"There is nothing in the Act or these final regulations to preclude a DSU from continuing to hire vocational rehabilitation professionals and paraprofessionals that satisfy the higher standard."

U.S. Departments of Education and Labor, Response to Commentary

On July 22, 2014, President Barack Obama signed into law the Workforce Innovation and Opportunity Act. Although certainly well-intentioned, this bipartisan effort to strengthen employment opportunities has the potential to do just the opposite for rehabilitation counseling professionals who effectively serve persons with disabilities. Yet, a closer examination of the Final Rules (see pages 141-182) reveals some positive signs for the rehabilitation counseling profession and for CRC certificants.

Key Responses to Commentary in Final Rulemaking

- We agree with commenters that the higher standard in section 101(a)(7)(B)(i) of the Act and final §361.18(c)(1)(i) ... has served a critical role in ensuring that well-qualified staff are available to provide vocational rehabilitation services to individuals with disabilities. We understand other lower education or experience requirements may not prepare DSU staff in the same manner as a national or State-approved certification or licensure for vocational rehabilitation counseling could.

- Consistent with our interpretation of the CSPD requirements in a NPRM published
consistent with our interpretation of the CSPD requirements in a NPRM published pursuant to the 1998 Amendments to the Act, we interpret the Act to require the DSU to establish and implement appropriate, certification-based standards for all categories of professionals and paraprofessionals needed to conduct the VR program.

- Personnel standards in section 101 (a)(7)(B)(i) and (ii) are separate and distinct requirements. Which means, DSUs may not choose to implement one and not the other but, rather, must develop both standards. Under section 101(a)(7)(B)(i), States must continue to develop personnel standards that are consistent with applicable national or State-approved certification or licensure requirements, as well as develop personnel standards that satisfy the minimum education and experience requirements.

- The education and experience requirements of section 101(a)(7)(B)(ii) of the Act apply only in those circumstances when the DSU is not able to hire vocational rehabilitation professionals and paraprofessionals who satisfy a national- or State-approved certification or licensure standard. Vocational rehabilitation counselors graduating from long-term training programs would meet a national or State-approved standard and could be hired in accordance with personnel standards established under section 101(a)(7)(B)(i) of the Act, which does not require that the individual satisfy minimum experience requirements.

So in essence, the Final Rules appear to provide support for maintaining the higher standard.

What Does This Mean for CRCs?

There is no better time than right now to continue promoting the value the CRC certification brings to employers, especially when there are no restrictions on hiring rehabilitation counselors who satisfy the highest standard. Here's what you can do:

- **If you're an employer** - make the CRC a hiring requirement.
- **If you're a practitioner** - advocate for the CRC as a hiring requirement. Tell your employer about the benefits of hiring a CRC who:
  - Demonstrates the advanced knowledge necessary for providing quality services.
  - Contributes to excellent risk management practices by adhering to a mandatory Code of Professional Ethics.
  - Continually maintains and upgrades their knowledge and skills through continuing education.

Remember, rehabilitation counselors are the only professional counselors educated and trained at the graduate level specifically to serve individuals with disabilities. Armed with this level of education and training, together we can be a force for the greater good.

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