

2013

EMPLOYMENT FIRST COMMITTEE Annual Report

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Developmental
Disabilities**

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Cover page photo: Jessica Lane is a co-owner of the Floral Chicks, a microenterprise within the Little Red Hen Gift Shop in Chico, California. The Floral Chicks “make fabulous flower arrangements for all occasions.” Photo credit: Far Northern Regional Center and Area Board II, photograph by Doug Churchill.

EMPLOYMENT FIRST PROGRESS REPORT 2013

EXECUTIVE SUMMARY

Lack of opportunity for people with intellectual and developmental disabilities (I/DD) to work in regular jobs and make decent pay is a national tragedy. Most states have failed to develop the supports needed for people to work in jobs at regular work sites, earning the same pay and benefits as people without disabilities doing the same work – what we call “*integrated competitive employment*” or sometimes just “*integrated employment.*”

In California only 12.45% of working age regional center clients get a pay check. Of this 12.45%, many work in segregated work sites, make sub minimum wage or work only a few hours a week. Only 8% work in integrated competitive employment.

Under the Lanterman Act, California has successfully developed a comprehensive system of services to support people to live in their communities. However, the state has focused its efforts on developing non-work services. Thus, California ranks 3rd among the states in offering integrated non-work day services and only 35th in supporting people in integrated employment.

Of the top 16 states for integrated employment, 11 of them have adopted employment first policies. Employment First is a commitment to focus services on supporting people with disabilities to work in integrated competitive employment. The experience of these states shows that it makes a difference what states focus their expenditures on. It also shows that people with developmental disabilities, including significant disabilities, are able to work in integrated competitive employment when they have the appropriate supports.

A national movement towards Employment First is evident with 22 States having already adopted Employment First policies: Arkansas, Colorado, Connecticut, Delaware, Kansas, Louisiana, Maine, Maryland, Massachusetts, Missouri, New Jersey, North Dakota, Ohio, Oklahoma, Oregon, Pennsylvania, Rhode Island, Tennessee, Utah, Virginia, and Washington. Red states and blue states have

adopted an employment first policy, because when people work, they rely less on state services; and employment is a value that we all share.

This year, AB 1041 (Chesbro) embodies California's hope for its own Employment First Policy. This bill would establish an employment first policy in statute, directing the state to make opportunities for integrated competitive employment its priority. This legislation is the result of seven years of work between the Council, stakeholders, the Legislature, and Administration on ways to improve employment outcomes for people with developmental disabilities.

The arguments for employment first have been traditionally framed as a means to reduce state expenditures on services and as a moral imperative to give people with developmental disabilities the opportunity to work, support themselves, be a real participant in their community, contribute, and experience the dignity of a job and a paycheck. This past year, states have been presented with a legal imperative: The United States Department of Justice (DOJ) has found that unnecessary segregation in sheltered workshops and segregated day serves is in violation of the integration mandate of the Americans with Disabilities Act.

The DOJ has intervened in a lawsuit in Oregon on that basis, resulting in a Governor's Executive Order that would build capacity for integrated competitive employment and close admissions to sheltered workshops. The State of Rhode Island and City of Providence have entered into an interim settlement agreement with the DOJ to resolve violations of the ADA for 200 people in sheltered workshops and segregated day services. The state of New Jersey, in part responding to the DOJ finding in Oregon, announced the rapid phasing out of sheltered workshops.

This report also discusses the efforts of the Employment First Committee and other stakeholders to expand opportunities for integrated competitive employment in California. This includes: (1) A summary of the status of employment in California and recommendations for improved data analysis, (2) policy recommendations on an employment first policy and federal work incentives, (3) best practices and efforts at systems change in two of California's largest school districts, (4) the work of other committees and councils of the state with responsibilities on employment of people with disabilities, and (5) plans for the coming year.

INTRODUCTION

What follows is the third annual report of the Employment First Committee (EFC) of the State Council on Developmental Disabilities (the Council), pursuant to California Welfare and Institutions Code Section 4868 (e).

Contents of 2013 Report

1. *Priorities adopted by the Employment First Committee*
2. *Significant national developments*
3. *Current status of the employment of individuals with developmental disabilities and recommendations on use of data*
4. *Policy recommendations*
5. *The third year's work of the Committee.*
6. *The work of the California Employment Consortium for Youth*
7. *Next steps*

The statutory responsibilities of the Employment First Committee are enumerated in California Welfare and Institutions Code Division 4.5, Chapter 14, Employment (see Appendix A). The membership of the Committee is listed in Appendix B.

PRIORITIES

In our first report, many recommendations were made for improving the employment status of people with intellectual and developmental disabilities (I/DD), changes that can only be attempted over many years. Therefore, the EFC developed three priorities for its current work.

Employment First Priorities

1. *The enactment of an Employment First Policy*
2. *Strengthen youth transition to integrated competitive employment*
3. *Promote participation by traditionally under-represented groups*

EMPLOYMENT FIRST AS A NATIONAL PRIORITY

Lack of opportunity for people with intellectual and developmental disabilities (I/DD) to work in regular jobs and make decent pay is a national tragedy. However, the last few years have seen major national developments and a new focus that promises widespread change in how people with I/DD are supported.

Focus

Last year, in our second annual report, we described how the work of influential national organizations is bringing a higher profile to this issue: (1) The National Governor's Association, (2) Department of Labor Office of Disability Employment Policy, (3) Administration on Intellectual and Developmental Disabilities system change grants, (4) State Employment Leadership Network of the National Association of State Directors of Developmental Disabilities Services, and (5) the Association of People Supporting Employment First (APSE).

This past year, a major policy initiative by the National Council on Independent Living and the World Institute on Disability has been released and supported by the Council. This is discussed in the Policy section of this report. Also, the national advocacy organization TASH released a white paper¹ describing the necessity and the means to reduce reliance on sheltered work and give people with I/DD opportunities for integrated competitive employment.

Litigation

Perhaps the most significant and far reaching development has been the intervention of the United States Department of Justice (DOJ) and their finding that under the ADA, Congress prohibited discrimination by public entities against individuals with disabilities, including discrimination in the form of unnecessary segregation and isolation.² They found that segregation in sheltered workshop and segregated day programs is subject to those discrimination provisions. Based on this finding and their investigations, the DOJ has entered litigation in the states of Oregon and Rhode Island.

¹ *Non-Legislative Changes to Improve Integrated Employment Outcomes*, TASH, February 21, 2013.

² *United States' Memorandum in Support of Its Motion to Intervene, Lane v. Kirtshaber*, March 27, 2013.

Oregon

Based on 2008 data, a 2010 report commissioned by the State, found (much like in California today) that “a majority of working age adults with significant (developmental) disabilities are supported today in programs that offer segregation and long-term dependency regardless of cost.”³

In 2012, Disability Rights Oregon filed a class action lawsuit, *Lane v. Kitzhaber*, on behalf of 2,300 individuals served in sheltered workshops. That summer the DOJ sent a letter of findings in support of the plaintiff’s position that unnecessary segregation in sheltered workshops violates the ADA.

DOJ Findings

In their findings, the DOJ stated that Oregon failed to “provide employment and vocational services to persons with intellectual and developmental disabilities in the most integrated setting appropriate to their needs, in violation of the ADA. The State plans, structures, and administers its system of providing employment and vocational services in a manner that delivers such services primarily in segregated sheltered workshops, rather than in integrated community employment. Sheltered workshops segregate individuals from the community and provide little or no opportunity to interact with persons without disabilities, other than paid staff.”⁴

On April 10, 2013, two weeks after the DOJ filed a motion to intervene, the Governor of Oregon issued an executive order (EO) which seeks to provide integrated employment services to a greater number of people with I/DD. Included in the order, the state will end admissions to sheltered workshops in July of 2015. The plaintiff’s, however, are continuing the lawsuit because they claim the EO would affect only 1/3 of the people currently in segregated work settings.

Rhode Island

The Justice Department announced on June 13 that it entered into an interim settlement agreement with the State of Rhode Island and the City of Providence to resolve violations of the ADA, for approximately 200 people with I/DD in

³ *Washington Initiative for Supported Employment, Community Leadership for Employment First in Oregon: A Call to Action 6*, 2010. http://www.dhs.state.or.us/dd/supp_emp/docs/wise.pdf

⁴ *United States’ Investigation of Employment and Vocational Services for Persons with Intellectual and Developmental Disabilities in Oregon Pursuant to the Americans with Disabilities Act*, United States Department of Justice, June 29, 2012.

sheltered workshops and segregated day programs. This case resulted from a US Department of Labor investigation of the improper use of sub-minimum wages paid to people in the workshop. The Sub-minimum wage certificate has since been revoked.

New Jersey

In part, citing DOJ findings and the threat of litigation, New Jersey announced a rapid and systematic phasing out of sheltered workshops and the development of integrated employment supports.⁵

⁵*Upcoming Changes to DDD's Policy on Funding of Sheltered Workshops*, Division of Developmental Disabilities, State of New Jersey, March 13 , 2013.

CURRENT STATUS OF THE EMPLOYMENT OF INDIVIDUALS WITH DEVELOPMENTAL DISABILITIES

California Employment Outcomes

We reported in 2012 that people with developmental disabilities continue to have disturbingly low employment rates, and that California lags behind most other states in addressing this issue. We reported that the National Core Indicator (NCI) Survey⁶, conducted by the Council on behalf of the Department of Developmental Services, provided statistics on a representative sample from across California of **8,724** adults with I/DD⁷. According to the NCI results⁸, only 8% of those surveyed had a job in the community compared to 14.4% nationally⁹. Of the 92% that were not employed, survey results showed that 41% wanted a job. If this is generalized to the whole regional center population, then there are roughly 48,000¹⁰ unemployed working age regional center clients who want to work.

The California Department of Developmental Services (DDS) and the California Employment Development Department (EDD) through their interagency data analysis have made an important contribution to our understanding the tremendous challenge ahead in supporting people with I/DD to work, contribute, and reduce their dependence on state support. Their collaboration shows that only 12.45% of working age regional center clients received wages during the last quarter of 2011 compared with 72.1% of the general population.¹¹ Although the 12.45% statistic is disturbingly low, it is even more troubling because many of these individuals may work in segregated work environments, earn subminimum wage, or work very few hours a week. Indeed, in the fourth quarter of 2011, the

⁶ The National Core Indicators is a quality assessment tool with standard measures used across the states to assess the outcomes of services provided to individuals and families. Indicators address key areas of concern including employment, rights, service planning, community inclusion, choice, and health and safety.

⁷ The NCI survey was conducted between May 2010 through January 2011 with adults with developmental disabilities or their proxy in face-to-face interviews.

⁸ National Core Indicators California Adult Consumer Survey Report, Quality Assessment Project, Fiscal Year 2010-2011, Prepared by Human Services Research Institute for the California Department of Developmental Services, July 2012.

⁹ National Core Indicators, 2009- 2010

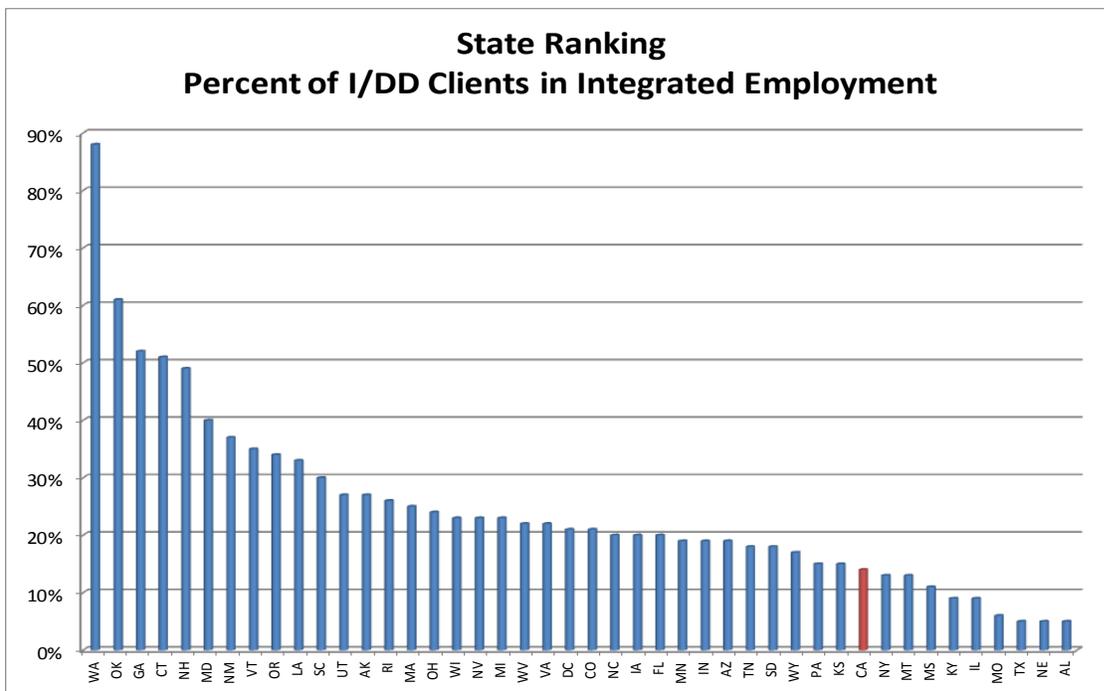
¹⁰ Based on 38% of 127,277 Status 2 (active) regional center clients 18 years and older, according to June 2011 data from the DDS Client Master File.

¹¹ 2010-2011 Annual Report, *Employment and Day Programs*, Department of Developmental Services, July 2013. These data slightly underestimate the percentage who do have earnings, since those who receive earnings as a contractor or through self-employment are not reflected here.

average wage of regional center clients who do get a paycheck was \$497 per month,¹² or only 55% of the Federal Poverty Level for a single person.¹³

Comparative Employment Outcomes

This report looks closer at California’s ranking among the states on integrated employment. A national comparison of I/DD employment data by the Institute on Community Inclusion¹⁴ is displayed graphically below. The graph displays the number of people served in integrated employment¹⁵ as a percentage of the total number served in employment or day service settings. California (marked in red) ranks 35th among the 44 states with comparable data, with only 14% served in integrated employment.¹⁶



Source: *State Data: The National Report on Employment Services and Outcomes, 2012.*

¹² 2010-2011 Annual Report, Employment and Day Programs, Department of Developmental Services, July 2013.

¹³ Federal Register, Vol. 76, No. 13, January 20, 2011, pp. 3637-3638. FPL was \$10,890/year.

¹⁴ State Data: The National Report on Employment Services and Outcomes, 2012. Institute for Community Inclusion (UCEDD), University of Massachusetts, Boston, winter 2013. P. 20.

¹⁵ Integrated employment is people working in regular job sites, earning the same pay and benefits as people without disabilities performing the same work.

¹⁶ Note that this is a higher percentage than is indicated by the NCI or EDD data. This is due, in part, because those data sets are based on the entire working age regional center population, while the ICI data is a percentage of only those who are served in day or employment services.

Lessons Learned

In the chart above, 11 of the top 16 states have an employment first policy.¹⁷ Although, many factors contribute to these statistics, the success of many states supporting people in integrated employment shows that (1) people can work with the right support, and (2) focus by the state on employment is important.

While California ranks 35th in integrated employment outcomes, it ranks third in community-based non-work day services.¹⁸ The comprehensive system of community-based services and supports developed under the Lanterman Act has been successful in offering many options for people with I/DD. However, these efforts have mostly focused on developing non-work services and supports, such as activity based day services. While all states encounter many barriers, results can change significantly when a state focuses its efforts on providing people with significant disabilities opportunities for integrated employment.

This comparison to other states is especially important as the California Legislature considers AB 1041 (Chesbro), Employment First Policy, discussed in the policy section of this report, which seeks to shift the focus of service development to supporting people in good jobs with good pay.

Recommendations on Data

It is critical for the state to track its progress on employment outcomes, and be able to do analysis of data to understand which strategies work and do not work; and who is being adequately served and who is not. The EFC and other groups have been trying to address this issue for some time. The Council, and EFC, through its participation in the California Employment Consortium for Youth (CECY), has focused its work on data through the CECY data workgroup.

The EFC worked with the CECY data group to identify and crosswalk relevant employment data from different systems to make recommendations for improved use, collection, and dissemination of data that can track the state's success in supporting the growth of integrated competitive employment. This work identified existing sources of data that are adequate to create a "data dashboard" for the state to track its progress (discussed under "Next Steps").

¹⁷ Of the 22 states that have adopted an employment first policy, 11 of them rank in the top 16 states in integrated employment: WA, OK, CT, MD, OR, LA, UT, AK, RI, MA, OH

¹⁸ State Data: The National Report on Employment Services and Outcomes, 2012. Institute for Community Inclusion (UCEDD), University of Massachusetts, Boston, winter 2013. P. 20.

The work with CECY led to the identification of simple but important analyses that could be performed with existing data sources and could help us better understand employment outcomes. However, some additional coordination between agencies is required.

A current agreement between the Department of Developmental Services (DDS) and the Employment Development Department (EDD) has resulted in very valuable, high quality data describing the numbers, and percentage, of working age regional center clients making wages and their average earnings (referenced above, under California Employment Outcomes).

At the request of the EFC, the Council has asked that the agreement between the departments be expanded slightly to allow for a deeper analysis, without impacting consumer confidentiality issues, and with a relatively small investment of staff time. The departments are currently considering that request.

- **Distribution of Earnings** - Under their current agreement, DDS supplies EDD with the SSN's of all working age regional center clients. EDD then pulls income information associated with the SSN's and returns the data in aggregated form: (1) Numbers and percentage employed and (2) average earnings. The Council requested that EDD and DDS expand this analysis to include the distribution of annual earnings, such as in 20 percentile ranges.
- **Analysis of Subgroups** - The Council also requested that the departments expand their analyses to subgroups of regional center clients. This could help us understand employment outcomes associated with, for example, various service types, levels of disability, types of disability, geography, and ethnic backgrounds. In that way, DDS could receive the same aggregated information back from EDD (percent employed, average earnings and earnings distributions) for each subgroup. These subgroups would include thousands of individuals each, and therefore ensure confidentiality of individual earnings information. The Council was not prescriptive in its request, instead encouraging collaboration among the departments and with CECY/EFC to identify solutions and approaches that are not labor intensive and would maximize its contribution to the state's efforts.

POLICY RECOMMENDATIONS

Employment First Policy

The State Council on Developmental Disabilities, pursuant to WIC Section 4868(c)(4), recommended to the Legislature an employment first policy. The proposed policy, carried by AB 1041 (Chesbro), is given in the boxes below, followed by the legislative history that led to this policy. AB 1041 has broad stakeholder support and no registered opposition.

Proposed Employment First Policy AB 1041 (Chesbro)

It is the policy of the state that opportunities for integrated, competitive employment shall be given the highest priority for working age individuals with developmental disabilities, regardless of the severity of their disabilities.

Definitions AB 1041 (Chesbro)

Integrated Employment occurs “in work in a setting typically found in the community in which individuals interact with individuals without disabilities other than those who are providing services to those individuals, to the same extent that individuals without disabilities in comparable positions interact with other persons.”

Competitive Employment means “work in the competitive labor market that is performed on a full-time or part-time basis in an integrated setting and for which an individual is compensated at or above the minimum wage, but not less than the customary wage and level of benefits paid by the employer for the same or similar work performed by individuals who are not disabled.”

Microenterprises are “small businesses owned by individuals with developmental disabilities who have control and responsibility for decision-making and overseeing the business, with accompanying business licenses, taxpayer identification numbers other than social security numbers, and separate business bank accounts. Microenterprises may be considered integrated competitive employment.”

California Legislative History on Employment First Policy

Over several years, the Council has worked with the Legislature, Administration, and stakeholders on policy to encourage the growth of integrated competitive employment for people with I/DD:

- **SB 1270 (Chesbro), Statutes of 2006** – Established a stakeholder and public input process, organized by the Council, to recommend ways to expand opportunities for people with I/DD in the areas of employment and community participation.
- **AB 2424 (Beall), 2008** – Following on the recommendations of the Council coming out of the SB 1207 process, AB 2424 would have established an employment first policy and imposed responsibilities on regional centers and DDS related to the development of materials, the provision of information, and the conduct of IPP meeting. The bill was held by Senate Appropriations.
- **AB 287 (Beall), Statutes of 2009** – Established the Employment First Committee as a standing committee of the Council. The EFC was tasked with recommending an employment first policy, identifying strategies and best practices, report on the state’s progress, and make recommendations for policy change for significantly increasing the numbers of people with I/DD in integrated competitive employment.
- **Employment First Report, 2011** – After an extensive stakeholder process through the Employment First Committee, the Council recommended to the Legislature and Governor language for an employment first policy, and strategy options to achieve better employment outcomes.
- **AB 254 (Beall), 2011** – Carried the employment first policy proposed by the Council. The bill received some stakeholder opposition and raised cost concerns. It was held in Assembly Appropriations Committee.
- **AB 2338 (Chesbro), 2012** - Addressed the cost concerns of the Assembly Appropriations Committee by narrowly focusing on the policy. It also made changes to the proposed policy to address concerns of some stakeholders.

However, a critical fiscal analysis caused the bill to be held in Senate Appropriations where it died.

- **AB 1041 (Chesbro), 2013** - Is virtually identical to AB 2338. The bill has passed out of the Assembly and is in the Senate. AB 1041 has broad support from the stakeholder community, and no opposition.

Cost Effectiveness of Employment First Policy

Adoption of this employment first policy would be an important step for California to transition towards a fiscally sustainable service system.

Supporting individuals in integrated competitive employment costs less than other forms of day services. The typical support for an individual in integrated competitive employment is an Individual Placement Supported Employment Program (IP SEP). The table below gives the average annual per person cost in California for the fiscal year 2009/10 for the main types of day and employment services. The average cost of IP SEP is so low, because, as a person becomes stabilized on the job, they require less paid support. Individuals learn the job and rely more on co-workers for support (just like people without disabilities), instead of relying on a supported employment job coach.

| ANNUAL PER PERSON COSTS | | | | |
|--------------------------------|-------------------|-----------------------|------------------|-----------------------|
| DAY PROGRAM | LOOK ALIKE | SHELTERED WORK | SEP GROUP | SEP INDIVIDUAL |
| \$11,725 | \$14,385 | \$5,302 | \$10,843 | \$4,119 |

Source: 2001-2011 Annual Report, Employment and Day programs, Department of Developmental Services

In addition to the cost of service being less, integrated competitive employment brings greater benefits to the individual and society, and reduces reliance on public supports in other ways. A person who works at a regular job relies less, or not at all on SSI; a person with an employer paid health plan, relies less on Medi-Cal, saving the state close to \$3,000 per year;¹⁹ and a person who no longer lives in poverty participates in fewer social programs.

The non-fiscal outcomes for the individual are significant. A regular job with regular pay brings a greater sense of self-worth, self-confidence, a sense of contribution, and the dignity of a paycheck. Working for a living, can also be a means for a person to increase their income and overcome many of the

¹⁹ Modeling Medi-Cal's Potential Ticket To Work Population, California Department of Health care Services, 2010.

debilitating effects of poverty. When an individual is employed at a regular worksite, they experience less social isolation; they get to know other people, make friends, and gain allies who support them just like non-disabled friends and associates support each other, because they care about each other, and not because they are paid to care.

Pilot Project – Reform of Federal Work Incentives

SSI provides a ground of income for 4.6 million working age people with disabilities across the country. In order to qualify for SSI, an individual must have low assets, low income, have significant impairments in functioning (disability), and prove that they are not capable of working. Nearly 15 years ago, the federal Ticket to Work legislation created improved incentives for people with disabilities to enter the workforce. However, the movement off of SSI is minimal.

At 18 years, young people with disabilities apply for SSI benefits, and they must prove that they are incapable of working. This is the wrong message to send to a young person. The World Institute on Disability (WID) and the National Council on Independent Living (NCIL) have prepared a detailed proposal to Congress for a pilot project in a few states which would encourage and support the employment of people with disabilities on SSI. Coming out of the disability community, this proposal seeks to change the presumption within SSI from “not able to work” to “can and will work.”

This proposal seeks to break the trap of enforced poverty and dependency of SSI recipients. Instead of requiring a new recipient to prove he or she cannot work, pilot participants would develop an individual career plan. That plan would utilize existing resources within the pilot states to support their career development. The pilot would also allow participants to keep receiving the federal portion of their SSI check. This is an additional incentive for earnings, and it helps offset the high cost of being disabled.

At the recommendation of the Employment First Committee, the Council supports piloting the major concepts embodied in the WID/NCIL SSI reform proposal:

- (1) Eligibility** - Retain means testing and qualifying for the program through the current SSA Listing of Impairments. However, the SSI test for “incapacity to work” would be eliminated.

- (2) Individual Career Plan** - Program participants must develop and comply with an Individual Career Plan. The plan would be developed from a list of available vocational or employment support services. Non-compliance with the plan would cause the participant to exit the pilot to current SSI benefit rules.
- (3) Counseling** - Participants would receive “life coaching” services on resources for implementing the Individual Career Plan.
- (4) Retain Cash Benefit** - The federal SSI benefit rate of \$710/month would remain whole for participants, no matter what wages are earned, as long as they are in the pilot and following their Career Plan.
- (5) Twenty-first Century Reporting** - Online reporting, tracking, and consumer information services in the test states.

EMPLOYMENT FIRST COMMITTEE WORK

The structure of the EFC includes a diverse group of agencies and individuals, including self-advocates, providing the opportunity to explore the interrelated elements associated with having numerous departments with differing roles share in a common goal.

Quarterly meetings are conducted to review, evaluate and assist the Council in areas related to policies and programs that ensured our ongoing commitment to promoting integrated competitive employment in our local communities and throughout the state.

Data and Policy Work

The EFC has worked extensively on policy and data recommendations discussed above and summarized here:

- Furthering the adoption of an employment first policy, AB 1041 (Chesbro).
- Working with the departments and CECY on identifying, analyzing, and disseminating employment outcomes data.
- Coordinating with CECY and recommending the expansion of important data collaboration between DDS and EDD.
- Recommending the implementation of major components of a federal work incentives pilot project proposed by NCIL and WID.

Best Practices in Transition

An important function of the EFC is to advise the Council. Based on the recommendation of the EFC, the Council focused a portion of its Cycle 35 (2012/2013) Program Development funds on integrated competitive employment for transition age²⁰ youth and young adults. This was responsive to the EFCs second priority, *“strengthen youth transition to integrated competitive employment.”*

After reviewing 34 proposals for that grant, the Council awarded \$360,000 to Jay Nolan Community Services, in partnership with Easter Seals of Southern California. The Jay Nolan grant started in February 2013 and is assisting transition

²⁰ The grant defines “transition age” as between 16 and 30 years old.

age youth with I/DD, in Los Angeles and San Diego, to achieve integrated competitive employment and/or postsecondary education leading to career advancement. The grantees are using state of the art methods:

- (1) Customized Employment, which is based on an individualized determination of the strengths, needs, and interests of the person with a disability, and is also designed to meet the needs of the employer.
- (2) Discovering Personal Genius, a process that supports customized employment through a one person at a time exploration of career potential and interests that begins with the assumption of employability. It includes a team approach that includes family, neighbors, and other allies, interviews, and exposure to relevant activities and work experiences.
- (3) Intensive involvement of families and friends,
- (4) Parent support groups centered on how families can support their transition age youth to achieve integrated competitive employment,
- (5) Partnerships between schools and employment service providers,
- (6) Teamwork between schools, service providers, regional centers, Department of Rehabilitation, youth and families.
- (7) Using alternative sources of funding such as the federal Ticket to Work and PASS programs.

They involve families, school staff, regional center service providers, regional centers, and the Department of Rehabilitation. Consistent with the EFC's third priority ("*promote participation by traditionally under-represented groups*"), the grantees are doing significant outreach to communities of color and immigrant populations. The locations of the project, and the cooperation of Los Angeles Unified School District and San Diego Unified School District, make this a promising effort for achieving systems changes beyond the scope and duration of the grant.

This grant is an example of the collaboration of the EFC with the full Council to apply significant resources to further the work of the state in promoting integrated competitive employment.

Interagency Activities and Collaborations

Previous reports discussed roles and responsibilities of state agencies. This report introduces other key state entities with responsibilities in the areas of transition and employment.

Coordinating Among Key State Committees and Councils

The Employment First Committee serves as a forum for key stakeholders, the Council and the relevant departments to clarify roles and responsibilities related to employment for people with developmental disabilities and to collaborate on data, best practices and policy to further integrated competitive employment. Whereas other committees and councils address a cross disability focus on employment, EFC provides a unique focus on people with developmental disabilities. This focus provides an opportunity to address the unique barriers faced by individuals with complex support needs, and who experience the poorest transition and employment outcomes. This year these groups are seeking greater coordination, recognizing the potential for supporting each other's work, avoiding duplication of effort, and benefiting from each other's experience and expertise. The work of CECY is discussed in the next section, while the other groups are discussed below.

California Committee on Employment of People with Disabilities (CCEPD)

CCEPD is established by statute and charged with consulting and advising the Secretaries of the California Labor and Workforce Development Agency and the California Health and Human Services Agency on all issues related to full inclusion in the workforce of persons with disabilities, including development of a comprehensive strategy for the employment of people with disabilities.

CCEPD is comprised of a diverse team of twenty-one appointed members, an Executive Officer appointed by the Governor, and three, full-time professional staff from the Department of Rehabilitation. Their mission is to achieve an employment rate for people with disabilities in California that is in parity with that of the general population. CCEPD fulfills its charge by:

- Convening stakeholders at state and local levels to acquire timely and relevant input for policy recommendations and action steps;
- Gathering, analyzing, and disseminating data, policy recommendations, and other information;

- Identifying, formulating, and supporting innovative policy solutions to emerging and long-standing policy barriers and challenges; and
- Providing tools to facilitate effective implementation of policy recommendations

While the committee is staffed by the Department of Rehabilitation and funded by the Employment Development Department, they are charged with addressing the employment needs of all individuals with disabilities.

CCEPD has two task-oriented workgroups:

- **Increasing Employer Demand** for qualified workers with disabilities. Areas of focus for this workgroup include: improving the State of California as a model employer of people with disabilities; and partnering with employers in the health care industry in California to develop internal policies and initiatives that increase the number of people with disabilities hired, retained, and promoted in that industry.
- **Building a Pipeline** of qualified workers with disabilities to fill those positions. Areas of focus for this workgroup include: promoting the development of innovative reforms of the SSI, SSDI, Cal-WORKS, and other benefits planning systems for new applicants and current recipients with the principle objective of maximizing work and economic independence; addressing the barriers in education and training for students with disabilities and existing health professionals and state employees who acquire disabilities; and supporting the effectiveness, sustainability, and replicability of the California Youth Leadership Forum (YLF) for Students with Disabilities, which is part of a proven model for enhancing the personal, academic, and career potential of young people with disabilities in California.

State Independent Living Council (SILC)

The SILC, established by statute, is an 18-member council, appointed by the Governor, which serves to maximize opportunities for people with disabilities who desire to live independently. The SILC membership represents a cross-section of the independent living movement in California and, by law, the majority of the volunteer council members are people with disabilities.

The SILC promotes policy and systems change for independent living by: (1) Advancing Olmstead, (2) strengthening the Independent Living (IL) Network, (3) representing the underserved, (4) increasing capacity for educating policymakers, and (5) improving services to older individuals who are blind.

In cooperation with the state Department of Rehabilitation, the SILC prepares a State Plan for Independent Living, which sets the policy and funding levels for the state's network of Independent Living Centers (ILCs) and services. To help guide this policy, the SILC solicits continual public feedback on the effectiveness of independent living services and the changing needs of the community. In addition to preparing and updating the State Plan for Independent Living, the SILC monitors the implementation of it. The SILC also coordinates with similar agencies and councils at the state and federal levels to increase communication and help assure that services to people with disabilities are delivered effectively.

The priorities of the SILC with respect to youth in transition are:

- Self-Determination,
- Informed decision-making, and
- Options for community living, including employment.

Community of Practice (CoP) in Secondary Transition

The CoP is located within the Department of Education Office of Special Education and was formed and funded by the DOE and DOR to help them improve their transition and employment outcomes. It is a voluntary group of education professionals.

The CoP seeks to ensure the seamless and compliant transition services to youth, ages 16-22, that will lead to positive post-school outcomes. They carry out their work through a statewide community of practice, a statewide listserv which disseminates compliance information, resources and evidence-based practices, and statewide technical assistance through webinars and conference calls. Their key goal with respect to employment is integrated competitive employment in an area of interest to each individual youth ages 16-22.

CECY

This year the Employment First Report gives a special focus on the *California Employment Consortium for Youth and Young Adults with Intellectual and Developmental Disabilities* (CECY). Because CECY is a five year project (2011-2016), it affords a time limited opportunity for government, the Council, and key stakeholders to work together on furthering the goal of integrated competitive employment.

CECY is one of eight Partnerships in Employment system change projects funded by the Administration on Intellectual and Developmental Disabilities as a Project of National Significance. The Tarjan Center at UCLA, a University Center for Excellence in Developmental Disabilities (UCEDD) provides the administrative leadership for CECY.

CECY Seeks to Improve Employment Outcomes By:

- Raising the aspirations, capacities and expectations of youth with intellectual and developmental disabilities (ID/DD), their families, service systems, employers, and communities regarding integrative competitive work as the first choice;
- Improving statewide system policies and practices Strengthen interagency collaborations and practices between and among local and state agencies to increase opportunities for integrated competitive employment (ICE) of youth and young adults with ID/DD; and
- Working with the CECY partners to effect policy change at a state level that is aimed at increasing employment of youth and young adults with ID/DD.

Membership

CECY has become a statewide consortium with over forty members representing:

- California Department of Rehabilitation
- California Department Education
- Employment Development Department

- Department of Developmental Services
- State Council on Developmental Disabilities
- Tarjan Center at UCLA
- Special Education Administrators
- Association of Regional Center Agencies (ARCA)
- Regional Centers (Orange County, Alta, San Diego)
- Community College Chancellor’s Office
- California Committee on Employment of People with Disabilities
- Disability Rights California
- School Districts (Irvine, Whittier)
- California Transition Alliance
- California Community of Practice –Secondary Transition
- Youth Advocates

Work Groups

Most of CECY’s work is accomplished through the following workgroups:

- Policy (“Policy Change Artists”)
- Best Practices (“America’s Next Top Models”)
- State Data and Performance Indicators (“Data Nerds”)
- Outreach and Communication (“Outreachers”)
- Resource Development (“Unbroken Chain”)

Youth Self-Advocacy

CECY emphasizes the role of self-advocates in contributing to the consortium’s understanding of the issues and participating in policy and strategy deliberations. CECY’s Youth Advisory Committee (“YAC”) provides that input and advice.

Best Practices Documentation and Dissemination

There are many challenges in supporting transition age youth with developmental disabilities to get jobs. However, many organizations have learned a great deal and developed methods that have been successful at the local level. CECY seeks to help document and disseminate some of the most promising practices in the state through grants to seven such organizations.

The grantees shed light on specific barriers to employment and describe new solutions that can be utilized by programs across the state. These solutions include using hybrid-funding streams, obtaining industry certificates to become more competitive in the job market, creating collaborations to increase job

development capacity after funding cuts, and more. Selected programs are from diverse communities across the state:

- Irvine Unified School District
- Glenn County Office of Education
- Taft College Transition to Independent Living Program
- Sweetwater Unified School District (Chula Vista)
- TransCen (San Francisco)
- East Bay Innovations (San Leandro)
- Whittier Union High School District

NEXT STEPS

Moving California toward Employment First is an undertaking of critical importance in order to facilitate the dignity and independence of individuals with developmental disabilities with the added result of more people contributing to California's economy. The EFC will continue its focus on employment for transition age youth, through its four areas of responsibilities established in WIC Section 4868 (c),

Employment Policy

- The Council and EFC will work with other stakeholders to pass AB 1041 (Chesbro), establishing an employment first policy in statute (see Policy Recommendations, page 9). If California adopts this policy, it will be the twenty-third state with an employment first policy. The EFC will coordinate with the CECY Policy Workgroup and other groups to explore further policy recommendations focused on transition age youth and young adults.
- The CECY Policy Workgroup is developing a white paper on the barriers to employment and policy recommendations to address those barriers. The policy recommendations will focus on:
 - Adoption of the Employment First Policy recommended by the Council.
 - Enhanced and coordinated person centered transition planning across departments.
 - Funding for employment support providers that incentivize integrated competitive employment, including adequate funding for job development.
 - New program models for employment support services.
- The EFC will explore recommendations for state or federal public benefit policy changes to better enable people receiving public benefits to work. Explore a "get out of jail free card", to try to minimize the risk of losing benefits through paperwork errors.

Strategies and Best Practices

- Review the experience of the grantees for implications for policy and dissemination. As discussed earlier, Jay Nolan Community Services and Easter Seals of Southern California are working with the school districts, regional centers, and Department of Rehabilitation to implement a number of state of the art customized employment practices to support individuals with disabilities to seek and succeed in integrated competitive employment.
- Explore vendors' perspectives on how to improve Supported Employment.
- Hear from Special Education Local Planning Areas and the California Department of Education on best practices for supporting students to prepare them for transition from K-12 education to work or post-secondary education.

Interagency Collaboration

As a lead agency in the California Employment Consortium for Youth (CECY), the Council will actively address policy, barriers, best practices, and the training/information needs of providers, professionals, families and consumers. Through the Consortium, the Council will work to identify roles and responsibilities of government agencies in improving employment outcomes. The EFC will focus on activities that compliment and support the work of other groups, such as CECY, the Alliance for Full Participation, Community of Practice for Post-Secondary Education, the State Independent Living Council, and the California Committee on Employment of People with Disabilities.

Outcomes Data

The EFC works with the CECY data group to identify existing source of data that could be used to create a "data dashboard" that can track the state's success in supporting the growth of integrated competitive employment.

- **Employment Data Dashboard (Beta Version) for Working Age Regional Center Clients:**
 1. Numbers and percentage with earnings;
 2. Average earnings and distribution, such as 20 percentile ranges.

3. Annual earnings presented in relation to the Federal Poverty Level;
4. Numbers and percentage in integrated competitive employment;
5. Average hourly wages and distribution, such as 20 percentile ranges;
6. Number and percentage who worked at least 10 of last 12 months;
7. Numbers and percentage receiving vacation or sick time;
8. Numbers and percentage receiving health benefits through their job;
9. Numbers and percentage without a job who want one;
10. Numbers and percentage receiving support in their employment.

- **Employment Data Dashboard (AlphaVersion):**

The “Alpha Version” would expand data analysis to all working age individuals with I/DD, involving DOR and CDE clients in analysis.

The needed data must be made available on a regular basis for analysis. It can then exist on the web, possibly the Council site, where it will be accessible by any interested party.

The Special Education Division can assist in finding gaps in compliance with postsecondary planning through its ability to survey schools and other facilities providing services to students with developmental disabilities. These data will assist the CDE and the EFC to determine why these students are so difficult to follow-up on and where students are one year after leaving secondary education. The Special Education Division is also researching ways to provide follow up on students over a longer period of time.

The EFC will review a DDS analysis of CDER data on employment status compared to ethnicity, age and other factors.

Dissemination

- Help people with developmental disabilities and their families, including people in under-represented groups, understand the relationship between work and public benefits. This focus responds to the barrier to employment that many people with developmental disabilities do not look for work because they are afraid to lose their public benefits.

- Explore methods of informing employers of the benefits of employing people with significant disabilities. Coordinate with other efforts, including the California Committee on the Employment of People with Disabilities.
- Develop a section of the Council website to highlight the Council’s work on employment, providing plain language materials and videos on Employment First Policy and options for integrated competitive employment, disseminating materials and practices from SCDD Program Development grants, posting relevant outcomes data and providing access to resources from other sources.

APPENDIX A

Statutory Responsibilities of the Employment First Committee

California Welfare and Institutions Code Division 4.5. Services for the Developmentally Disabled Chapter 14. Employment

4868. (a) The State Council on Developmental Disabilities shall form a standing Employment First Committee consisting of the following members:

(1) One designee of each of the members of the state council specified in subparagraphs (B), (C), (D), (F), and (H) of paragraph (2) of subdivision (b) of Section 4521.

(2) A member of the consumer advisory committee of the state council.

(b) In carrying out the requirements of this section, the committee shall meet and consult, as appropriate, with other state and local agencies and organizations, including, but not limited to, the Employment Development Department, the Association of Regional Center Agencies, one or more supported employment provider organizations, an organized labor organization representing service coordination staff, and one or more consumer family member organizations.

(c) The responsibilities of the committee shall include, but need not be limited to, all of the following:

(1) Identifying the respective roles and responsibilities of state and local agencies in enhancing integrated and gainful employment opportunities for people with developmental disabilities.

(2) Identifying strategies, best practices, and incentives for increasing integrated employment and gainful employment opportunities for people with developmental disabilities, including, but not limited to, ways to improve the transition planning process for students 14 years of age or older, and to develop partnerships with, and increase participation by, public and private employers and job developers.

(3) Identifying existing sources of employment data and recommending goals for, and approaches to measuring progress in, increasing integrated employment and gainful employment of people with developmental disabilities.

(4) Recommending legislative, regulatory, and policy changes for increasing the number of individuals with developmental disabilities in integrated employment, self-employment, and microenterprises, and who earn wages at or above minimum wage, including, but not limited to, recommendations for improving transition planning and services for students with developmental disabilities who are 14 years of age or older. This shall include, but shall not be limited to, the development of an Employment First Policy, the intended outcome of which is a significant increase in the number of individuals with developmental disabilities who engage in integrated employment, self-employment, and microenterprises, and in the number of individuals who earn wages at or above minimum wage. This proposed policy shall be in furtherance of the intent of this division that services and supports be available to enable persons with developmental disabilities to approximate the pattern of everyday living available to people without disabilities of the same age and that support their integration into the mainstream life of the community, and that those services and supports result in more independent, productive, and normal lives for the persons served. The proposed Employment First Policy shall not limit service and support options otherwise available to consumers, or the rights of consumers, or, where appropriate, parents, legal guardians, or conservators to make choices in their own lives.

(d) For purposes of this chapter, "integrated employment" shall have the same definition as "integrated work" as defined in subdivision (o) of Section 4851.

(e) The committee, by July 1, 2011, and annually thereafter, shall provide a report to the appropriate policy committees of the Legislature and to the Governor describing its work and recommendations. The report due by July 1, 2011, shall include the proposed Employment First Policy described in paragraph (4) of subdivision (c).

Responsibilities of the Employment First Committee

PLAIN LANGUAGE VERSION

The Lanterman Act tells the State Council on Developmental Disabilities to have an Employment First Committee. This is what the Lanterman Act says about the Employment First Committee (EFC).

Why the EFC was created:

The Lanterman Act created the EFC to help get more people with developmental disabilities jobs in integrated competitive employment (ICE).

What is Integrated Competitive Employment (ICE):

It means good jobs with good pay (minimum wage or above) - Jobs at a typical workplace, where people with disabilities work with other people from their community who do not have disabilities. Jobs where people with disabilities get the same pay and benefits as people without disabilities doing the same work; and they are paid directly by their employer. Having a good job can also include people who make money with their own small business or working for themselves.

Who is a member of the EFC:

There are several people who must be on the EFC, including self-advocates and family members. The EFC also needs to include representatives from departments of government and other organizations that help people with developmental disabilities get good jobs.

Members of the EFC must include a representative from each of the following:

- Self-Advocacy Advisory Committee of the State Council,
- Family members and other self-advocates.
- Department of Developmental Services,
- Department of Rehabilitation,
- Department of Education,
- Employment Development Department,
- University Centers for Excellence in Developmental Disabilities,
- Disability Rights California,
- Regional Center service coordinators,
- Association of Regional Center Agencies, and
- A supported employment provider.

What the EFC has to do:

(1) Describe how the government departments work with each other to help people get good jobs with good pay.

(2) Find what works to help people get good jobs with good pay.

(3) Find good ways to plan for transition aged students (age 14 and above) to go to work after they are finished with high school, or their education beyond high school.

(4) Find ways to encourage agencies to support people to get good jobs with good pay.

(5) Develop partnerships with employers and agencies that help people find good jobs with good pay.

(6) Find out how many people with developmental disabilities are working and how much money they are earning. Each year, measure if the state is getting better at supporting people to get good jobs with good pay.

(7) Recommend ways the state can improve how they measure progress in helping people get employed.

(8) Recommend goals for integrated competitive employment for the state to meet.

(8) Recommend legislation and other ways that the state can do a better job of supporting people to get good jobs with good pay.

(9) Recommend ways to improve helping transition age students (age 14 and above) go to work after they are finished with high school, or their education beyond high school.

(10) Recommend an Employment First Policy that will get a lot more people good jobs with good pay, with the supports they need. This will help people with disabilities to be part of their communities, have jobs, and make money, just like people their age without disabilities. The policy will make sure people can choose the services they want, like they do now under the Lanterman Act.

(11) Other things the EFC thinks will help.

The annual Employment First Report: Every July, the EFC has to send a report to the Legislature and the Governor. The report makes recommendations to the Legislature and the Governor and describes all the work of the committee. The State Council approves the report.

APPENDIX B

Membership of the Employment First Committee

| <u>Name</u> | <u>Affiliation</u> |
|------------------------------|--|
| Anderson, Tony | The Arc of California |
| Boomer, Daniel | California Department of Education |
| Chen, Rachel | Family Advocate, Chinese Parent Advocates for the Disabled (CPAD) |
| Cooley, Lisa | Self-Advocate |
| Curtright, Denyse | Department of Developmental Services |
| Derby, Kathleen | California State Independent Living Council (SILC) |
| Dutton, Dale | Family Advocate |
| Hansen, Robin | University Center for Excellence in Developmental Disabilities, M.I.N.D. Institute |
| Lapin, Connie | Family Advocate, Autism Society of Los Angeles |
| Mayer, David | Employment Development Department (EDD) |
| Moore, Bill | Department of Rehabilitation |
| Mudryk, Andrew | Disability Rights California |
| Mulvey, David | Service Employees International Union (SEIU) |
| Petrie, Dennis | Employment Development Department |
| Raynor, Olivia | University Center for Excellence in Developmental Disabilities, UCLA |
| Sarmiento, Debbie | Family Resource Center Network of California (FRCNCA) |
| Stewart, Rachel | California Committee on Employment of People with Disabilities |
| Taylor, Robert M. | Self-Advocate |
| Weller, Kecia Chairperson | Self-Advocate, State Council on Developmental Disabilities |
| Westling, Amy | Association of Regional Center Agencies (ARCA) |
| Wheeler, Barbara | University Center for Excellence in Developmental Disabilities, USC |
| White, Cindy | Self-Advocate, Department of Developmental Services Consumer Advisory Committee |

APPENDIX C

Glossary

Activity Based Day Services See Day Programs

ADA [Americans with Disabilities Act](#)

APSE [Association of People Supporting EmploymentFirst](#)

ARCA [Association of Regional Center Agencies](#)

CDE [California Department of Education](#)

CDER Client Development and Evaluation Report

CECY [California Employment Consortium for Youth](#)

Community Based Non-Work (CBNW)²¹ Non-job-related supports focusing on community involvement such as access to public resources (recreational/educational) or volunteer activities. Community-based non-work includes all services that are located in the community (rather than facility-based) and do not involve paid employment of the participant.

Competitive Employment Work in the labor market that is performed on a full-time or part-time basis in an integrated setting for which the individual is compensated at or above minimum wage with related health and employment benefits, but not less than the customary and usual wage and level of benefits paid by the employer for the same or similar work performed by individuals who are not disabled.

Council, The This term refers to the [State Council on Developmental Disabilities](#)

Customized Employment Customized Employment is based on an individualized determination of the strengths, needs, and interests of the person with a

²¹ Institute for Community Inclusion (ICI): Community Based Non-Work Services: Findings from the National Survey of Day and Employment Programs for People with Developmental Disabilities.

http://www.communityinclusion.org/article.php?article_id=162&type=audience&id=8

disability, and is also designed to meet the specific needs of the employer. It may include employment developed through job carving, self-employment or entrepreneurial initiatives, or other job development or restructuring strategies that result in job responsibilities being customized and individually negotiated to fit the needs of individuals with a disability.

Day Programs These are community-based programs for individuals with developmental disabilities. Day program services may be provided at a fixed location or in the community. Some services offered may include developing and maintaining self-help and self-care skills, developing community integration, social and recreational skills; and behavior modification.

DDS [California Department of Developmental Services](#)

Developmental Disabilities The federal definition of developmental disabilities covers persons whose disability occurs before age 22 and includes a mental or physical impairment or a combination of both. There must be a substantial limitation in three or more of these major life areas: self-care; expressive or receptive language; learning; mobility; capacity for independent living; economic self-sufficiency; or self-direction. In California law, a developmental disability is more narrowly defined as occurring before the age of 18 and includes specific categories of eligible conditions: mental retardation, epilepsy, cerebral palsy, autism, and "conditions requiring services similar to those required for persons with mental retardation."

DOJ United States Department of Justice

DOL California Department of Labor

DOR [California Department of Rehabilitation](#)

EDD [California Employment Development Department](#)

EFC [Employment First Committee](#) of the State Council on Developmental Disabilities

Employment Employment is an activity performed by an individual where there is an expectation of wages for services rendered and the services are for the

primary benefit of the employer.²² Alternatively, employment may refer to any income generating activity such as self-employment and micro-enterprise.

Executive Order (EO) A President's or Governor's declaration which has the force of law, usually based on existing statutory powers, and requiring no action by the Congress or state legislature.

Group Placement Supported Employment See Supported Employment, Group Placement

I/DD Intellectual and Developmental Disabilities. Also see definitions for Intellectual Disability and Developmental Disability.

Individual Career Plan (ICP) A term introduced by the World Institute on Disability in their proposal for a Pilot Project to reform federal work incentives. The ICP will be a career planning tool developed to maximize the productivity level of those participating in the proposed Pilot Project. The plan would be developed from a list of available vocational or employment support services.

Individual Placement Supported Employment See Supported Employment, Individual Placement.

Individual Program Plan The IPP is an action plan that is developed through the process of individualized needs determination and embodies an approach centered on the person and family. Individuals and family members participate in the planning process. The IPP is a **legal** document that identifies goals for the individual with developmental disability to live the way he/she wants. The IPP identifies services and supports that will help the individual reach his/her goals as well as participate in the community fully and as independent as possible. Though the Regional Center usually schedules an IPP meeting once every 3 years, the individual or family member can request a planning meeting at any time.

Integrated Competitive Employment²³ Integrated Competitive Employment (ICE) is work compensated at prevailing wages with related health and

²² Segregated and Exploited, National Disability Rights Network, 2011, A Failure of the Disability Service System to Provide Quality Work <http://www.napas.org/images/Documents/Resources/Publications/Reports/Segregated-and-Exploited.pdf>

employment benefits, occurring in a typical work setting where the employee with the disability interacts or has the opportunity to interact continuously with co-workers who may or may not have a disability, and has an opportunity for advancement and mobility. Further, integrated competitive employment includes all income generation activities such as owning one's own business.

Integrated Employment The engagement of an employee with a disability in work in a setting typically found in the community in which individuals interact with individuals without disabilities other than those who are providing services to those individuals, to the same extent that individuals without disabilities in comparable positions interact with other persons.

Integration Mandate The 'integration mandate' of the Americans with Disabilities Act (ADA) requires public agencies to provide services "in the most integrated setting appropriate to the needs of qualified individuals with disabilities." The goal of the integration mandate is to provide individuals with disabilities opportunities to live their lives like individuals without disabilities. See Most Integrated Setting.

Intellectual Disability Intellectual disability is a disability characterized by significant limitations both in intellectual functioning (reasoning, learning, problem solving) and in adaptive behavior, which covers a range of everyday social and practical skills. This disability originates before the age of 18.

IPP See Individual Program Plan

Microenterprise For the purpose of this report, microenterprises are small businesses owned by individuals with developmental disabilities, with accompanying business licenses, tax-payer identification numbers other than social security numbers, and separate business bank accounts. Microenterprises may be considered competitive employment, integrated employment, and integrated competitive employment.

Most Integrated Setting A setting that enables individuals with disabilities to interact with non-disabled persons to the fullest extent possible.

²³ From CPSD Response to Harkin Disability Employment Summit, October 2010

Motion to Intervene Normally, a lawsuit involves the plaintiffs (who bring the suit), and the defendants (whom the suit is brought against). Sometimes, a person/entity who is not a party to a lawsuit in progress wants to become a party. Such a party must file a Motion to Intervene.

NCI [National Core Indicators](#)

NCIL [National Council on Independent Living](#)

NGA [National Governors Association](#)

One-Stop Centers One-Stop Job Centers are government funded job centers that assist workers to locate jobs and help employers find workers. California has over 220 One Stop Job Centers, with at least one in every county.

Projects of National Significance Through PNS, the Administration on Intellectual and Developmental Disabilities (AIDD) supports the development of national and state policy and awards grants and contracts that enhance the independence, productivity, inclusion, and integration of people with developmental disabilities.

Regional Center [Regional Centers](#) are nonprofit private corporations that contract with the California Department of Developmental Services (DDS) to provide or coordinate services and supports for individuals with developmental disabilities. They have offices throughout California to provide a local resource to help find and access the many services available to individuals and their families. California has 21 regional centers with more than 40 offices located throughout the state.

SCDD [State Council on Developmental Disabilities](#)

Sheltered Work Settings/Sheltered Workshops Sheltered work settings are also known as sheltered workshops, affirmative industries, training facilities, and rehabilitation centers. These facilities generally offer a segregated work setting where individuals with developmental disabilities typically earn subminimum wage engaged in unskilled manual labor.

SILC [State Independent Living Council](#)

Special Education Local Planning Area (SELPA) Each school district belongs to a Special Education Local Plan Area (SELPA). SELPAs are dedicated to the belief that all students can learn and that students with special needs must be guaranteed equal opportunity to become contributing members of society. SELPAs facilitate educational programs and services for students with special needs and training for parents and educators. The SELPA collaborates with county agencies and school districts.

SSA [Social Security Administration](#)

SSI Supplemental Security Income

SSN Social Security Number

Subminimum Wage The Fair Labor Standards Act (FLSA) permits the employment of certain individuals at wage rates below the minimum wage. These individuals include individuals whose earning or productive capacity is impaired by a physical or mental disability, including those related to age or injury, for the work to be performed.

Subminimum Wage Certificate Certificates issued by the U.S. Department of Labor (DOL) Employment Standards Administration's Wage and Hour Division are required to compensate individuals with subminimum wages (see above).

Supported Employment Supported employment provides paid work opportunities in the community using group or individual placements. The services are aimed at finding competitive work in a community integrated work setting for persons with disabilities who need ongoing supports to learn and perform work.

Supported Employment, Group Placement Group placements consist of training and supervision of an individual while engaged in work as part of a group in an integrated community setting. The ratio of supervision for work crews is set at a minimum of 1:4 and up to 1:8. Individuals on work crews are provided guidance and supervision throughout the course of the work day.

Supported Employment, Individual Placement Individual placements consist of job placement in community business settings. A job coach meets regularly with the individual to provide training and supervision to help him or her

maintain the necessary skills and behaviors to work independently. As the individual gains mastery of the job, the job coaching time and support services are gradually reduced and/or phased out.

Transition For purposes of this report transition is a systematic, individualized process that incorporates a coordinated set of activities to assist students 16-24 to prepare for life after school.

UCEDD [University Center for Excellence in Developmental Disabilities](#)

WIC Welfare and Institutions Code

WID [World Institute on Disability](#)

Work Activity Programs Work activity programs (WAP) provide sheltered employment training for individuals who are not prepared for or who may not desire competitive employment in an integrated community work setting. A WAP serves only individuals served by regional centers and is not time limited. Individuals with developmental disabilities in WAP must be able to work at 10% productivity or better.

Working Age For the purposes of this report the term working age refers to individuals with developmental disabilities, 18 years and older.

Work Incentives Special rules make it possible for people with disabilities receiving Social Security or Supplemental Security Income (SSI) to work and still receive monthly payments and Medicare or Medicaid. Social Security calls these rules "work incentives."