

# Corrective Action Plan for Non-Compliance with Pre-employment Transition Services Requirements

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## **Finding 1: Noncompliance with Pre-Employment Transition Services Requirements**

**Finding Headline:** Rehabilitation Services Administration's (RSA) annual review and finding regarding the State's failure to satisfy requirements governing the provision of pre-employment transition services in Federal fiscal year (FFY) 2021, as determined by RSA in accordance with Section 107(a) of the Rehabilitation Act of 1973 (Rehabilitation Act)

**Finding Requirement:** Pursuant to Section 107(a)(1) of the Rehabilitation Act, RSA conducts an annual review of the **PR Vocational Rehabilitation Administration** to determine whether the State is substantially complying with the requirements of its [Uniform or] Combined State Plan, including requirements governing the provision of pre-employment transition services to students with disabilities. The most recent FFY 2021 financial reports submitted by **PRVRA**, the most recent final financial reports available to RSA, demonstrate the State failed to satisfy the requirements of Section 110(d)(1) and 113 of the Rehabilitation Act by not reserving and expending at least 15 percent of its VR grant amount on the provision of pre-employment transition services for students with disabilities. For this reason, RSA is requiring **PRVRA** [PRVRA acronym] to submit a response and corrective action plan, pursuant to Section 107(b)(2) of the Rehabilitation Act.

**Mandated Corrective Action:** The State must develop and implement a corrective action plan that results in sustained compliance with the pre-employment transition service requirements by September 30, 2024. The plan must:

- address the root cause of the State's noncompliance with the reservation requirements;
- contain a solid, workable plan for action;
- contain a timeline for implementation that will be completed by September 30, 2024;
- be supported by documentation (i.e., fiscal reports) to show the agency has implemented the actions;
- demonstrate verifiable improvement toward meeting requirement on a quarterly basis;
- provide a methodology that allows agency(ies) to review internally whether the corrective actions have resolved the root cause of the noncompliance with the reservation requirements and to review whether the actions are consistent with the progress needed to meet the key dates in the timeline; and
- ensure implementation of internal controls necessary for the agency to maintain compliance with the requirements on an ongoing basis.

RSA Focus Area: Pre-Employment Transition Services

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### **Agency Planned Corrective Action Steps**

#### **Corrective action 1.1**

**Action:** Identify the root causes of non-compliance and develop a workplan, with deliverable actions and specific timelines, that provides a methodology for agency(ies) to review internally

whether the corrective actions have resolved the root cause of the noncompliance with the reservation requirements and to review whether the actions are consistent with the progress needed to ensure compliance by September 30, 2024.

### **Corrective Action 1.1**

In relation to the identification of the causes for non-compliance with the requirements for the provision of pre-employment transition services in Federal Fiscal Year (FFY) 2021, VRA Puerto Rico, indicates the following:

In that fiscal year, the VRA in Puerto Rico had planned to carry out the **Pre-Employment Transition Services Fairs** through the six regions of the agency, through an interagency agreement with the Department of Education, and other activities leading to said services, as was the implementation of the **Work - Based Learning Experience**. However, on March 12, 2020, the then Governor of Puerto Rico, Hon. Wanda Vázquez Garced proclaimed a state of emergency throughout the island in the face of the threat of COVID-19, through Executive Order No. 2020-020 of March 12, 2020.

On March 15, the Governor of Puerto Rico signed Executive Order No. 2020-023 where she decreed a necessary closure of government and private functions, where it was determined that the closure of schools was a measure to contain the spread of COVID-19, and the learning process was moved **to online formats**. It should be noted that, before the pandemic, the Department of Education in Puerto Rico faced the interruption of educational services due to the passage of Hurricane María in 2017 and the earthquakes that began at the end of December 2019.

The Puerto Rico Department of Education reported an investment in its technological infrastructure. However, it was unable to put a virtual plan in response to the pandemic into action **immediately**. Despite the government investment that was made for the purchase of computers; their delivery did not reach all students immediately.

Pursuant to the foregoing, the VRA developed the **Virtual Transition Services Guide**, where an agreement was established with the Department of Education and the institutional email address of the student and the Special Education Teacher was used; thus implementing the initiative for the provision of pre-employment services during the semester from January to May 2021, by offering workshops that would cover four (4) of the five (5) mandatory activities, **virtually**. The platform used was **Microsoft Teams**, which was used by the Department of Education to offer academic services. The documents were worked through the **DocuSign platform**. In line with the development of the **Virtual Transition Services Guide of December 16, 2020, the Guide for the Registration of Virtual Workshop Signatures** was implemented, being revised on February 3, 2022. Meanwhile, on January 22, 2021, the agency implemented the **Digital Signature Registration Control**.

Another of the strategies implemented by some of the regions was the **Car Drive – Thru Service**, which was used to complete the Service Certifications and the delivery of Participation Certificates to the students. In the schools, the delivery of the documents was coordinated with the Principal of the School or with the Special Education Teacher.

It is important to consider the implications that distance education brought with it, specifically, where a large part of our population is of low economic resources and did not have the equipment, materials, access to an Internet Network, and electricity (due to the passage of Hurricane Maria).

In September 2020, the Secretary of Education reported that approximately **281,551 students** had not yet been able to acquire a computer, tablet, and adequate internet access due to assembly problems and shipment delays of the various devices. Multiple schools were dealing not only with the aftermath of the pandemic, but also with the aftermath of the hurricanes and earthquakes that had impacted the island.

It is imperative to indicate that the students, being remotely, presented many difficulties in connecting with the virtual workshops offered by the VRA to provide pre-employment transition services; This is due to the problems with the Internet connection, the lack of knowledge in the management of the connection of the programs, the lack of knowledge in the management and use of the Microsoft Team program, the availability of the equipment for the students (computers) and the disposition of the student to participate in the laptops.

Similarly, in August 2021 there were still certain restrictions related to COVID-19 that led to changes in class schedules, alternating groups by days, among others. In fact, the implementation of the Work-Based Learning Experience for the summer of 2021 was not possible due to a rebound in cases, so employers were still not accepting students to participate in said activity due to the restrictions that the island was going through.

Due to the above, even with the strategies developed, the Puerto Rico VRA was only able to use **11.2 percent** of the allocation for the provision of pre-employment transition services.

Standard to be Met and Method of Evaluation: Insert documentation (i.e., fiscal reports) to be submitted to demonstrate that **PR Vocational Rehabilitation Administration** has implemented the actions outlined above and those actions are resulting in improved compliance.

Planned start date: August 2023

Actual start date: August 2023

Projected completion date: September 30, 2024

Actual completion date:

Quarterly Updates: **April 30, 2024 -PRVRA submitted forecasting tool and identified activities to be carried out in FFY 2024. We are on track for full expenditure of the 15% reserve.**

RSA State team comments:

Resolved

## Corrective action 1.2

Action: Develop and implement pre-employment transition service internal controls that provide for ongoing monitoring of pre-employment transition services and program expenditures to ensure the State meets and sustains compliance with the requirements. This includes monitoring of pre-employment transition service program and fiscal data to ensure it accurately reflects Federal requirements and RSA reporting guidelines.

Standard to be Met and Method of Evaluation: Submission of a work plan to develop and implement comprehensive pre-employment transition service internal controls necessary for the agency(ies) to reach and maintain compliance with the Federal requirements. Workplan must include:

- Identification of the internal control processes the agency(ies) have determined are necessary to ensure compliance with the pre-employment transition service requirements. Must include an ongoing monitoring component that ensures sustained compliance with requirements.
- Submission of draft pre-employment transition service internal controls to RSA for review and feedback.
- Implementation of approved internal controls in a timely manner that enables the agency(ies) to implement controls and demonstrate the processes resulted in compliance by September 30, 2024.

## Corrective Action 1.2

To comply with the implementation requirements and internal controls for the provision of pre-employment transition services, the Agency has developed the following strategies and an action plan, directed toward the full use of **15%**.

Here is the action plan to follow:

1. Quarterly meetings will be held between the areas of Pre-Employment Transition Services and the Finance Division to determine the amount of the minimum federal reserve and the amount spent. The Pre-Employment Transition Services Office implemented the Internal Invoice Control document on October 26, 2020, which was reviewed on February 2, 2023. Similarly, on April 4, 2021, the Quarterly Services Report was implemented of Pre-Employment Transition, being reviewed on October 25, 2021, and subsequently, on February 8, 2022.

**Start Date: August 2023/September 2024**

**Metrics: Attendance sheets, minutes, meeting dates**

**Quarterly Updates**  
**April 30, 2024**

The Pre-Employment transition services office and the finance services office held a follow-up meeting to plan possible activities and reserve the 15%, on February 7, 2024 (see attachments).

2. Training will be provided to Vocational Rehabilitation Counselors (VRC) and school personnel (teachers, parents, and students with disabilities) with the purpose of making them aware of the relevance of pre-employment transition services.

**Start Date: October/December 2023**

**Metric: Attendance sheets, training dates, evaluation sheet**

**Quarterly Updates**

**April 30, 2024**

The agency provided training to collaboration counselors and staff regarding the process of provided Pre-ETS Services between the months of March and April 2024. (See attachment: Training Workshop Proposing Contractors Control AF 2024 to Counselors VRA and Attendance Sheet)

3. Interagency coordination will be worked with the University of Puerto Rico so that VRA consumers, who meet the established criteria for pre-employment transition services, participate in a Learning Experience Based on Occupational Practice Work, which implies that the tasks to which they will be exposed are consistent with the occupational goal established in their Individualized Plan for Employment (PIPE).

**Start Date: January/September 2024**

**Metric: Collaborative agreement, attendance Work Based Learning Experience (EABT)**

**Quarterly Updates**

**April 30, 2024**

The pre-employment transition area is planning to establish the universities that will participate in the Learning Experience Based on Occupational and Practice Work.

4. A document will be developed for all Agency personnel offering pre-employment transition services to charge the time dedicated to the reserve of 15%.

**Start Date: September/October 2023**

**Metric: Document developed**

**Quarterly Updates**

**April 30, 2024**

VRA developed the normative communication tempering the recommendations provided by the RSA in the visit of the Federal Monitor's Office in June 2023. This

communication is awaiting approval in the Corrective Action Work Plan (Noncompliance with Pre-Employment Transition Services OMB No. 1820-0694) section 1.2.4. The Pre-Employment Transition Services Area, in conjunction with the Finance and Budget Division, developed Forecasting Tool – Use of Pre-ETS 15% reserve, which will begin to be implemented from July 1, 2024 (see attachments).

5. Agency personnel will be trained annually and as required on pre-employment transition services, their roles and responsibilities.

**Start Date: October 2023 – March 2024**

**Metric: Attendance sheets and evaluation sheets**

**Quarterly Updates**

**April 30, 2024**

The pre-employment transition area is planning to train personnel who offer direct pre-employment transition services. The dates will be scheduled between June and July 2024.

6. The updating of reports related to the database and the number of students with disabilities who could benefit from pre-employment transition services will be coordinated with the Department of Education, where a registry of students with disabilities by region will be developed.

**Start Date: October/December 2023**

**Metric: Statistics provided and reports**

**Quarterly Updates**

**April 30, 2024**

The Department of Education has shared with VRA the number of schools with students with disabilities that meet WIOA requirements for Pre-employment transition services (see attachment).

7. Other activities include the following:

- Pre-Employment Transition Services Fairs
- Work Based Learning Experience

**Start Date: January 2024 – September 2024**

**Metric: Contract, attendance sheets, Socio-Demographic Profile of Students with Disabilities Referred for Pre-Employment Transition Services**

**Quarterly Updates**

**April 30, 2024**

VRA is developing the WBLE activity that will be carried out between the months of July and August 2024. Likewise, a draft contract was developed to offer Pre-Employment Services Fairs (see attachments).

In relation to the development of internal controls, the following is noted:

- a. A report will be developed to ensure the ability to track and report students with disabilities served, as well as expenses incurred.

**Start Date: August – January 2024**

**Metric: Document developed**

**Quarterly Updates**

**April 30, 2024**

**Internal Controls:**

- **The Pre-employment Transition area developed a document to monitor the number of students impacted and the cost incurred (see attachment).**

- b. A procedure will be established for the validation of the reported data, as well as the expenses incurred.

**Start Date: August – January 2024**

**Metric: Procedure developed**

**Quarterly Updates**

**April 30, 2024**

**Internal Controls:**

- **The Pre-employment Transition area developed a document to validate the reported data (see attachment).**

The VRA is immersed in the search for new strategies that result in a better implementation of pre-employment transition services, including the areas of fiscal impact.

Planned start date: August 2023

Actual start date:

Projected completion date: September 30, 2024

Actual completion date:



Quarterly Updates: **April 30, 2024** – PRVRA is in the process of establishing a new case management system. We are in the testing phase to guarantee that all Pre- Ets information is captured, reconciled and reported accordingly

RSA State team comments:

Resolved

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**Public Burden Statement (OMB-1820-0694):**

According to the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless such collection displays a valid OMB control number. The valid OMB control number for this information collection is 1820-0694 that expires on 2.29.2024. Public reporting burden for this collection of information is estimated to average 975 hours including development of corrective action plan and quarterly reporting per response, time for reviewing instructions, searching existing data sources, gathering, and maintaining the data needed, and completing and reviewing the collection of information. The obligation to respond to this collection is required to obtain or retain benefit (Section 107A of the Rehabilitation Act of 1973, as amended by Title IV of the Workforce Innovation and Opportunity Act). If you have any comments concerning the accuracy of the time estimate, suggestions for improving this individual collection, or if you have comments or concerns regarding the status of your individual form, application, or survey, please contact Joseph Doney, Rehabilitation Services Administration, 550 12th St SW, Washington, DC 20202-5176 / [joseph.doney@ed.gov](mailto:joseph.doney@ed.gov), directly.

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