

History & Regulations

Legislative History of the American State-Federal Vocational Rehabilitation (VR) Program

1917- Smith-Hughes Act

This act made federal monies available to states on a matching basis for vocational education programs. It established the Federal Board for Vocational Education which later administered the veteran and civilian vocational rehabilitation programs. This legislation (unintended at the time) is why Rehabilitation Counseling subsequently became associated with Colleges of Education in the USA.

1918 - Soldier's Rehabilitation Act

This act created a vocational rehabilitation program for disabled veterans that was administered by the Federal Board for Vocational Education. World War I was an impetus for the legislation.

1920 - Smith-Fess Act

This act is also known as the Civilian Vocational Rehabilitation Act (Public Law 236). It established a civilian vocational rehabilitation program under the Federal Board for Vocational Education to be funded on a 50-50 matching basis with the states. Congress provided \$750,000 for the first year and \$1,000,000 for each of the next two years. The funding could be used for vocational guidance, training, occupational adjustment services, and job placement. The federal vocational rehabilitation program was not permanent at this time, and Congress needed to periodically vote to reauthorize it.

1935 - Social Security Act

As part of the Social Security Act vocational rehabilitation was made a permanent federal program. Congress no longer needed to reauthorize it, but instead would need to vote if it were ever to end it. Federal funding was \$2,000,000 at this time.

1936 - Randolph-Sheppard Act

This act authorized blind individuals to operate vending stands on federal property. It also authorized a study to determine types of work individuals with visual disabilities could perform.

1938 - Wagner-O'Day Act

This act required the federal government to purchase certain products from workshops for the blind, thereby expanding employment opportunities in those workshops.

1943 - Barden-Lafollette Act

This was an extremely important act in that it expanded eligibility for vocational rehabilitation services to mentally retarded and psychiatrically handicapped individuals. It also expanded the types of physical restoration services that could be provided to individuals with disabilities, and provided maintenance funds, but both required establishment of financial need. The act also expanded vocational rehabilitation services for the blind.

Vocational Rehabilitation Act Amendments of 1954

Public Law 565 represented a major expansion of the federal government's involvement with vocational rehabilitation. It increased the federal share of funding from 50-50 to 3 federal dollars for every 2 state dollars, and it expanded annual federal funding to \$65,000,000 by 1958. Services for mentally retarded and psychiatrically handicapped individuals were greatly expanded. The act authorized research and demonstration grants, extension and improvement grants, and funds for facility development. Grants were also provided to colleges and universities to train rehabilitation counselors to work with individuals with disabilities.

Vocational Rehabilitation Act Amendments of 1965

This act expanded the federal-state funding ratio to 75-25. It provided for 6 and 18 month extended evaluations to determine if more severely handicapped individuals might benefit from vocational rehabilitation services, thereby making it possible to provide many services prior to formal acceptance into a program. The act eliminated economic need for any vocational rehabilitation service (states still had the option of employing economic need tests for training and physical restoration). The act also extended eligibility to a new category called behavior disorder if so diagnosed by a psychologist or psychiatrist. This made it possible to serve public offenders, those with drug and alcohol problems, and to set up model cities programs to work with the socially disadvantaged. This proved to be problematic in that the limited resources of the state-federal rehabilitation program were significantly directed toward these groups at the apparent expense of more traditional clientele.

Rehabilitation Act of 1973

This act redirected the vocational rehabilitation program making its first priority to serve severely disabled individuals. The behavior disorder category was discontinued. Consumer involvement was stressed by requiring their involvement in the development of their Individualized Written Rehabilitation Program (IWRP). The consumer had to sign the plan to indicate they understood it and approved. At this time there was political debate about turning the program into a comprehensive rather than strictly vocational rehabilitation program. The act authorized funding for demonstration independent living centers that could work with individuals regardless of vocational potential, but a vocational objective and feasibility of reaching it was maintained as an eligibility requirement for the state-federal program. The act also stressed program evaluation and supported rehabilitation research.

Title V

This was the section of the Rehabilitation Act of 1973 that advanced civil rights for individuals with disabilities.

Section 501: Required nondiscrimination in hiring handicapped individuals in the federal government. All executive branches of the federal government were required to develop affirmative action plans for hiring, placing and advancing handicapped individuals.

Section 502: Established the Architectural and Transportation Barriers and Compliance Board to oversee compliance to the Architectural Barriers Act of 1968.

Section 503: This section prohibited discrimination against handicapped individuals in

employment by any federal contractor or subcontractor receiving \$2,500 or more. A written affirmative action plan was required of all employers contracting with the government and having 50 or more employees or a federal contract of \$50,000 or more.

Section 504: This section prohibits discrimination against qualified handicapped individuals in any federally supported program or activity. It applied to any organization receiving federal funds such as hospitals, school districts, and state public welfare offices, and colleges and universities.

Rehabilitation Act Amendments of 1974, 1976 and 1978

These amendments further strengthened the emphasis on services to individuals with the most severe disabilities. Most significantly the 1978 amendments provided grant funds to support a separate independent living program.

Rehabilitation Act Amendments of 1986

A major feature of this act was that it authorized the state rehabilitation agencies to provide supported employment services to individuals with severe disabilities who could not traditionally be placed in competitive employment. It accordingly deemphasized the traditional model of long-term placement in extended sheltered workshops. The act also mandated increased use of rehabilitation engineering services and client assistance programs. Like the Rehabilitation Act of 1973, it increased the focus on services to the most severely disabled consumers.

Rehabilitation Act Amendments of 1992

This legislation strongly emphasized consumer involvement in the policies and procedures of state rehabilitation agencies and in the development of their IWRPs. It mandated that state rehabilitation agencies establish Rehabilitation Advisory Councils with the majority of members being individuals with disabilities. The amendments emphasized the importance of empowering people with disabilities, involving them fully in both the construction of their IWRP and annual review of their IWRP. It also specified areas that must be included in every consumers IWRP. The amendments further required state agencies to respond with an eligibility decision within 60 days of receiving an application for services, and mandated greater interagency collaboration through formal cooperative agreements.

Workforce Investment Act and Rehabilitation Act Amendments of 1998

This act combined rehabilitation legislation with other federally supported job training programs in block grants to the states. The purpose was to provide a "one-stop delivery system" for individuals needing help in securing employment and to facilitate the sharing of employment resources (such as job leads) by the involved agencies. The act meant that individuals with disabilities would be served by a variety of programs and would not be strictly dependent upon vocational rehabilitation. The act further increased the emphasis on consumer control over their vocational rehabilitation program (now called Individual Plan for Employment rather than IWRP), emphasized supported employment and client assistance projects, and called for services to consumers by "qualified personnel."

Source: <http://luna.cas.usf.edu/~rasch/leg.html>

Department of Rehabilitation and Mental Health Counseling

College of Arts and Sciences
University of South Florida

**Links to Code of Federal Regulations Regarding
State Rehabilitation Councils (SRC's):**

- [**Title 34: Education**](#)
- [**Establishment of an Independent Commission or a State Rehabilitation Council**](#)
- [**Requirements for a State Rehabilitation Council**](#)