fuller independence and inclusion for many people who are blind.

We believe that expanding pre-employment transitional services will strengthen the life skills necessary to succeed in adulthood, greatly benefiting the roughly 25,000 students who are blind and currently receiving services under IDEA, and would subsequently be eligible for these services once they reach the minimum age the DSU has set up for pre-employment transition services to begin.

NAEPB is extremely concerned about the potential for serious negative consequences that could arise through a mandatory set-aside, if critical services and supports for adult-age individuals experiencing vision loss would be reduced (if not depleted) due to a lack of resources to meet this growing demand. Both the American Academy of Ophthalmology and American Optometric Association have forecasted that the prevalence of significant visual impairment and blindness will continue to rise over the next decade among working-age adults as the Baby-Boomer generation continues to transition into retirement years.

We have seen this growth evidenced for several years now in the annual data published through the American Community Survey, wherein recent data showed a significant increase in the prevalence of significant vision loss among Americans 18 – 64 years of age. In 2013, the incidence increased over 10% to 3.8 million Americans, a significant difference from the overall 2% increase of working age adults with disabilities. And while RSA does operate the Older Individuals with Blindness program (OIB), addressed in a separate NPRM, OIB serves individuals ages 55 and older, leaving a gap for those experiencing vision loss in their 30s or 40s, which is the common age for onset of eye disorders like diabetic retinopathy, glaucoma, or the early stages of Age-Related Macular Degeneration (AMD).

Without assurance this population can be adequately served, the chances for this group to transition fully back into the community in spite of their vision loss will be diminished. It is our experience with those served throughout its network that [to cite the NPRM] *“strengths, priorities, concerns, abilities, capabilities, interests, and informed choice”* are all turned upside-down when a person experiences the onset of a major disability like blindness. It breaks down confidence, and without necessary services and supports like orientation and mobility, or valuable independent living skills, individuals are at significant risk of being shut in their homes and shut out of opportunity. For this reason, we respectfully request amendments to this section that would allow for an exemption from this set-aside should the demand for transition services be necessary. This can be achieved through the proposed rule in Section 361.36(a)(3)(v), which provides for priority preference in order of selection for those requiring services who are currently employed but at risk of losing their job due to their disability.

### **Section 363.22 – 50% Set Aside for Youth in Supported Employment Services**

In the same manner that we are concerned about the scarcity around services necessary to meet the demand due to the 15% set-aside for youth transition, we would also argue this provision will similarly create a scarcity for adult-age individuals who experience disability later in life and will require supported employment services.

Finally, NAEPB continues to await the Department of Health and Human Services (HHS) counterpart to the NPRMs issued by the Departments of Labor and Education. As noted in the separate NPRM covering miscellaneous issues, a number of technical proposed rules to the Older Individuals with Blindness (OIB) program draw attention to the new role HHS will have in providing valuable independent living services to Americans with significant disabilities. As previously noted in these comments, there will need to be collaboration between the Department of Education and HHS to assure that individuals referred to other entities like centers for independent living are done so in a manner that provides them the opportunity to start the long road toward regaining their independence if it is determined that they will not qualify for services under this NPRM pursuant to 34 CFR 361.37.

On behalf of our member agencies we want to thank the Department of Education for this opportunity to provide comments on the proposed rule implementing WIOA. We look forward to RSA's response to these and other comments in the final rule, and welcome any other opportunity to provide feedback on how WIOA can serve to advance opportunity and independence for Americans who are blind.

Sincerely,

A handwritten signature in cursive script, appearing to read "Dennis Steiner".

Dennis Steiner  
President, NAEPB  
President, CEO of VisionCorps  
244 N. Queen Street  
Lancaster, PA 17603