

Stat. 4409, related to the Rehabilitation Research Advisory Council, prior to the general amendment of this subchapter by Pub. L. 105-220.

#### AMENDMENTS

2014—Pub. L. 113-128, §436(1), inserted “Disability, Independent Living, and” before “Rehabilitation” in section catchline.

Subsec. (a). Pub. L. 113-128, §436(2), substituted “Department of Health and Human Services a Disability, Independent Living, and Rehabilitation Research Advisory Council” for “Department of Education a Rehabilitation Research Advisory Council” and inserted “not less than” after “composed of”.

Subsec. (c). Pub. L. 113-128, §436(3), added subsec. (c) and struck out former subsec. (c) which read as follows: “Members of the Council shall be generally representative of the community of rehabilitation professionals, the community of rehabilitation researchers, the community of individuals with disabilities, and the individuals’ representatives. At least one-half of the members shall be individuals with disabilities or the individuals’ representatives.”

Subsec. (g). Pub. L. 113-128, §436(4), substituted “Department of Health and Human Services” for “Department of Education”.

1998—Pub. L. 105-277, §101(f) [title VIII, §402(b)(11)], made technical amendment to section designation and catchline in original.

Pub. L. 105-277, §101(f) [title VIII, §401(16)], made technical amendment to directory language of Pub. L. 105-220, §405, which enacted this section.

### § 766. Definition of covered school

In this subchapter, the term “covered school” means an elementary school or secondary school (as such terms are defined in section 7801 of title 20) or an institution of higher education.

(Pub. L. 93-112, title II, §206, as added Pub. L. 113-128, title IV, §437, July 22, 2014, 128 Stat. 1671; amended Pub. L. 114-95, title IX, §9215(mmm)(2), Dec. 10, 2015, 129 Stat. 2188.)

#### PRIOR PROVISIONS

A prior section 770, Pub. L. 93-112, title III, §301, formerly §300, Sept. 26, 1973, 87 Stat. 377; Pub. L. 95-602, title I, §122(c)(1), Nov. 6, 1978, 92 Stat. 2987; Pub. L. 99-506, title I, §103(d)(2)(C), Oct. 21, 1986, 100 Stat. 1810; Pub. L. 100-630, title II, §204(a), Nov. 7, 1988, 102 Stat. 3308; renumbered §301 and amended Pub. L. 102-569, title I, §102(p)(15), title III, §301(a), (b)(3), Oct. 29, 1992, 106 Stat. 4358, 4410, 4411, contained congressional declaration of purpose, prior to the general amendment of subchapter III of this chapter by Pub. L. 105-220.

#### AMENDMENTS

2015—Pub. L. 114-95 made technical amendment to reference in original act which appears in text as reference to section 7801 of title 20.

#### EFFECTIVE DATE OF 2015 AMENDMENT

Amendment by Pub. L. 114-95 effective Dec. 10, 2015, except with respect to certain noncompetitive programs and competitive programs, see section 5 of Pub. L. 114-95, set out as a note under section 6301 of Title 20, Education.

### SUBCHAPTER III—PROFESSIONAL DEVELOPMENT AND SPECIAL PROJECTS AND DEMONSTRATIONS

#### CODIFICATION

Title III of the Rehabilitation Act of 1973, comprising this subchapter, was originally enacted by Pub. L. 93-112, title III, Sept. 26, 1973, 87 Stat. 377, and amended by Pub. L. 93-516, Dec. 7, 1974, 88 Stat. 1617; Pub. L.

93-651, Nov. 21, 1974, 89 Stat. 2-3; Pub. L. 94-230, Mar. 15, 1976, 90 Stat. 211; Pub. L. 94-273, Apr. 21, 1976, 90 Stat. 375; Pub. L. 94-288, May 21, 1976, 90 Stat. 520; Pub. L. 95-602, Nov. 6, 1978, 92 Stat. 2955; Pub. L. 98-221, Feb. 22, 1984, 98 Stat. 17; Pub. L. 99-506, Oct. 21, 1986, 100 Stat. 1807; Pub. L. 100-630, Nov. 7, 1988, 102 Stat. 3289; Pub. L. 102-52, June 6, 1991, 105 Stat. 260; Pub. L. 102-119, Oct. 7, 1991, 105 Stat. 587; Pub. L. 102-569, Oct. 29, 1992, 106 Stat. 4344; Pub. L. 103-73, Aug. 11, 1993, 107 Stat. 718; Pub. L. 103-218, Mar. 9, 1994, 108 Stat. 50; Pub. L. 104-66, Dec. 21, 1995, 109 Stat. 707. Title III is shown herein, however, as having been added by Pub. L. 105-220, title IV, §406, Aug. 7, 1998, 112 Stat. 1183, without reference to those intervening amendments because of the extensive revision of title III by Pub. L. 105-220.

### § 771. Declaration of purpose and competitive basis of grants and contracts

#### (a) Purpose

It is the purpose of this subchapter to authorize grants and contracts to—

(1)(A) provide academic training to ensure that skilled personnel are available to provide rehabilitation services to individuals with disabilities through vocational, medical, social, and psychological rehabilitation programs (including supported employment programs), through economic and business development programs, through independent living services programs, and through client assistance programs; and

(B) provide training to maintain and upgrade basic skills and knowledge of personnel (including personnel specifically trained to deliver services to individuals with disabilities whose employment outcome is self-employment or telecommuting) employed to provide state-of-the-art service delivery and rehabilitation technology services;

(2) conduct special projects and demonstrations that expand and improve the provision of rehabilitation and other services (including those services provided through community rehabilitation programs) authorized under this chapter, or that otherwise further the purposes of this chapter, including related research and evaluation; and

(3) provide training and information to individuals with disabilities and the individuals’ representatives, and other appropriate parties to develop the skills necessary for individuals with disabilities to gain access to the rehabilitation system and statewide workforce development systems and to become active decisionmakers in the rehabilitation process.

#### (b) Competitive basis of grants and contracts

The Secretary shall ensure that all grants and contracts are awarded under this subchapter on a competitive basis.

(Pub. L. 93-112, title III, §301, as added Pub. L. 105-220, title IV, §406, Aug. 7, 1998, 112 Stat. 1183; amended Pub. L. 113-128, title IV, §441(a), July 22, 2014, 128 Stat. 1672.)

#### PRIOR PROVISIONS

A prior section 771, Pub. L. 93-112, title III, §301, Sept. 26, 1973, 87 Stat. 377; Pub. L. 93-516, title I, §104, Dec. 7, 1974, 88 Stat. 1618; Pub. L. 93-651, title I, §104, Nov. 21, 1974, 89 Stat. 2-4; Pub. L. 94-230, §§4, 11(b)(7), Mar. 15, 1976, 90 Stat. 211, 213; Pub. L. 94-273, §3(18), Apr. 21, 1976, 90 Stat. 377; Pub. L. 95-602, title I, §§112(a), 122(c)(2), Nov. 6, 1978, 92 Stat. 2967, 2987; Pub. L. 98-221, title I,

§131, Feb. 22, 1984, 98 Stat. 24; Pub. L. 99-506, title IV, §401, title X, §1002(d)(1), Oct. 21, 1986, 100 Stat. 1823, 1844; Pub. L. 102-52, §4(a), June 6, 1991, 105 Stat. 261, related to grants for construction of rehabilitation facilities, staffing, and planning assistance, prior to repeal by Pub. L. 102-569, title III, §301(b)(2), Oct. 29, 1992, 106 Stat. 4411.

A prior section 301 of Pub. L. 93-112 was classified to section 770 of this title prior to the general amendment of this subchapter by Pub. L. 105-220.

A prior section 771a, Pub. L. 93-112, title III, §302, formerly title II, §203, Sept. 26, 1973, 87 Stat. 376; renumbered title III, §304, and amended Pub. L. 95-602, title I, §§109(2), 114, Nov. 6, 1978, 92 Stat. 2963, 2970; Pub. L. 98-221, title I, §133, Feb. 22, 1984, 98 Stat. 24; Pub. L. 99-506, title I, §103(d)(2)(C), title IV, §403, title X, §1002(d)(2), Oct. 21, 1986, 100 Stat. 1810, 1824, 1844; Pub. L. 100-630, title II, §204(c), Nov. 7, 1988, 102 Stat. 3308; Pub. L. 102-52, §4(c), June 6, 1991, 105 Stat. 261; Pub. L. 102-119, §26(e), Oct. 7, 1991, 105 Stat. 607; renumbered §302 and amended Pub. L. 102-569, title I, §102(p)(18), title III, §§301(b)(3), (4), 302, Oct. 29, 1992, 106 Stat. 4358, 4411; Pub. L. 103-73, title I, §110(a), Aug. 11, 1993, 107 Stat. 726; Pub. L. 103-218, title IV, §402(b), Mar. 9, 1994, 108 Stat. 96; Pub. L. 104-66, title I, §1042(d), Dec. 21, 1995, 109 Stat. 715, related to assistance for training, prior to the general amendment of this subchapter by Pub. L. 105-220. See section 772 of this title.

#### AMENDMENTS

2014—Subsec. (a)(2). Pub. L. 113-128, §441(a)(1), inserted “and” at end.

Subsec. (a)(3) to (5). Pub. L. 113-128, §441(a)(2)–(4), redesignated par. (5) as (3), substituted “workforce development systems” for “workforce investment systems”, and struck out former pars. (3) and (4) which read as follows:

“(3) provide vocational rehabilitation services to individuals with disabilities who are migrant or seasonal farmworkers;

“(4) initiate recreational programs to provide recreational activities and related experiences for individuals with disabilities to aid such individuals in employment, mobility, socialization, independence, and community integration; and”.

### § 772. Training

#### (a) Grants and contracts for personnel training

##### (1) Authority

The Commissioner shall make grants to, and enter into contracts with, States and public or nonprofit agencies and organizations (including institutions of higher education) to pay part of the cost of projects to provide training, traineeships, and related activities, including the provision of technical assistance, that are designed to assist in increasing the numbers of, and upgrading the skills of, qualified personnel (especially rehabilitation counselors) who are trained in providing vocational, medical, social, and psychological rehabilitation services, who are trained to assist individuals with communication and related disorders, who are trained to provide other services provided under this chapter, to individuals with disabilities, and who may include—

(A) personnel specifically trained in providing employment assistance to individuals with disabilities through job development and job placement services;

(B) personnel specifically trained to identify, assess, and meet the individual rehabilitation needs of individuals with disabilities, including needs for rehabilitation technology;

(C) personnel specifically trained to deliver services to individuals who may benefit from receiving independent living services;

(D) personnel specifically trained to deliver services in the client assistance programs;

(E) personnel specifically trained to deliver supported employment services and customized employment services to individuals with the most significant disabilities;

(F) personnel specifically trained to deliver services to individuals with disabilities pursuing self-employment, business ownership, and telecommuting;

(G) personnel trained in performing other functions necessary to the provision of vocational, medical, social, and psychological rehabilitation services, and other services provided under this chapter; and

(H) personnel trained in providing assistive technology services.

##### (2) Authority to provide scholarships

Grants and contracts under paragraph (1) may be expended for scholarships and may include necessary stipends and allowances.

##### (3) Related Federal statutes

In carrying out this subsection, the Commissioner may make grants to and enter into contracts with States and public or nonprofit agencies and organizations, including institutions of higher education, to furnish training regarding provisions of Federal statutes, including section 794 of this title, title I of the Americans with Disabilities Act of 1990 (42 U.S.C. 12111 et seq.), and the provisions of titles II and XVI of the Social Security Act (42 U.S.C. 401 et seq. and 1381 et seq.), that are related to work incentives for individuals with disabilities.

##### (4) Training for statewide workforce systems personnel

The Commissioner may make grants to and enter into contracts under this subsection with States and public or nonprofit agencies and organizations, including institutions of higher education, to furnish training to personnel providing services to individuals with disabilities under subtitle B of title I of the Workforce Innovation and Opportunity Act [29 U.S.C. 3151 et seq.]. Under this paragraph, personnel may be trained—

(A) in evaluative skills to determine whether an individual with a disability may be served by the State vocational rehabilitation program or another component of a statewide workforce development system; or

(B) to assist individuals with disabilities seeking assistance through one-stop delivery systems described in section 121(e) of the Workforce Innovation and Opportunity Act [28 U.S.C. 3151(e)].

##### (5) Joint funding

Training and other activities provided under paragraph (4) for personnel may be jointly funded with the Department of Labor, using funds made available under subtitle B of title I of the Workforce Innovation and Opportunity Act [29 U.S.C. 3151 et seq.].