

Pete Karpa, Deputy Director
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Number: VR-AR 16-03
Issue date: 11/07/2016
Due date: 11/07/2016

Topic: Privacy and Security
Subject: Participant Release of training, certificates, degrees, and grades information

Applies to (check all that apply):

| | |
|-------------------------------------|--|
| <input checked="" type="checkbox"/> | Vocational Rehabilitation – All Staff |
| <input type="checkbox"/> | Vocational Rehabilitation – Executive Team |
| <input type="checkbox"/> | Vocational Rehabilitation - Administration |
| <input type="checkbox"/> | Vocational Rehabilitation – Branch Managers |
| <input type="checkbox"/> | Other (please specify) [add more rows if needed] |

Action Required:

With the enactment of the Workforce Innovation and Opportunity Act, Oregon Vocational Rehabilitation is required to document service effectiveness with new performance indicators. The basic measures are the same for all core Workforce programs.

Among these indicators is a measure of “**credential attainment**” and “**measurable skill gain.**”

This action (VR-AR 16-03) pertains to Oregon Vocational Rehabilitation program participants engaged in any training or education that demonstrates progress to complete or result in credentials, certificates, or degrees.

- **This action is related to requests of information related to credentials, certificates or degrees only.**
- This action is initiated 11/07/2016.
- The action is ongoing.

Procedures:

The Oregon Vocational Rehabilitation staff will assure that program participants, or their legal representative, provide written, informed, consent for educational organizations to share participant grades, progress toward, and attainment of skills, degrees or certificates with Oregon Vocational Rehabilitation.

- **The written informed consent** will request release from the training or education program to Oregon Vocational Rehabilitation any of the following:
 - Grades for the semester or quarter
 - The number of credits successfully achieved
 - Whether progress is being made toward attaining a skill, a certificate, or a degree
 - Evidence of successfully attaining a skill or completing a certificate or degree
- Participant assurances that he/she will share this information informally following the end of the current training or education period does not substitute for the written release.
- This consent will be in place prior to the participant jointly taking part in the Vocational Rehabilitation services and the training or education organization courses or sessions to gain a skill or work toward or complete a degree.
- **The consent will be valid for no longer than two years** before review and reauthorization with the participant.
- **The release should specify that one year post-exit¹ (case closure) from Vocational Rehabilitation will make the final request** for education-related data for the purpose of measuring the program as required by the Workforce Innovation and Opportunity Act (WIOA).
- It is best practice for counselors to periodically meet with the participant during and following the completion of training or education through initial employment. During the course of training or education the counselor and participant shall meet at the end of each educational term (quarterly, semester, or other as designated by the training organization) to review and document in case notes: grades;

¹ Draft Reporting Manual for the Case Service Record Report (RSA-911) State-Federal Program for Vocational Rehabilitation, OMB Control Number: 1820-0508. **This manual does not use the term “Case closure” but uses the “Exit” to designate the end of services.**

credits successfully achieved; progress made toward skill, certificate, or degree attainment; financial aid; and complete or review the financial needs test.

This release supports data sharing through establishment of an agreement between the educational organizations and Oregon Vocational Rehabilitation. Vocational Rehabilitation staff will be responsible for collecting the educational data for individual participants. This data base will supplement the participant information Vocational Rehabilitation staff collect.

Description:

This Action Request supports Vocational Rehabilitation efforts to assure that data can be provided to collect data for program performance indicators and that educational programs assure that Family Educational Rights and Privacy Act (FERPA, 20 U.S.C. § 1232g; 34 CFR Part 99) protections are in place for individuals jointly served.

Applicability:

Regulations related to this action include:

Workforce Innovation and Opportunity Act, Chapter 4 – Performance Accountability

<https://www.congress.gov/113/bills/hr803/BILLS-113hr803enr.pdf>

Programs and Activities Authorized by the Adult Education and Family Literacy Act (Title II of the Workforce Innovation and Opportunity Act).

Pages 20967-20987 [FR DOC# 2015-5540].

III. What requirements must States and local eligible providers follow when measuring educational gain? [Federal Register, Vol. 80, No. 73, Thursday, April 16, 2015, Proposed Rules. Page 20971]

<https://www.gpo.gov/fdsys/pkg/FR-2015-04-16/pdf/2015-05540.pdf>

Family Educational Rights and Privacy Act (FERPA)

20 U.S.C. § 1232g; 34 CFR Part 99

<http://www2.ed.gov/policy/gen/guid/fpco/ferpa/index.html>

Department of Human Services form, Authorization for Use and Disclosure of Information (MSC 2099)

https://aix-xweb1p.state.or.us/es_xweb/FORMS/

Training requirement:

Branch managers will review with staff at local branch staff meeting. The branch manager will share the meeting minutes with the contact below. The training should be complete and minutes shared within 30 calendar days of 11/07/2016.

Field/stakeholder review:

Yes No

If yes, reviewed by: SRC Policy Committee and Oregon VR Branch Managers

If you have any questions about this action request, contact:

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|--------------------|----------------------------|-------------|--------------|
| Contact(s): | Robin Brandt | | |
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| Email: | robin.l.brandt@state.or.us | | |