# EMPLOYMENT FIRST COMMITTEE

## NOTICE/AGENDA

Posted at www.scdd.ca.gov

**DATE:** December 17, 2013

**TIME:** 10:30 AM - 4:00 PM

**LOCATION:** Red Lion Hotel Woodlake
Conference Center, Pavilion Room
500 Leisure Lane
Sacramento, CA 95815
Phone Number: **(916) 922-2020**

*Pursuant to Government code Sections 11123.1 and 11125(f), individuals with disabilities who require accessible alternative formats of the agenda and related meeting materials and/or auxiliary aids/services to participate in this meeting should contact Michael Brett at (916) 322-8481or email michael.brett@scdd.ca.gov. Requests must be received by 5:00 pm December 12, 2013.*

## AGENDA

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| **1. CALL TO ORDER** | K. Weller | |
| **2. WELCOME/INTRODUCTIONS** | K. Weller | |
| **3. ESTABLISH A QUORUM** | K. Weller | |
| **4. APPROVAL OF MINUTES: 4/30/13, 6/19/13, AND 9/24/13** | K. Weller | 3 |

## 5. PUBLIC COMMENTS

*This item is for members of the public to comment and/or present information to the Council. Each person will be afforded up to three minutes to speak. Written requests, if any, will be considered first. The Council will also provide a public comment period, not to exceed a total of seven minutes, for public comment prior to action on each agenda item.*

| | | |
|---|---|---|
| **6. DOR PROMISE GRANT** | B. Moore | 21 |
| **7. NATIONAL GOVERNORS ASSOCIATION REPORT PRIORITIES FOR CALIFORNIA** | M. Polit | 66 |
| **8. EMPLOYMENT DATA DASHBOARD** | M. Polit<br>D. Curtright | |
| **9. UPDATE ON EMPLOYMENT LEGISLATION** | M. Polit | |
| **10. CECY POLICY COMMITTEE REPORT** | A. Mudryk | 75 |
| **11. SHELTERED WORK and SUBMINIMUM WAGE** | M. Kennedy | |
| **12. PLAN FOR EDUCATION PANEL** | M. Polit | |
| **13. PLAN FOR NEXT MEETINGS** | M. Polit | |
| **14. ADJOURNMENT** | K. Weller | |

For additional information regarding this agenda, please contact Michael Brett, 1507 21st Street, Suite 210, Sacramento, CA 95811, (916) 322-8481

# Employment First Committee

DRAFT Meeting Minutes of April 30, 2013
Sacramento, California

**Members Present**
Tony Anderson
Lisa Cooley
Kathleen Derby
Dale Dutton
Bill Moore
Andrew Mudryk
David Mulvey
Olivia Raynor
Amy Westling
Barbara Wheeler
Cindy White
Sarah Triano
Victoria King-Watson

**Members Absent**
Daniel Boomer
Rachel Chen
Robin Hansen
Connie Lapin
Dennis Petrie
Debbie Sarmento
Robert Taylor
Kecia Weller

**Others Present**
Michael Brett, Staff
Rachel Flores, UCLA Tarjan Center
Eric Glunt, CHIIP/Interwork Institute, SDSU
Tom Heinz, East Bay Innovations
Bryon MacDonald, WID
Mary Agnes Nolan, Staff
Mark Polit, Staff
Cindy Ruder, Area Board 4
Ruby Villanueva, Staff

## 1. CALL TO ORDER

Olivia Raynor, in the absence of Kecia Weller, Chairperson, called the meeting to order at 10:46 a.m.

## 2. WELCOME/INTRODUCTIONS

Members and guests introduced themselves

## 3. QUORUM

A quorum was established

## 4. APPROVAL OF MINUTES

**MOTION:** Approve minutes without modifications. ***MOTION CARRIED***

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|---|---|---|---|---|
| **MOTION TO ACCEPT:** *A. Mudryk* | **SECONDED:** *A. Westling* | **APPROVE:** *11* | **OPPOSE:** *0* | **ABSTAIN:** *0* |

## 5. PUBLIC COMMENTS

No public comments were presented

## 6. INTERACTION OF WORK AND BENEFITS AND SYSTEM REFORM PROPOSAL - PRESENTATION BY BRYON MACDONALD (WID) & ERIC GLUNT (INTERWORK INSTITUTE):

***Benefit types:***

*Means Tested Programs: SSI and Medi-cal (CA name for Medicaid)*
*Social Insurance: SSDI and Medicare; Childhood Disability Beneficiary (CDB) and Medicare.*
*Private Sector Disability and Health Care Benefits*

Under the Medi-Cal Working Disabled Program, a person with a disability can earn up to $58,000 per year. However, it is highly recommended that recipients organize their employment/benefits records and notes in a centralized binder. Recipients have a legal and fiduciary responsibility to track income changes that may affect their benefits and being organized may assist the recipient in any future benefits appeals.

***Overview of Disability Benefits 101 (DB101):*** DB101 provides users benefits planning tools to assist in making informed choices about work and benefits. For example, DB101 Benefits and Work calculator can predict how a job will affect a client's total income and health coverage. Additional tools support individuals in different life transition stages (i.e. school to work, stable housing no job, on benefits for some time and no job).

World Institute on Disability (WID) believes the most effective way to reach people is through the use of on-line tools and 1:1 benefits counseling (e.g., live chat or 800 number) . Disability Benefits 101 (DB 101) receives about 60,000 visitors a month. States such as Minnesota and Arizona offer visitors to DB101 an opportunity to chat with a qualified "options" counselor to receive immediate answers to their questions, in conjunction with the use of extensive on-line tools/calculators to assist the visitor to explore different ways to balance work and benefits. Minnesota counselors, in particular, are able to access the visitor's personal benefits information to provide even more extensive assistance.

Other DD councils' involvement in benefits counseling include Arizona's grant for 2 years of an 800 number for benefits Counseling and Minnesota hosting the DB 101 on their website.

The ability to have a live chat with a benefits or "options" counselor paired with on-line information intrigued members of EFC, generating a discussion on how to bring 1:1 live chat to CA DB101.

Given the size of California Mr. MacDonald recommended that Regional Center be involved. Barbara Wheeler felt that cross-agency involvement should be considered, with Regional Center providing funding for 1:1 live chat, but ILC staff (trained by DOR) to provide the actual service.

There is no entity spearheading the movement to bring 1:1 live chat to CA DB101. Members of CCEPD, WID, CECY and other interested groups will create a workgroup to

further discuss details and implications of bringing 1:1 live chat to CA DB101 and present its recommendations to the EFC at the September meeting.

***Proposed Pilot Project – Test replacing the SSI program with career building ACCESS Program for youth 18-30:*** This project proposes that a **12 year test period be implemented through the proposed ACCESS program** enrolling youth who turn 18 and are on SSI at the time, youth 18-28 and not on SSI; and SSI recipients up to age 28. This pilot project is still in the conceptual phase. The actual infrastructure has not yet been addressed as players such as SSA still has to buy in.

WID believes that Federal dollars will be saved in the future through **ACCESS** because as people start working they use less Medicaid. Savings will also be seen across agencies through a reduction of administrative costs, implementation of electronic reporting, use of internet based technologies, and the elimination of month to month reporting procedures.

**The Committee focused on the following *key concepts of ACCESS*:**

(1) On 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) 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) Participants would receive "life coaching" services on resources for implementing the Individual Career Plan.

(4) 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.

(5) Online reporting, tracking, and consumer information services in the test states.

**MOTION:** Ask the Council to support the above key concepts of the Pilot Project (ACCESS) with continued involvement by the Employment First Committee. ***MOTION CARRIED***

| **MOTION TO ACCEPT:** *T. Anderson* | **SECONDED:** *D. Dutton* | **APPROVE:** *13* | **OPPOSE:** *0* | **ABSTAIN:** *0* |
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## 7. UPDATE ON SELF-ADVOCACY INTERVIEWS

Olivia Raynor reports no progress at this time. Kecia Weller remains on medical leave.

## 8. EMLOYMENT DATA REQUEST

Mark Polit reports that as part of the CECY consortium, a data workgroup called the "Data Nerds" has been established. The charge of this workgroup is to create an employment data dashboard with key statistical indicators so the state can track its progress on employment outcomes as an aid to developing effective strategies. Ten key statistical indicators have been identified by the workgroup and all can be obtained through existing data maintained by different agencies. . .

An MOU currently exists between DDS and EDD to share certain data elements. EFC wishes the MOU to be expanded to allow for deeper analysis.

**MOTION:** To recommend to the Council to request that DDS and EDD expand their current MOU to include: 1) The distribution of annual average earnings, such as in 20 percentile ranges; 2) Average hourly wages and their distribution, such as in 20 percentile ranges; 3) DDS to provide SSNs for subgroups to receive the analysis for the percentage of people receiving wages and their earnings, as discussed under #1 and #2. ***MOTION CARRIED***

| **MOTION TO ACCEPT:** *A. Mudryk* | **SECONDED:** *D. Mulvey* | **APPROVE:** *10* | **OPPOSE:** *0* | **ABSTAIN:** *1 (B. Moore)* |
|---|---|---|---|---|

## 9. REVIEW OF EMPLOYMENT LEGISLATION

***SB 577*** – Tom Heinz from East Bay Innovation discussed: Currently the rate structure for Supportive Employment services does not provide sufficient pre-employment services to allow in depth exploration of the individual's interests and potential. Additionally, the funding structure does not allow the employment provider to do sufficient targeted outreach and job analysis with potential employers. Under the current structure, SE agencies would have to place 40 individuals a year in order to maintain a job developer component. Eventually SE agencies find they cannot afford a job developer. However, the job developer component is the core service to help the individual to achieve the next level of career opportunities.

SB 577 has essentially two parts to the bill. Part 1 will be a pilot project at 6-8 regional centers. It will create a new model for providing pre-employment services (ex. job preparation, job search). It is not yet clear of the cost benefit for Part 1 because of the need for up-front money, but it is believed that in the long run the new service model will be cost neutral. This part of the bill is modeled after services being provided by "Aim Higher" an agency vendored by GGRC.

*PART 1 of the bill will:*

1. Establish a new model of service, ***"Job Exploration and Discovery Services"***
2. Require that a Job Exploration and Discovery plan be created for individuals
3. Establish a rate of $40.00/hour for Job Exploration and Discovery Services, with a maximum of 75 hours per calendar quarter.

*Part 2 of the bill will:*

1. Establish the ***"Employment Growth Fund"*** administered by DDS

The "Employment Growth Fund" is intended to give agencies an incentive to find real work for individuals. This piece is believed to be cost neutral due to the reinvestment of funds that would be saved as a result of the reduced amount of support payments made to individuals who find gainful employment through the pilot program. DOR will also be able to bill Social Security for services they provide to any client who works 9 consecutive months. This reimbursement can add up to $19,000 per individual.

The "Employment Growth Fund" would accumulate with State savings generated when the individuals covered in the bill: a) move onto employer paid health benefits and/or, b) earn regular wages over the SGA (Substantial Gainful Activity) level and, c) the employment services the individual receives are less costly to the State than traditional non-work services. Agencies would only receive money from the "Employment Growth Fund" as the individuals they support achieve either employer paid health benefits and/or wages above the SGA level.

***AB 1041***- Mark Polit announced that the analysis from Appropriations came out this morning citing the following anticipated fiscal effect: ***"Unknown, potentially significant costs, to the Developmental Disabilities Services Act (Lanterman Act) to include an entitlement that all working-age consumers receive a prevailing wage job..."***

With this analysis, it is expected that the bill will be sent to the suspense file when it is heard at the Senate hearing tomorrow, May 1, 2013. There is no opposition on record to this bill.

***AB 954*** – Mark Polit indicated that part of this bill would raise the job coaching rate by 10% and asked for any feedback. David Mulvey shared that he liked the bill, but hopes it is not a substitute for the Pavley Bill.

**10. EMPLOYER EDUCATION – NEXT STEPS**

Discussion focused on listening to and addressing employer needs as well as the effects of the Affordable Care Act on employers.

Bill Moore shared concern from DOR that when employment is found, a person needs to be identified immediately to fill the vacancy. Employers are not interested in waiting for the paperwork to be processed or for the job coach or counselor to be consulted.

Eric Glunt recommended looking at Talent Knows No Limits Campaign website located at http://talentknowsnolimits.info/index.html. This is a public education resource for the employment of people with disabilities. There is useful information for employers as well as job seekers and service providers.

Before opening a formal dialogue with employers, Olivia Raynor asked if the EFC should put a small panel together to educate ourselves on what we want to educate the employers about. What will be our questions? How do we engage employers? After we know what we want to share we can move forward. Eric Glunt shared that he was

already part of a focus group that generated questions for employers. He will return to the September ECF meeting to further discuss employer relations.

David Mulvey recommended that we start partnering with Chambers of Commerce.

## 11. PLANNING FOR NEXT MEETING

Bill Moore recommends that the agendas are established to connect our progress to our goals. This would allow members to clearly see the progress and steps being taken to accomplish our stated goals.

Olivia Raynor expressed her desire to get the EFC Annual report back on schedule. Our annual report is due on July 1st. Since the last Annual Report that was submitted in January 2013 was inclusive of activities through that date, Olivia recommends that we submit a supplement to report on recent activities.

Because the EFC committee as well as the Council needs to approve the report, the EFC will schedule a teleconference for **June 19th at 11am** specifically to review a draft of the report.

## 12. ADJOURNMENT

Olivia Raynor adjourned the meeting at 4:00pm

# Employment First Committee

DRAFT Meeting Minutes of June 19, 2013
Sacramento, California

**Members Present**
Tony Anderson
Lisa Cooley
Denyse Curtright
Kathleen Derby
Dale Dutton
David Mayer
Bill Moore
David Mulvey
Olivia Raynor
Robert Taylor
Kecia Weller
Amy Westling

**Members Absent**
Daniel Boomer
Rachel Chen
Robin Hansen
Connie Lapin
Debbie Sarmento
Andrew Mudryk
Sarah Triano
Barbara Wheeler
Cindy White

**Others Present**
Michael Brett, Staff
Mary Agnes Nolan, Staff
Patti O'Brien, Area Board 1
Mark Polit, Staff
Cindy McKay, ABC
Bob Philips, Area Board 4
Julie Sallady, ABC
Shanna Thompson, ABC
Ruby Villanueva, Staff

1. **CALL TO ORDER**
   Kecia Weller, Chairperson, called the meeting to order at 11:04 a.m.

2. **WELCOME/INTRODUCTIONS**
   Members and guests introduced themselves

3. **QUORUM**
   A quorum was established

4. **PUBLIC COMMENTS**
   No public comments were presented

5. **ANNUAL EMPLOYMENT FIRST REPORT**

   Mark Polit presented the draft of the report that had been distributed by email and mail to the members. Many comments were made, including editorial changes. The following are the main recommendations for improving the report:

- There is a lot of detailed analysis in the report. It should include and executive summary in plain language that highlights what we want the reader to get out of the report..
- Include a glossary.
- Appendix A, statutory responsibility should be translated into plain language.
- Add a description of the US DOJ finding on sheltered workshops, and their intervention in Oregon and Rhode Island. Add NJ action to end sheltered work.
- Add reference to TASH white paper on phasing out sheltered work.
- Add comparison of earnings to the federal poverty level.
- Define "integrated competitive employment" and "integrated employment" in plain language.
- Add definition of micro-enterprise to definitions section of AB 1041.
- List the Employment First states.
- Highlight the national movement in executive summary.
- List the best practices used in the Jay Nola Program Development Grant.

**MOTION:** Recommend the Employment First Report to Council with the changes asked for, provided the final draft is emailed to committee members for review. ***MOTION CARRIED***

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| **MOTION TO ACCEPT:** *D. Dutton* | **SECONDED:** Lisa Cooley | **APPROVE:** *11* | **OPPOSE:** *0* | **ABSTAIN:** 1 |

## 6. PLANNING FOR NEXT MEETINGS

September 24, 2013:

- Data: Denyse Curtright will report on an analysis of DDS CDER data on employment outcomes with respect to ethnicity and other factors. Will discuss if the "data dashboard" recommended by the CECY data group should be housed on the Council website.
- Best Practices: Presentation by the JNCS Program Development grantees on the best practices used to promote employment for transition age youth.
- Agency perspective: A panel of supported employment vendors to hear their perspective on barriers to integrated competitive employment.

December 17, 2013:

- Policy: Invite the Cecy policy group to present on their recommendations.
- Education: Discuss and plan for a panel of individuals representing the Department of Education and SELPAS on best practices for supporting students in transition. The panel will take place at the first meeting of 2014.

## 7. ADJOURNMENT

Kecia Weller adjourned the meeting at 12:13pm

# Employment First Committee

Draft Meeting Minutes of September 24, 2013
Sacramento, California

**Members Present**
Tony Anderson
Lisa Cooley
Denyse Curtright
Kathleen Derby
Dale Dutton
Connie Lapin
Bill Moore
Andrew Mudryk
David Mulvey
Olivia Raynor
Debbie Sarmento
Robert Taylor
Kecia Weller, Chair
Amy Westling

**Members Absent**
Daniel Boomer
Robin Hansen
Dennis Petrie
Rachel Stewart
Barbara Wheeler
Cindy White

**Others Present**
Jennifer Allen
Debbie Ball
Michael Brett, Staff
Cindy Burton
Greg DeGiere
Rebecca Lienhard
Steve Miller
Roberta Newton, staff
Mary Agnes Nolan, Staff
Mark Polit, Staff
Cindy Ruder, Area Board 4
Corey Smith
Jeff Strully
Ruby Villanueva, Staff

1. **CALL TO ORDER**
   Kecia Weller, Chairperson, called the meeting to order at 10:32a.m.

2. **WELCOME/INTRODUCTIONS**
   Members and guests introduced themselves

3. **QUORUM**
   A quorum was established

4. **PUBLIC COMMENTS**
   No public comments were presented

## 5. DDS ANALYSIS OF EMPLOYMENT OUTCOME FROM CDER DATA (Reporting period is FY 06/07 – FY 10/11) - Denyse Curtright, DDS

1. *Number of Regional Center Consumers receiving services statewide* – Data indicates that the number of consumers receiving services through Supported Employment Program (SEP) Group has been on a steady increase with **5,264** receiving services in FY06/07 and **5,931** in FY 10/11. SEP Individual however, has been on a slight decline since FY 08/09 along with Work Activity Programs (WAP) which has decreased from **11,499** consumers in FY 06/07 to **10,608** in FY 10/11. Concurrently, enrollments in Day Programs and Look Alikes have significantly increased from **38,555** to **43,648** and **7,565** to **10,581**, respectively.

   It was discussed that the reason for the increase in day programs use may be that California has spent more time and money developing day programs and building capacity. This is the *Field of Dreams* theory, "Build it and they will come."

2. *Percentage of regional center consumers who stayed in the same service type year to year* – It was noted that individuals in day programs were the most likely not to switch to another service type, with 80% remaining in the same service type for 5 years. This may indicate a barrier to employment, as people who enter day programs tend to stay in them. This is compared to people staying in the same service type for employment programs over five years, ranging from 59-65%.

3. *Net Changes* – Data on the net transfers in and out of SEP Group and Individual to or from another service type showed very little change over five years. This shows that SEP has not, on average, been losing or gaining participants to or from other service types (e.g., those leaving for a day program, minus those entering from a day program).

4. Denyse reviewed data that will be published in the FY 2011-2012 employment report to be issued about April of next year. It will include the following data:

- Regional Center Consumers by Ethnicity
- Residence by Service Code (Ages 18 and Over)
- Gender by Service Code
- Work Service using the National Core Indicator (NCI) data, a self-reporting survey

## 6. EMPLOYMENT DATA REQUEST, Denyse Curtright, DDS

Denyse reported that DDS and EDD have been reviewing the data request from the Council. Staff from each department are working together to see what needs to be done. EDD has new data system. The data received from EDD will be aggregated.

## 7. CUSTOMIZED EMPLOYMENT AND DISCOVERY BEST PRACTICES APPLIED THROUGH THE GRANT AWARDED TO JAY NOLAN COMMUNITY SERVICES AND EASTER SEALS OF SOUTHERN CALIFORNIA – Presenters: D. Ball, C. Smith, J. Strully

**Denise Ball** - Jay Nolan Community Services (JNCS) and Easter Seals have combined their efforts to find and develop new and more effective methods of assisting 60 transition students and young adults with disabilities, age 17-30, to find meaningful employment.

This project will use the guiding principles and practices of **Customized Employment (CE)** which will offer a more creative avenue to successful gainful employment. Since customized employment focuses on the individual's strengths, interests and needs, JNCS and Easter Seals are working closely with agencies that currently provide support to the individual; such has the school they are attending, regional center, and the Department of Rehabilitation.

JNCS and Easter Seals are working with advocacy organizations to recruit participants as well as train employment teams to work with them. Additional partners in this project include: California Department of Rehabilitation, SDRC and regional centers in LA County, Autism Society of LA, People First Social Security PASS Cadre, SDUSD Parent Advisory Group and California APSE.

JNCS and Easter Seals will also negotiate **carved wage jobs, develop resource ownership options, cultivate relationships with small businesses, develop braided funding options and promote industry specific internships.**

Additional components to the project include the development of easy to replicate tools and processes for future use by other individuals and programs, and the creation of a strong social media presence. At this time, this project is on Facebook and is currently constructing a website (www.work4me.us).

Since February, this project has received 46 referrals. 31 were male and 15 were female, with 14 and 19 years of age being referred most often. 33 of the 46 referrals were found eligible. Currently 30 are active, 4 of those have already found employment and 2 individuals are volunteering.

**Cory Smith** – Customized Employment (CE) is not really a new model. It is a set of strategies to help people get work, while recognizing that it is difficult for the young people we serve to compete equally with recent college graduates. Acknowledging this, Customized Employment (CE), guided by the values of **"Zero Exclusion"** and **"Discovering Personal Genius"**, becomes the vehicle to create jobs tailored to the individual.

Through CE **the individual is never assessed to determine if he or she has the capacity to work or not,** instead the driving philosophy is that if the individual has a desire and will to work, the project will figure out how to accomplish this goal. The process of CE is an opportunity to work creatively and broaden the vision of what "work" looks like, stepping out of the traditional model and creating a niche for the individual. This project will use **"Discovery"** as a strategy to determine the strengths, skills and interests of the individual, combined with **braided funding and relationship mapping** to lead to ideal conditions of employment.

*Personal Success Stories:*

- **Lyndon** – loves to take apart electronic components and is now harvesting parts from broken TVs. His employer sells the parts, which expands his business and generates enough revenue for both Lyndon's wage and greater profits.
- **Michael** – is involved in Resource Ownership. JNS/Easter Seals identified a small business that had the desire to hire Michael, but required more revenue in order to pay him. A partnership was created whereby Michael purchased a large capacity washer and dryer and he would launder additional towels that would generate more revenue for the business. Michael owned the appliances, but the business paid for maintenance, utilities, supplies and other related business expenses. Michael work for wages.
- **Hunter** - is working toward becoming a screen printer and graphic designer. He is currently creating artistic designs that will be placed on products to be sold by a local community business.
- **Jeff** – received a micro-loan to invest in the purchase of vending machines. He is responsible for keeping it stocked. Jeff has also obtained a small wage job and is committed to putting all his money earned from that job into his vending machine business in order to help it grow.

Dale Dutton noted that this is a **shift in emphasis from supporting the person to supporting the person's business.** Therefore, buy stuff for their business.

**Jeff Strully** – While JNCS eliminated their group homes, they failed in helping people put money in their pockets to enjoy a lifestyle. Most of the people we serve are poor or impoverished. We have to "expand our bag of tricks" and provide a **multi-faceted approach** in addressing the obstacles that prevent individuals with developmental disabilities from working, gaining value and obtaining social status. One way of addressing this is utilizing **braided funding** as a resource and to **change the process** so that the **money goes to the individual and not to the organization**.

Dale Dutton and Bill Moore asked how these methods could be shared with all the supported employment providers in the state. Corey indicated that they are sharing these best practices through trainings of over 300 people, including school transition staff, where there has been a lot of interest. They will also present at two state conferences. A suggestion was made, and the committee concurred, that **customized employment and**

**discovery best practices from the JNCS grant should be highlighted in the 2014 Employment First Report.**

Mark Polit asked if the skills needed for discovery and customized employment are easily transferred to agency staff. Debbie Ball answered that the skills are transferable. But it is important who you hire for this work. Personal characteristics that are useful are understanding small business, being entrepreneurial, and being positive. Hire a person that walks in and lights up a room.

**8. OBSTACLES TO EXPANDING INTEGRATED COMPETITIVE EMPLOYMENT – PROVIDER PERSEPCTIVE – Presenters: Steve Miller, Cindy Burton, Tom Heinz, Sarah Murphy**

**Steve Miller, Tierra del Sol** – provides employment services through Day Programs, Direct Competitive Employment, Individual Supported Employment and Small Group Supported Work (funded through regional center).

IN 2012/2013, Tierra del Sol received 200 referrals for Supported Employment (SE). Fewer than 10% of these referrals met the SE eligibility criteria: *possess independent community navigation and safety skills, capacity to work consistently and independently with no more than 25% coaching support after 90 days; possess history of involvement in productive activities like a hobby, school or volunteer work that demonstrates the ability to focus and a probability of success in Competitive Employment.*

The vast majority of people they serve have severe emotional and physical limitations. We have to stop shutting them out of employment opportunities. For them, day programs can be structured to provide post-secondary job preparation. Day programs can also be used to to prepare people for and support people to attend community colleges. It's also important to note, that not all people earn income through wages. Some of the individuals Tierra del Sol works with are artists who sell their pieces.

**Steve Miller suggests** that Day Programs need **challenging and relevant curriculum and environments** and **possess staff competent in instructional best practices**. They should function like colleges and create a time based service, as well as have **funding based outcomes.** Additionally, schools need to begin **testing children with intellectual disabilities for learning disabilities.**

**Cindy Burton, Pathpoint** – Pathpoint offers three types of employment service models : Direct Placement Services, Individual Supported Employment (ISE) and Group Supported Employment (GSE). Before the recession, they placed about 200 people per year in jobs, now only about 100.

Pathpoint estimates that it generally takes their staff 9-12 months to find an individual a job. Their process involves discovery and finding a good match with the person's interests

and skills. Therefore, they have a long placement time. She mentioned that sub-minimum wage can be a strategy to get people some work experience to improve their employment prospects.

In the current market, with a lack of jobs and over-qualified applicants taking positions that would normally have been good entry points for young adults with disabilities, many agencies in California have responded by eliminating job developer positions. Pathpoint is the only agency left in the Santa Barbara area that offers job development. However, Pathpoint actually lost $140,000 in their Individual Placement Program last year, or about $1,200 per person placed. Job development needs to be adequately funded as a service.

**The state does not collect information on what job development actually costs. Cindy Burton recommends** that SCDD obtain an **actual cost analysis** of delivery of services, review **rates of reimbursement**, **funding structure**, **strategies** and **alternative resources**. She also mentioned that an increasing minimum wage also makes her wage rates (for example $11.50/hr.) less competitive.

**Tom Heinz, East Bay Innovations -** EBI has expanded their supported employment program by partnering with *Project Search* internship program. They braid funding from schools, DOR and regional centers. They find success with non-profits and the public sector that have social justice components, such as hospitals and the County. EBI has not been successful expanding Project Search to the for profit sector.

They do not have a "job developer" position, but use a team of people that work to build relationships and a "pipeline" of employers willing to look at candidates. For example, it took two years to break into Lawrence Berkeley Lab and two years for La Clinica de la Raza. **There is no funding from DOR or the regional center for this up front work**.

**Job coaching rates lead to low wages**, so they have to hire job coaches who are either in college or recent grads. They usually stay about 2-3 years, not long enough to become expert at the job. A **demanding job**: Must understand employers, work without a supervisor, interact with co-workers, dress well, be mature and have good judgment, all for $12-13/hr.

**Sarah Murphy, WorkLink** – Based in San Francisco, WorkLink uses a hybrid model to provide employment services, offering day services through an Integrated Work Program as well as job supports through Supported Employment.

In order to market the individual to the perspective employer, WorkLink prioritizes the importance of getting to know the individual. WorkLink takes the individual through internships, discovery, resumé building and resolving obstacles to support services such as transportation.

Also, the use of **braided funding** is a resource that provides people with significant disabilities to test the waters of employment. We have all the **correct values and tools**, but the **system is holding us back through a funding stream that directs money to the programs rather than to the individual**. Day programs can be used for preparation for employment, but there is no incentive to do that. It is easier to just sit in the park.

The regional center gives us hourly rates for day programs. That enables us to build a schedule around a person's need. Employment services are difficult in part because you don't know when a person will get a job, maybe in two years. Therefore day program funding is important. It allows people to grow into employment. And if they lose a job, we can take them back into the day program and work with them to get the next job.

Customized Employment (CE) is the "key to the kingdom". Instead of developing a job, we are **creating a niche for the individual**. AT Golden Gate Regional Center they have adopted an employment first policy. But then they discovered that the vendor capacity for CE is nil, just pockets of excellence.

We also have to look at the system as a whole and address the issues with education. The school district often gives up and **allows students to graduate or age out of school without possessing any job related skills**. Sarah believes that **transition services** in the school should be all about employment. Families must be educated to **understand the adult service system** their child is moving towards and if we can **tie these systems together**, employment will be accessible for more individuals.

**Group discussion** evolved regarding working towards integrated employment:

Regional centers used to have flexibility to pay for creative in innovative things when they had end of the year surplus. In the past the system used to have the ability to innovate, but lack of start-up funding, rate freezes, median rate freezes, and fear has created a chill in innovation.

How we can create these innovative programs with obstacles facing the system such as capacity diminishing, a lack of training infrastructure, and inability to adequately compensate staff. For employment support, community capacity has diminished, a talent drain over the years. **Employment First Policy cannot work without a training infrastructure.**

The Supported Employment system worked well at the time, but not anymore. It needs to change to reflect changes in business practices and the economy. Must **disseminate the knowledge of what is working**. For example, the hybrid program Sarah Murphy discussed can be vendored in any regional under current regulations. Need to get the word out!

## 9. SHELTERED WORK – REPORT FROM SELF-ADVOCATES ADVISORY COMMITTEE - Presenter: Jennifer Allen, Chair of SAAC

**Jennifer Allen** presented a slide show developed by Molly Kennedy on behalf of SAAC. Jennifer announced that **SAAC wishes to work with the EFC on the issue of downsizing and closure of sheltered workshops**. On a personal note, she expressed her frustration at watching many of her friends' children with disabilities go from school directly to sheltered workshops because they had no other option. The school dropped the ball and failed to explore or discuss work as on option. Jennifer challenged Self-Advocates to raise their voices and say, "STOP"! The question is where to begin.

Jennifer shared the example of two states, Vermont and Oregon, working to eliminate Sheltered Workshops. In Oregon, the Department of Justice (DOJ) intervened in a lawsuit stating that segregated workshops were in violation of the mandates in the Americans with Disabilities Act (ACT).

In Vermont, the decision to close its segregated workshops was established in 1998. By 2003 this goal was achieved in stages through the following methods:

- No new placements
- Converted existing workshops into community-based solutions
- Worked with providers so they are part of the conversation
- Collaborated with Developmental Disabilities, Vocational Rehabilitation, and UCEDD

Jennifer recognized the belief **of supporters of Sheltered Workshops** that:

- People with developmental disabilities have the right to choose where they want to work –even if it meant in sheltered workshops.
- It is difficult for individuals to find employment in the community.
- Not all people with developmental disabilities CAN work in the community.
- It is not safe for individuals to be alone and working in the community. Sheltered workshops provide that safety.

However, **advocates of eliminating Sheltered workshops argue** the following:

- Sheltered Workshops are a form of isolation.
- Individuals are not able to exercise self-determination.
- Sheltered Workshops are ineffective in transitioning individuals into integrated employment.
- Individuals end up remaining in Sheltered Workshops for too long even though a time- limit is supposed to be observed.
- Individuals who are or have been in a Sheltered Workshop have higher support costs and lower wages compared to individual who were never enrolled in a workshop.

**SAAC suggests considering the following options:**

- Develop & Recommend to the Council a statement that supports the elimination of sheltered workshops in California or a statement eliminating the ability of youth (16-26) from entering sheltered workshops.
- Review current funding streams to shift money from Sheltered Workshops to assisting individuals in finding jobs in the community with real wages.
- Look in to Vocational Rehabilitation increasing serving individuals with developmental disabilities.
- Look at the best practices of states working towards or who have eliminated sheltered workshops.

**Bill Moore** recommended that the EFC and SCDD seriously consider these next steps, especially in the area of looking at other states moving towards eliminating sheltered workshops.

**Lisa Cooley** expressed the need for the program designs in day programs to be updated as they do very little to address individual program goals. Day Programs should teach pre-vocational skills.

**David Mulvey** shared that he would prefer to see a process that would provide alternatives to sheltered workshops and entice people to choose those alternatives, rather than completely eliminating funding to sheltered workshops.

**Dale Dutton** would like to begin a serious conversation about the future of sheltered workshops.

**Kathleen Derby** would like to address the subminimum wage law and asks if SAAC would consider recommending a companion piece to address changing this law.

**Amy Westling** recommends that we need to ensure that we have sufficient community capacity, referring to Pathpoint's $140,000 loss in their Individual Placement Program. Building up the community based infrastructure is needed.

**Mark Polit** concurred with the concerns of Dave and Amy, but also suggested that mechanisms to encourage or require downsizing of sheltered workshops may be appropriate. As community employment capacity increases, it may be necessary to address the inertia of the current system.

The EFC agreed to continue the discussion with SAAC to address the phasing out of sheltered workshops. Representatives from SAAC are invited to the next EFC meeting on December 17. The discussion will start with the suggestions presented by SAAC. The EFC emphasized that it is not enough to close sheltered workshops; we must have other employment opportunities for people to take the place of the workshops.

## 10. UPDATE ON EMPLOYMENT LEGISLATION

Mark Polit stated that AB 1041, Employment First Policy has passed out of the Legislature and is on the Governor's desk. SB 577, Employment preparation and Discovery, is a two year bill and is being amended to eliminate the proposed incentive pilot. The bill will be considered in Senate Human Services in January.

## 11. PLAN FOR NEXT MEETINGS

The EFC will meet on December 17th. Included in the agenda will be the discussion with SAAC on sheltered workshops, planning for the education panel, a presentation by the CECY policy committee, and follow-up for any actions resulting from the panels at this meeting.

12. **ADJOURNMENT –** Kecia Weller adjourned the meeting at 4:00 PM

# AGENDA ITEM 6

## BLUEPRINT FOR GOVERNORS

## Employing People with Disabilities

Council staff is in discussions with cross disability groups on finding a common focus from the NGA report to recommend to the Governor. Please review this report to identify which of the NGA recommendations are best to suggest for the administration to focus on. Keep in mind that we are looking for recommendations that are not DD specific, but would benefit all people with disabilities, including people with developmental disabilities.

The EFC will discuss these ideas on December 17.

# A Better Bottom Line:

## EMPLOYING PEOPLE WITH DISABILITIES

BLUEPRINT FOR GOVERNORS

2012-2013 Chair's Initiative
National Governors Association

THE NATIONAL GOVERNORS ASSOCIATION (NGA), founded in 1908, is the collective voice of the nation's governors and one of Washington, D.C.'s, most respected public policy organizations. Its members are the governors of the 55 states, territories, and commonwealths. NGA provides governors and their senior staff members with services that range from representing states on Capitol Hill and before the Administration on key federal issues to developing and implementing innovative solutions to public policy challenges through the NGA Center for Best Practices. NGA also provides management and technical assistance to both new and incumbent governors.

THE NGA CENTER FOR BEST PRACTICES (NGA Center) is the only research and development firm that directly serves the nation's governors and their key policy staff. Governors rely on the NGA Center to provide tailored technical assistance for challenges facing their states, identify and share best practices from across the country, and host meetings of leading policymakers, program officials and scholars. Through research reports, policy analyses, cross-state learning labs, state grants, and other unique services, the NGA Center quickly informs governors what works, what does not, and what lessons can be learned from others grappling with similar issues.

For more information about NGA and the NGA Center, please visit www.nga.org.

# A Better Bottom Line: Employing People with Disabilities

## Blueprint for Governors


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## Acknowledgments

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The NGA Center wishes to thank the organizations that provided support for the 2012–2013 Chair's Initiative, *A Better Bottom Line: Employing People with Disabilities:* Bank of America, Bloomberg Philanthropies, Intel, ResCare, and Walgreens.

## A Note from Governor Markell

This Blueprint for Governors is the culmination of my 2012–2013 National Governors Association (NGA) Chair's Initiative, *A Better Bottom Line: Employing People with Disabilities*. At the launch of the initiative in July 2012, our goal was to advance employment opportunities for individuals with significant disabilities by:

- Educating both private-sector and public-sector employers about accommodating people with disabilities in the workplace and the benefits of doing so;
- Supporting state governments in joining with business partners to develop blueprints to promote the hiring and retention of individuals with disabilities in integrated employment in both the public and private sectors; and
- Establishing public–private partnerships to build out those blueprints and increase employment of individuals with disabilities.

The yearlong initiative included:

- Two roundtables to collect information from the advocacy community, business leaders, federal agency representatives, state policymakers, and researchers that included participation by South Dakota Governor Dennis Daugaard (Fall 2012);
- More than 60 one-on-one meetings with experts from the groups listed above to glean details about the topics raised during the roundtables and learn about best practices underway across the country;
- Two sessions at the NGA Winter Meeting, which brought together the nation's governors in Washington, D.C.;
- Two state institutes on employing people with disabilities framed around the recurring themes from the previous 10 months of research, with representation from 33 states, four governors (Delaware Governor Jack Markell; Pennsylvania Governor Tom Corbett; South Dakota Governor Dennis Daugaard; and Washington Governor Jay Inslee), and more than 100 participants at each event (Spring 2013); and
- A literature review of research on disability employment.

NGA synthesized insights from these efforts and the participating stakeholders. One recurring recommendation throughout the process was the critical importance of leadership. As governors and chief executive officers of our states, we have an opportunity to forge a path so that all citizens have an equal opportunity to lead independent and productive lives. It's the right thing to do, the smart thing to do for our taxpayers, and, as I've heard firsthand from business, it makes good business sense.

This blueprint focuses on the employment of people with disabilities and the role of states in assisting businesses. Although governors recognize that other policies affect employment for people with disabilities (e.g., health care, housing, and transportation), the blueprint does not address these policies in depth. Instead, it is organized into five topic areas that emerged from discussions over the course of the year and presents examples of actions governors can take in each area. The five top areas are:

- Make disability employment part of the state workforce development strategy.
- Find and support businesses in their efforts to employ people with disabilities.
- Be a model employer by increasing the number of people with disabilities working in state government.
- Prepare youth with disabilities for careers that use their full potential, providing employers with a pipeline of skilled workers.
- Make the best use of limited resources to advance employment opportunities for people with disabilities.

I hope that NGA will be able to incorporate these findings within its ongoing policy work relative to workforce development, education and health policy. And, it is my hope you will get as much as I have out of this yearlong initiative and the ideas provided in the blueprint.

Sincerely, Jack Markell

## Executive Summary

Businesses tell governors that finding skilled workers is one of their biggest concerns. Governors can respond by introducing businesses to an often-ignored talent pool: people with disabilities.[1] Consider the facts:

- Of the estimated 54 million Americans living with a disability, 20 percent are employed or seeking employment, compared to almost 70 percent of Americans without a disability.[2]
- People with disabilities bring valuable skills to the workforce. For example, more than 600,000 scientists and engineers currently employed in the United States have disabilities.[3]
- Some of the top innovators in the United States have disabilities, including the chief executive officers of Ford Motor Company, Apple, Xerox, and Turner Television.[4]
- As of 2011, an estimated 204,189 civilian federal government employees, or approximately 11 percent, had disabilities—as do thousands of state employees across the country.[5]

Realizing that governors might be missing a unique opportunity to help businesses with their workforce concerns, National Governors Association Chair Delaware Governor Jack Markell launched a yearlong initiative called *A Better Bottom Line: Employing People with Disabilities* in July 2012. Specifically, the initiative focused on the role that state government and business can play in improving employment outcomes and creating more employment opportunities for people with disabilities.

When deciding how to advance employment opportunities for people with disabilities, governors and other policymakers should consider these five key areas:

- **Make disability employment part of the state workforce development strategy.** For many states, the first step has been to prioritize "employment as the first option" when designing policies, programs, and investments to support the employment of people with disabilities. To date, more than 30 states have adopted Employment First strategies, which direct state policies and investments to prioritize employment for people with disabilities. Governors can make Employment First a priority by issuing an executive order or working with the state legislature to enact legislation to support it. Governors can also direct state agencies to align disability programs with workforce and economic development programs, track disability employment outcomes and make sure they are included with current workforce data collection, and focus on the business case when meeting with employers.
- **Support businesses in their efforts to employ people with disabilities.** Businesses are willing to hire people with disabilities, but they need a long-term partner. Governors can encourage state agencies to find more such businesses by dedicating staff with business expertise to work with employers, working with multiple businesses in a sector, and including small businesses. Governors can provide leadership in building long-term partnerships with these business by directing state agencies to assign one point of contact from the state to work with employers over the long term, provide skills assessment and training, and navigate the complexities of benefits related to workers with disabilities.

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[1] References to the population of "people with disabilities" is intentionally broad. Although the authors recognize that people with disabilities are a heterogeneous group, the message we received from employers was, "We care about the skills of a candidate, not the label of their disability." The broad reference to the population denotes the inclusion of all people with all kinds of disabilities and the focus on the ability.

[2] Disabilityfunders.org, "Disability Stats and Facts," Disability Funders Network, http://www.disabilityfunders.org/disability-stats-and-facts.

[3] National Science Foundation, "Employment Status of Scientists and Engineers with Disabilities, by Age at Onset of Disability: 2008," http://www.nsf.gov/statistics/wmpd/2013/pdf/tab9-10.pdf.

[4] Love, Dylan. "15 CEOs with Learning Disabilities," Business Insider, May 19, 2011. http://www.businessinsider.com/ceo-learning-disabilities-2011-5?op=1.

[5] Michael Murray. Presentation at the NGA Institutes on Employing People with Disabilities, May 2013.

- **Increase the number of people with disabilities working in state government.** Governors have a wide range of options for increasing the number of people with disabilities they employ, such as creating a fast-track hiring process for people with disabilities, focusing on retention of such employees, and setting hiring goals. One key action is to set a state goal for hiring people with disabilities through an executive order and hold agencies accountable for achieving that goal.
- **Prepare youth with disabilities for careers that use their full potential, providing employers with a pipeline of skilled workers.** Governors can send a strong message to state agencies, educators, business, and parents on the importance of starting early to create the expectation that employment and a career is a goal for everyone, including youth with disabilities, and ensure that career readiness begins in kindergarten through 12th grade education and is supported at colleges and universities and as students transition to work. Research shows that early career awareness and work experience for youth are indicators of positive employment outcomes, particularly for people with disabilities.
- **Make the best use of limited resources to advance employment opportunities for people with disabilities.** Governors can act to secure additional resources and make the best use of them by directing agency heads to continuously review opportunities for federal support and the possibility of partnerships with federal agencies and the private and nonprofit sectors.

## Introduction

Businesses tell governors that finding skilled workers is one of their biggest concerns. Governors can respond by introducing businesses to an often-ignored talent pool: people with disabilities.[6] Companies from Walgreens and Microsoft to small and mid-sized businesses report that many of the talented workers they need are coming from the 54 million Americans who are disabled. The number of workers with disabilities will continue to grow because of returning veterans, workers acquiring disabilities during their career, the aging workforce, and a new generation of youth with disabilities entering the workforce. By one estimate, the number of people with disabilities will double in the next 20 years.[7] Those individuals are part of the solution to helping businesses find skilled workers.

**By one estimate, the number of people with disabilities will DOUBLE in the next 20 years**

Realizing that governors might be missing a unique opportunity to help businesses with their workforce concerns, National Governors Association (NGA) Chair Delaware Governor Jack Markell launched a yearlong initiative, *A Better Bottom Line: Employing People with Disabilities,* in July 2012. Specifically, the initiative focused on the role that both state governments and businesses can play in improving employment outcomes and creating more employment opportunities for people with disabilities.

This blueprint is a culmination of the insights and best practices gathered from leaders in the field of disability employment, including self-advocates living with disabilities and businesses that employ people with disabilities, to share ideas and move forward with support for this population.

### A Better Bottom Line: Employing People With Disabilities

Why Employing People with Disabilities Means a Better Bottom Line for Business and Government

The U.S. labor force is experiencing a rapidly changing economy, with high unemployment among workers and skills shortages among many employers. It is not common practice for state policymakers to think of people with disabilities as part of the answer to businesses' workforce needs, but as NGA learned from businesses and other experts during the Chair's Initiative activities, many reasons exist for making it common practice.

**Businesses and employers of all types are looking for skilled workers and are finding them among people with disabilities.**

- Businesses are looking for skilled workers to fill open positions and have been struggling to do so over the past few years. A report by McKinsey Global Institute—released in 2011, when unemployment was above 9 percent—found that one-third of U.S. companies had positions open for more than six months that they could not fill.

- Businesses report positive outcomes from employing people with disabilities. Walgreens, for example, has experienced a 120 percent productivity increase at a distribution center made universally accessible

[6] References to the population of *people with disabilities* is intentionally broad. Although the authors recognize that people with disabilities are a heterogeneous group, the message we received from employers was, "We care about the skills of a candidate, not the label of their disability." The broad reference to the population denotes the inclusion of all people with all kinds of disabilities, and the focus on the ability.

[7] Disabilityfunders.org, "Disability Stats and Facts," Disability Funders Network, http://www.disabilityfunders.org/disability-stats-and-facts.

and more than 50 percent of whose employees are disabled.[8]

- Global companies like Microsoft and Merck have said that they must employ a workforce that reflects their consumer base, which includes people with disabilities[9] (1 billion people globally report having a disability).[10]

**People with disabilities already contribute valuable skills to the workforce but are underutilized.**

- Of the estimated 54 million Americans living with a disability, 20 percent are employed or seeking employment, compared to almost 70 percent of Americans without a disability.[11]

- People with disabilities bring valuable skills to the workforce. For example, more than 600,000 scientists and engineers currently employed in the United States have disabilities.[12]

- Some of the top innovators in the United States have disabilities, including the chief executive officers of Ford Motor Company, Apple, Xerox, and Turner Television.[13]

- Nearly 8 percent of the 3 million civilian federal government employees, or approximately 240,000 people, have disabilities, as do thousands of state employees across the country.[14]

As the facts suggest, businesses are willing to hire people with disabilities, and people with disabilities are proving that they are valued employees. Advancements in technology are making it possible for more people with disabilities to participate in all types of employment settings. For example, accommodations that were once out of the ordinary and expensive are now offered as mobile apps for smart phones and tablet computers.

Despite the potential for people with disabilities to contribute to the workforce and advancements in technology that allow them to do so, many are not afforded an opportunity. The employment and labor participation rates for people with disabilities have not improved significantly since 1990, when the Americans with Disabilities Act (ADA) was passed to ensure their inclusion in all aspects of life, including employment. The low employment outcomes belie the fact that the majority of people with disabilities express desire to work.[15,16] It also presents an issue to government, which spends billions of dollars on programs to support people with disabilities, many of whom are not working. In 2008, the federal government spent $300 billion to support working-age people with disabilities.[17]

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[8] Greg Wasson, CEO of Walgreens. Opening Plenary speech. NGA Winter Meeting, February 2013.

[9] Jenny Lay-Flurrie, Microsoft, "Lessons Learned from Business" (reported at the A Better Bottom Line: Employing People with Disabilities, Seattle, Washington, May 22, 2013); Deb Daggit, Merck (reported during the NGA Experts Roundtable on Employing People with Disabilities, Washington, D.C., October 24, 2012).

[10] Disability Funders Network, "Disability Stats and Facts," http://www.disabilityfunders.org/disability-stats-and-facts.

[11] Disability Funders Network, "Disability Stats and Facts," http://www.disabilityfunders.org/disability-stats-and-facts.

[12] National Science Foundation, "Employment Status of Scientists and Engineers with Disabilities, by Age at Onset of Disability: 2008," http://www.nsf.gov/statistics/wmpd/2013/pdf/tab9-10.pdf.

[13] Love, Dylan. "15 CEOs with Learning Disabilities," Business Insider, May 19, 2011. http://www.businessinsider.com/ceo-learning-disabilities-2011-5?op=1

[14] Michael Murray, "The Federal Government as a Model Employer" (presented at the NGA Institute on A Better Bottom Line: Employing People with Disabilities, Seattle, Washington, May 22, 2013).

[15] Patricia Digh, "Finding New Talent in a Tight Market," MOSAICS (March/April 1998), http://www.asaecenter.org/Resources/whitepaperdetail.cfm?ItemNumber=12173.

[16] Society for Human Resource Management, "Jobs Outlook Survey Report," 2012, http://www.shrm.org/research/monthlyemploymentindices/lmo/documents/jos%20q2%202012.pdf.

[17] Matthew Brault, "Americans with Disabilities: 2010," U.S. Census Bureau, July 2012, http://www.census.gov/prod/2012pubs/p70-131.pdf.

Government has made significant investments to advance employment opportunities for people with disabilities that have not proven effective. In 2012, the U.S. Government Accountability Office (GAO) released a report that found that as many as 45 federal programs invest $4 billion annually to support employment for people with disabilities. The same report showed that those programs are not being evaluated for effectiveness, and employment numbers are not increasing across the board.[18]

Still, certain investments show promise for advancing employment opportunities for people with disabilities. For example, *supported employment*, which refers to support for jobs in the competitive labor market, yields a $1.21 benefit to taxpayers for every dollar spent.[19] According to the Social Security Administration (SSA), SSA disability beneficiaries who are employed through vocational rehabilitation support provide a return on investment of $7 for every dollar spent.[20] Governors have an opportunity to learn from these proven investments to inform their disability employment efforts.

## A Blueprint for Governors: Five Areas for State Action to Advance Employment Outcomes

This blueprint outlines five areas for governors and other policymakers to consider. It focuses on actions governors and other policymakers can take to support businesses that employ people with disabilities as well as actions states take as employers. The actions include:

- **Making disability employment part of the state workforce development strategy.** For many states, the first step has been to prioritize "employment as the first option" when designing policies, programs, and investments to support the employment of people with disabilities. States across the country have adopted Employment First strategies, which direct state policies and investments to prioritize employment for people with disabilities.[21] Governors can make Employment First a priority by issuing an executive order or working with the state legislature to enact legislation to support it. Governors can also direct state agencies to include people with disabilities and the programs that are currently disability specific as part of workforce and economic development programs. Governors can also track disability employment outcomes as part of their workforce data collection and encourage state agencies to focus on the business case when meeting with employers.

- **Finding and supporting businesses in their efforts to employ people with disabilities.** Businesses are telling policymakers that they are willing to hire people with disabilities, but they need a long-term partner. Government must reorient its strategy from looking to businesses to solve a social service problem to instead understand and solve the challenges businesses face in identifying and recruiting skilled workers. Governors can encourage state agencies to find more such businesses by dedicating staff who have business expertise to work with employers, working with multiple businesses in a sector, and including small businesses. Governors can provide leadership in building long-term partnerships that support business with actions such as assigning one point of contact from the state to work with employers over the long term, providing skills assessment and training, and navigating the complexities of benefits related to workers with disabilities.

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[18] Government Accountability Office, "Employment for People with Disabilities," Report to Congressional Committee, http://www.gao.gov/assets/600/592074.pdf.

[19] Robert Evert Cimera, "The National Cost-Efficiency of Supported Employees with Intellectual Disabilities: 2002–2007," Kent State University, http://www.mig-rats.org/uploads/TheNationalCost-EfficiencyofSupportedEmployeeswithMR.pdf.

[20] Council of State Administrators of Vocational Rehabilitation, http://www.rehabnetwork.org/publicvr/public_vr.htm.

[21] Derek Nord, "Employment First Across the Nation," Association of Persons Supporting Employment First, Updated May 2013, http://www.apse.org/employmentfirst/activity.html.

- **Being a model employer by increasing the number of people with disabilities working in state government.** Governors have a wide range of options for increasing the number of people with disabilities they employ, such as creating a fast-track hiring process for people with disabilities, focusing on retention of these employees, and setting hiring goals. A key action governors can take is to set a state goal for hiring people with disabilities through an executive order and hold agencies accountable for achieving that goal.

- **Preparing youth with disabilities for careers that use their full potential, providing employers with a pipeline of skilled workers.** Governors can send a strong message to state agencies, educators, businesses, and parents about the importance of encouraging youth with disabilities to expect employment and a career. Stakeholders should ensure that career readiness begins in kindergarten through 12th-grade (K–12) education and is supported at colleges and universities and as students transition to work. Research shows that early career awareness and work experience for youth are indicators of positive employment outcomes, particularly for people with disabilities.[22]

- **Making the best use of limited resources to advance employment opportunities for people with disabilities.** Governors can act to secure resources by directing agency heads to continuously review opportunities for federal support and the possibility of partnerships with federal agencies and the private and nonprofit sectors. Areas for governors to consider include (1) capitalizing on the numerous federal programs, particularly in the U.S. Department of Education Office of Special Education (OSERS), which oversees the Rehabilitation Services Administration (RSA); the U.S. Department of Labor's Office of Disability Employment Policy (ODEP); and the U.S. Health and Human Services (HHS) Administration on Community Living; (2) connecting with private-sector and philanthropic resources to complement public-sector funding with short-term pilots, innovative ideas, or evaluations and studies; and (3) maximizing the efforts of disability experts in their state, including advocacy organizations, research institutions, and universities that are engaged in similar activities as state agencies to advance opportunities for people with disabilities, such as recruitment, assessment, services, outreach, and awareness campaigns.

These areas reflect recurring themes heard during the Chair's Initiative from experts in the field of disability employment and are supported by the latest research by experts at Rutgers University, Cornell University, and Mathematica.23,24.25 The five sections that follow offer concrete state examples and recommendations for governors and state policymakers about how states can improve employment outcomes for people with disabilities.

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[22] D.A. Colley and D. Jamison, "Post-School Results for Youth with Disabilities: Key Indicators and Policy Implications," *Career Development for Exceptional Individuals* 21 (1998): 145–160.

[23] Robert Nicholas, "Ready and Able: Addressing Labor Market Needs and Building Productive Careers for People with Disabilities Through Collaborative Approaches," National Technical Assistance and Research Center to Promote Leadership for Increasing Employment and Economic Independence of Adults with Disabilities, April 2011, http://www.heldrich.rutgers.edu/projects/all-projects/ntar-leadership-center.

[24] Peter Linkow et al., "Leveling the Playing Field: Attracting, Engaging, and Advancing Peoples with Disabilities," The Conference Board (2013), http://digitalcommons.ilr.cornell.edu/edicollect/1292.

[25] Conversation with David Stapleton, July 2012, Mathematica Policy Research, Center for Disability Policy Research, http://www.disabilitypolicyresearch.org.

## Make Employing People with Disabilities Part of the State Workforce Strategy

Governors can increase employment opportunities for individuals with disabilities by including them as part of their overall workforce strategies. Data show the number of individuals with disabilities who participate in *integrated* employment settings, working alongside people without disabilities, has not grown over the past two decades.[26] Governors can ensure that more people are working (thus relying less on benefits) by changing the way state policies affect employment for people with disabilities.

Many state policies and cultures are rooted in the past, when funding and practices went toward the old paradigm of "taking care" of people with disabilities and assigning that responsibility to human services agencies. That outdated thinking is beginning to change, with an increasing number of states making integrated employment a priority for people with disabilities and adopting the same strategies for people with disabilities that are used with the broader workforce, as illustrated by the wave of states adopting Employment First practices.[27]

States also are recognizing the need to set employment as a state priority so that the various agencies serving people with disabilities incorporate employment goals. It is essential that these agencies be able to work collaboratively, share expertise and resources, and create a more integrated and seamless employment and training approach. Developing a way for these agencies, including public vocational rehabilitation agencies and departments of developmental disabilities, mental health, welfare (Temporary Assistance for Needy Families), education, and labor, to work collaboratively will address many problems noted in this blueprint. The role of the governor is to bring these varied resources into a more coherent system of employment and training that addresses the needs of employers as well as the desires of people with disabilities to be and remain employed in the state private or public sector.

**Table 1.** Shifting Disability Employment Efforts into a Broader Workforce Strategy

| Move From | Move To |
|---|---|
| Defining a person by their disability | Defining a person by their ability |
| Defining *success* as matching a person to benefits and a subsistence check | Defining *success* as matching a person to a job with benefits and a paycheck |
| Fragmenting disability employment efforts in silos across multiple agencies separate from similar efforts for other populations | Directing workforce development, economic development, and education and human service agencies to collaborate on a workforce strategy for all populations |
| Running the disability employment efforts on the margins of workforce and economic development policy with little executive-level attention | Running disability employment as an executive-level priority directly tied to the state's workforce and economic development agenda |

[26] State Employment Leadership Network, *Accomplishments Report*, 2012, http://www.selnmembers.org.

[27] Senate HELP Committee, "Unfinished Business: Making Employment of People with Disabilities a National Priority," July 2012: http://www.harkin.senate.gov/documents/pdf/500469b49b364.pdf.

Table 1 illustrates a few of the key transitions governors and other policymakers can take to include disability employment efforts as part of the broader workforce strategy. Doing so often involves a fundamental shift in how state government does business in every way—from changing the philosophical approach by focusing on the person's ability to co-locating disability services at workforce one-stops (America's Jobs Centers) so that people with disabilities are included in the workforce system.

## Establish Employment as a Priority

Governors can set the tone for broader state policy efforts by establishing employment as a priority for people with disabilities. Examples of ways governors can do so include:

**Launching state workforce strategies that intentionally include people with disabilities.** Several governors have made the statement that people with disabilities are part of the workforce by launching inclusive workforce strategies with names like All Hands on Deck (**Minnesota**)[28] and No Spare Marylander as a call to action for all citizens. In **Maryland**, the culture has carried over to the most recent workforce initiative, Skills2Compete-Maryland, which is aimed at increasing the skills and competitiveness of Maryland's workforce, inclusive of people with disabilities. Maryland's Department of Disabilities is a cabinet-level agency wherein the secretary has a permanent seat on the state workforce investment board and thus a seat at the table for executive-level discussions about the state workforce agenda.[29]

**Iowa** Governor Terry Branstad told fellow governors at the 2013 NGA Winter Meeting that he looks at his state's workforce strategy, Skilled Iowa, the same way: Every citizen has skills to contribute to the state's economy. Skilled Iowa was launched in response to a May 2012 report that found that there will not be enough workers to fill the demand for middle-skilled jobs in Iowa. As the state's strategy to meet business needs, Skilled Iowa integrates the work conducted by state agencies, including vocational rehabilitation agenciess, to train qualified workers with skills businesses need. To implement that vision, Iowa is increasing access to technology for people with disabilities being served by the public workforce system, adding disability experts in the state workforce centers (America's Jobs Centers), and launching a team of statewide mobility managers who will help job seekers with disabilities solve problems related to transportation.[30]

**Adopting Employment First policies, which reposition state policies and investments toward integrated employment as a first priority for people with disabilities.** States are doing so by adopting Employment First policies either through an Executive Order or legislation to reposition state policies and investments toward integrated employment as a first priority for people with disabilities. For example, **Washington**'s adoption of Employment First took root in 2004 when the state enacted the "Working Age Adult Policy" for adults with developmental disabilities, which is now credited for spurring the Employment First movement across the United States. The policy establishes employment supports as the first use of employment and day program funds for working age adults living with all types of disabilities toward the pursuit of employment and a living wage for that person. This is measured by the following benchmarks: placement in typical community workplaces, wages at the minimum wage or better and gainful employment and career development.[31]

Governors can direct state agencies to work together to house disability services in one-stop centers (America's Jobs Centers) so that people with disabilities can be served alongside people without disabilities. For example, states like **South Dakota, Utah**, and **Virginia** co-locate disability services in America's Jobs Centers.

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[28] Minnesota Governor's Workforce Development Council, "All Hands on Deck: Sixteen Ideas for Strengthening Minnesota's Workforce," 2011, http://mn.gov/mnddc/news/pdf/All_Hands_on_Deck_2011.pdf.

[29] Maryland Department of Disabilities, "No Spare Marylander," http://www.mdod.maryland.gov/Employment%20and%20Training.aspx?id=172.

[30] Iowa Employer's Council, "Iowa's Disability Employment Initiative," January 2013, http://webcache.googleusercontent.com/search?q=cache:K5560bxu2qAJ:www.iowaworkforce.org/eci/Iowa%E2%80%99s%2520Disability%2520Employment%2520Initiative%2520-%2520ECI.pptx+&cd=3&hl=en&ct=clnk&gl=us.

[31] Washington State Department of Social & Health Services, *County Services for Working Age Adults* (Washington State Department of Social & Health Services, 2012) http://www.dshs.wa.gov/pdf/dda/ddd/policies/policy4.11.pdf.

Many states are also expressing interest in connecting disability employment efforts to the state's economic development efforts (See Connecticut example on page 21).

## Track Outcomes

In many states, measuring employment outcomes has not traditionally been a component of disability programs. Thus, gathering and using data related to disability employment is something governors can do to measure progress toward employment goals. Governors can act by using the following strategies:

**Include disability employment with existing workforce metrics.** Governors can direct their agencies to start gathering and using data to drive disability employment policies, including data on individual wages earned, hours worked, type of employment, hours of support received, job setting, cost of support, and funding source. In **Washington**, data on individual employment outcomes are collected monthly and tracked in a statewide database. Transparency and accountability to employment outcomes is paramount to achieving the goal: Statewide employment outcome reports based on the above data elements with report query capacity at the employment service type, age, level of support needed, provider, county, and regional and statewide level are available to anyone with internet access at http://www.statedata.info/washington-ddd. Employment earnings data are available from the state's unemployment insurance department each quarter via an interagency agreement. The reports, trends, and patterns reflected are integral to the measurement of progress in employment outcomes.

**Measure outcomes for disability-related programs that set employment as a goal for people with disabilities.** States can then move from a *process orientation*, wherein programs are designed to assess and match qualified individuals with benefits, to an *outcome orientation* that establishes employment as a goal and measures success based on achieving that goal. In 2012, **Iowa** did so by engaging various employment stakeholders in listening sessions to discuss the redesign, then determining action steps, including measuring and reporting disability employment outcomes, which the disability offices were not required to report previously. The collection of outcomes data such as hours worked and gross wages earned will be used to measure Iowa's progress toward advancing employment for people with disabilities and to track employment outcomes over time.

Some states are retooling the financing structure for employment services for people with disabilities to focus on revising reimbursement rates from the state to providers to create incentives for integrated employment and developing flexible funding mechanisms. Iowa is looking at retooling the financing structure for employment services for people with disabilities. The intent is to revise reimbursement rates from the state so that providers are rewarded for supporting employment in integrated settings. Other priorities include developing funding mechanisms that work across systems. For example, a cooperative agreement now exists between Iowa Medicaid and vocational rehabilitation services to fund employment services workers with disabilities. Similarly, **Oklahoma** established a performance/outcome-based system that reimburses providers for the number of hours the consumer works. Employment-related services and support are well defined in state revised code, and the overall goal of services funded by the state is full-time employment in the community at the prevailing wage.

**Measure the return on investment of disability employment programs.** Governors can encourage state agencies to gather data and measure the return on investment of their current efforts. For example, **Virginia** partners with university researchers to gather data on the return on investment of hiring people with disabilities to better understand what types of vocational rehabilitation services produce lasting employment and increased earnings for people with disabilities. The project is producing five-year return on investment estimates for each agency, with the research being used to track the results.[32]

[32] Kathy Hayfield, Assistant Commissioner, Virginia Department for Aging and Rehabilitative Services (reported during the opening session at the NGA Institute on a Better Bottom Line: Employing People with Disabilities, Pittsburgh, Pennsylvania, May 10, 2013).

Similarly, **Utah** partnered with the Center for Public Policy and Administration at the University of Utah to conduct an economic impact study of the Utah State Office of Rehabilitation. The study found that individuals who receive employment services experience an average annual increase in earnings of more than $3,000 and are 16 percent more likely to be employed. Furthermore, the services result in a reduction in public benefits for those consumers totaling more than $32 million in savings to the state over six years.[33] For every state dollar spent, $5.64 is returned to the state in terms of increased taxes and decreased benefits from public programs.[34]

## Make the Business Case for Employing People with Disabilities

Governors can encourage state agencies to focus on the business case for employing people with disabilities. In doing so, states can focus on two key components:

**Approach businesses about employing people with disabilities with a proposition on the value they will bring, not an appeal to their corporate responsibility.** Businesses tell states that they do not want to hire a candidate to meet a state's need: They want to hire a candidate that meets the business needs. Governors can encourage their state agencies to focus on how employing people with disabilities meets those needs when they meet with employers. Many states are doing so by dedicating staff with business expertise to be the point of contact for employers (see "How to Find Business" on page 16).

Some states have synthesized the business case and provided answers to anticipated questions in easy-to-read materials designed for a business audience. For example, **Michigan** has developed marketing materials for the business community. One is titled Businesses and Individuals with Disabilities: Profitable Partnership (Michigan Rehabilitation Services), featuring testimonials from employers. Another is titled How We Can Help Employers Do Business. This one-page flyer highlights anticipated questions, framed in business language. For example, the section about accommodations is titled, "Disability Management from a Production Perspective: Lean Ergonomics." The section addressing considerations for disabilities acquired on the job and worker compensation is titled, "Disability Management from a Risk Perspective."[35]

**Anticipate questions from businesses about their concerns for employing people with disabilities.** Businesses' top concerns include questions like, How do I find people with disabilities? Do they have the skills I need? And, what will it cost? States have learned how to answer these questions through a variety of practices that enable states to be good partners to businesses. Summarized in the box on the next page are responses states can use to address these questions (also see "How to Support Business," page 18).

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[33] Earnings information for the study was taken from unemployment insurance data matched to cases for quarterly earnings for three years before application and three years after closure.

[34] Sarah Wilhelm and Jennifer Robinson, "Utah State Office of Rehabilitation Economic Impact Study," Center for Public Policy & Administration, January 2010, http://www.usor.utah.gov/publications/usor-economic-impact-study.

[35] Michigan Rehabilitation Services, "What Employers are Saying about MRS," http://www.michigan.gov/documents/lara/MRS_brochure_with_LARA_355314_7.pdf.

## Anticipate Questions from Business About Employing People with Disabilities

*How do I find people with disabilities?*

- State vocational rehabilitation agencies provide career services to people with disabilities. Recently, the Council of State Administrators of Vocational Rehabilitation (CSAVR) launched the National Employment Team to work with employers across the nation and the Talent Acquisition Portal for employers to search online to find qualified workers with disabilities.
- Workforce one-stop centers exist in every state to help match employers to job seekers, including people with disabilities. Several states co-locate disability services in these centers (see page 12).
- Universities and educational institutions train the next generation of workers, including people with disabilities. Governors can encourage their postsecondary institutions to target career services to students with disabilities (see page 33).
- Private and nonprofit providers train and assess talented individuals, including people with disabilities. Some firms serve people with disabilities exclusively. For example, Manpower Group launched a national program called *Project Ability* to transition people with disabilities into sustainable employment with leading employers nationwide.[36] A company called *Specialisterne* is setting up in the United States to enable 1 million jobs for people with autism and similar challenges through social entrepreneurship, corporate-sector engagement, and a global change in mindset.[37]

*Do they have the skills I need?*

- Research shows that employees with disabilities have nearly identical job performance ratings to employees without disabilities.[38]
- Public programs can provide skill assessments and training to ensure a good match.

*What will it cost?*

- The average cost of accommodations is $500, and data show that more than half of all accommodations cost nothing. Resources about the cost are available at the Jobs Accommodation Network.
- Advances in technology make a wide variety of accommodations available, and many are inexpensive.

The question on costs has other factors beyond accommodations. Businesses want to know:

*What are the liability risks? What if it doesn't work out? And will a person with a disability cost more with regard to benefits? What about sick time?*

- Provide one point of contact to liaise between the business and the state government who can navigate the many organizations and resources across the United States (local and national) dedicated to answering those questions for business. For example, the U.S. Department of Labor and Cornell University run a technical assistance Center for employers of people with disabilities called AskEarn. AskEarn.org is a clearinghouse of information, with a toll-free number that employers can call to talk to a specialist.
- Facilitate business-to-business networking. The U.S. Business Leadership Network (USBLN), for example, is an association of more than 3,000 businesses that employ people with disabilities across all industries and company sizes, with affiliates in most states that serve as business-to-business resources.

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[36] "Manpower, "Manpower Launches Project Ability to Find Employment for People with Disabilities," Press Release, June 15, 2010, http://press.manpower.com/press/2010/project-ability.

[37] Specialist People Foundation, http://specialistpeople.com.

[38] Susanne Bruyere, Cornell University, "What the Research Says About Employing People with Disabilities" (reported at the NGA Experts Roundtable on Employing People with Disabilities, October 24, 2012).

## Find and Support Businesses to Employ People with Disabilities

Governors can support businesses in their states and help improve employment outcomes by ensuring that state government is a good partner for business. Many businesses—large and small—have been clear that they chose to hire and want to hire more people with disabilities. They also emphasize that they need a good partner to be successful. A 2011 report by the National Technical Assistance and Research Center to Promote Leadership for Increasing Employment and Economic Independence of Adults with Disabilities (NTAR Leadership Center)[39] entitled Ready and Able showed that many, if not all, successful initiatives are sustained by a partnership with an intermediary that recruits individuals and either coordinates or provides outreach, assessment, training, and support services from multiple agencies for prospective employees.[40]

### Find and Engage Business

Governors can ensure that their states are finding more businesses that want to employ people with disabilities by encouraging state agencies to apply the same strategies that promote employment for other populations of workers. Effective strategies include:

- Dedicating staff with business expertise;
- Working with multiple businesses in a sector; and
- Including small business.

**Dedicate staff with business expertise who can make the business case.** In **Utah**, business liaisons are part of the Persons with Disabilities Network, which has a membership of 300 businesses ranging from small and medium-sized to large businesses as well as local, regional, national, and international companies. Utah surveyed participating employers and found that a majority (more than 80 percent) found the business liaisons trustworthy, knowledgeable, and responsive to business needs.[41]

In more than 30 states, the interactions with employers are handled by National Employment Teams, launched and coordinated by the Council on State Administrators of Vocational Rehabilitation (CSAVR). Each state's vocational rehabilitation agency has a designated business consultant who works across state lines to form the national employment team. The national CSAVR Director of Business Relations leads the national employment team in response to requests from business.

The national employment teams are dedicated to identifying employers, assessing their needs, and matching those needs to the skills of people with disabilities who are receiving training and assessment from the associated vocational rehabilitation training component. The partnership facilitates access to increased employment opportunities as well as on-the-job or business-based training and supported employment and retention services that keep valued employees in the workplace after developing or acquiring a disability in a way that traditional vocational rehabilitation has not had capacity to do, because staff were not dedicated to employer outreach.[42] To date, 80 state vocational rehabilitation agencies and several national companies participate,

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[39] NTAR is a collaboration of partners with expertise in workforce development, disability employment, economic development, financial education, benefits planning, and leadership development. Established in September 2007 through a grant from the U.S. Department of Labor's ODEP, the NTAR Leadership Center is housed at the John J. Heldrich Center for Workforce Development at Rutgers University.

[40] Robert Nicholas, "Ready and Able: Addressing Labor Market Needs and Building Productive Careers for People with Disabilities Through Collaborative Approaches," National Technical Assistance and Research Center to Promote Leadership for Increasing Employment and Economic Independence of Adults with Disabilities, April 2011, http://www.heldrich.rutgers.edu/projects/all-projects/ntar-leadership-center.

[41] Sarah McCormick, "Survey of Employers Participating in Utah's Person with Disabilities Network," Center for Public Policy & Administration, 2011, http://cppa.utah.edu/_documents/publications/workforce/pwdnet-survey-report-final-3-2011.pdf.

[42] Council of State Administrators of Vocational Rehabilitation, "Investing in America," 2012–2013, http://www.rehabnetwork.org/

including Walgreens, Safeway, and Microsoft. Public-sector employers such as the Internal Revenue Service and the U.S. Department of Transportation also participate.[43]

**Work with multiple businesses within a sector (for example, financial, health care, or manufacturing).** Governors can encourage state agencies to work with multiple businesses instead of one at a time, as most states are doing, to find businesses seeking typically abled workers. The approach is known as sector strategies, which are among the few workforce interventions that statistical evidence (see the sidebar) shows to improve employment opportunities for workers and increase their wages once on the job.[44] Recognizing the value of sector strategies, some states are adopting the approach for employing people with disabilities.

For example, **Connecticut** has launched an Industry-Specific Training and Placement Program (ISTPP) within its department of rehabilitation services to work closely with employers in clusters to meet specific industry needs. ISTPPs are tuition-based workforce development programs that target job seekers with disabilities and provide targeted training to match specific industry needs.

The ISTPP program helped Connecticut support Walgreens when the company expressed interest in replicating the company's now-famous pilot program for employing people with disabilities in Windsor, Connecticut. The pilot program started in Anderson, **South Carolina**, with 25 percent of its workers disabled, and found that productivity increased by 120 percent.[45] To support Walgreens' vision for at least 25 percent of its workforce consisting of people with disabilities, Connecticut adopted a strategy for supplying qualified workers with disabilities to be used not only for Walgreens but also to meet future hiring needs of other retail businesses, such as CVS, HomeGoods, Lowe's, Mohegan Sun casino, and others in the retail sector.[46] Now, Connecticut is looking to incorporate the strategy in the state's economic development plan.[47] One key lesson learned, reported by the commissioner of rehabilitation services, was to provide one point of contact for the company, even though 11 agencies were involved.

### The Evidence on Sector Strategies

The results of a random assignment evaluation of sector-focused training efforts show that program participants earned more than the control group over the course of the 2-year study period and were also more likely to find employment, work more consistently, work in jobs that paid higher wages, and work in jobs that offered benefits. Furthermore, there were earnings gains for each subgroup analyzed, including African Americans, Latinos, immigrants, formerly incarcerated individuals, and young adults.

*Source:* The Aspen Institute

http://www.aspenwsi.org/resource/ppvtuning-local-labor-market

Walgreens' successful model for employing people with disabilities is now expanding to 8,000 retail stores across all states through the Retail Employees with Disabilities Initiative (REDI) program, with the goal of preparing qualified candidates for employment at Walgreens retail locations as well as with other companies in the retail sector that require similar skills.[48] One of the 12 states implementing REDI is **Wisconsin**, which is planning to

investing_in_america/CSAVR%202012%20Investing%20In%20America-online.pdf.

[43] Ibid.

[44] Sector Strategies, NGA Center for Best Practices, http://www.nga.org/cms/home/nga-center-for-best-practices/center-issues/page-ehsw-issues/col2-content/main-content-list/state-sector-strategies.html (accessed June 14, 2013).

[45] Walgreens, "Walgreens Helps Create More Job Opportunities for People with Disabilities in Connecticut," Press Release, October 24, 2012, http://news.walgreens.com/article_display.cfm?article_id=5653.

[46] Amy Porter, Commissioner of the Connecticut Bureau of Rehabilitation (interview and email follow-up, April 3, 2013).

[47] Ibid.

[48] Walgreens, "Walgreens Helps Create More Job Opportunities for People with Disabilities in Connecticut," Press Release, October 24, 2012, http://news.walgreens.com/article_display.cfm?article_id=5653.

replicate the approach in the health care sector and in tribal casinos.[49] The Walgreens model for employing people with disabilities has also inspired Lowe's and OfficeMax.

**Include small businesses.** Governors can ensure that state agencies are including small businesses in disability employment efforts, as small businesses create the majority of new jobs.[50] For example, in **Minnesota**, state staff serving job candidates with disabilities dedicate their time to finding and working with small and medium-sized companies while they leverage business associations to connect with larger companies. Specifically, the state leverages the Minnesota chapter of the U.S. Business Leadership Network, part of a national business-to-business network of employers interested in hiring people with disabilities. By using that existing (and highly effective) business network for larger firms, state staff are able to dedicate more time to working with small and mid-sized companies, especially in rural areas.[51]

Recognizing that small businesses require a unique strategy from policymakers, ODEP launched the Add Us In initiative, targeting the small business community in eight states that received grants. Each state has partnerships comprised of representatives from small businesses, local employment boards, and community organizations who live and work in diverse communities. For example, the site in **California** is launching the Disability-Inclusive Small Business California Consortium to reach out to small and medium-sized businesses representing underserved communities and provide participating firms with comprehensive support throughout the hiring process. The consortium members include a communications firm, the California Department of Rehabilitation, the National Gay and Lesbian Chamber of Commerce, Career Opportunities for Students with Disabilities, and the World Institute on Disability (headquartered in Berkeley, California). They will work together to link employers, recent graduates, college students, and veterans with disabilities to small and medium-sized businesses offering employment and internship opportunities.[52]

## Support Businesses

Businesses want to hire people with disabilities, and they want to partner with government throughout the recruitment, hiring, retention, and advancement process. Governors can help ensure that businesses have a reliable, long-term partner by providing the support that businesses have identified as important:

- One point of contact;
- Focus on skills and assessment; and
- Navigate the complexities of benefits.

**Provide one point of contact to interact with business, and encourage that contact to communicate regularly.** Businesses name this as one of the most important elements of working with a state government,[53] and researchers have found that the single point of contact was cited consistently as a factor of success across successful programs.[54] To make it easier for employers to find and hire workers with disabilities, states can choose one point of contact from one agency to interact with employers. Having a "go-to" person is especially helpful for workers with disabilities, as the point of contact can help navigate the agencies that support people with disabilities, such as Medicaid, assistive technology, and vocational rehabilitation.

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[49] Office of Wisconsin Governor Scott Walker, "DWD Teams Up with Walgreens to Create Training, Job Opportunities for People with Disabilities" Press Release, May 29, 2012, http://dwd.wisconsin.gov/dwd/newsreleases/2012/120529_walgreens_redi.pdf.

[50] Mary Jo Waits and Joe Cortright, "Growing State Economies: A Policy Framework," National Governors Association, 2011–2012, http://www.nga.org/files/live/sites/NGA/files/pdf/11HEINEMANFRAMEWORK.PDF; and Zoltan Acs, William Parsons, and Spencer Tracy, "High-Impact Firms: Gazelles Revisited," Small Business Administration, June 2008, http://archive.sba.gov/advo/research/rs328.pdf.

[51] Minnesota Disability Council, "Pathways to Employment," http://www.disability.state.mn.us/employment/pathways-to-employment (accessed on June 14, 2013).

[52] Office of Disability Employment Policy, "Grantee Information," http://www.dol.gov/odep/addusin/granteemenu/Oakland.htm.

[53] As reported by business panelists participating in the NGA Experts Roundtable (Washington, D.C., October 24, 2012) and the NGA Institutes on Employing People with Disabilities (May 2013).

[54] Robert Nicholas, "Ready and Able."

Governors can also encourage state agencies to communicate among the staff who work with employers across the state to deepen the pool of workers employers have to choose from. **Virginia**, for example, coordinates the efforts of all job developers or staff who work directly with employers to place individuals with disabilities from 17 localities, representing Virginians with a wide array of barriers to employment in addition to disability (for example, age, criminal record, welfare dependence, or linguistic barriers), to meet regularly throughout the year. The meetings allow job developers to collaborate on directing their potential employees to business partners. Business representatives are always invited to attend the meetings. According to the Virginia commissioner of vocational rehabilitation services, the private-sector partners typically express how much they value this no-cost service provided by a single point of contact.[55]

**Focus on skills assessment and training of workers with disabilities to meet businesses' needs.** Businesses report that skills are the number one concern in hiring a new candidate,[56] and so when it comes to hiring people with disabilities, states can make it more likely for businesses to hire a candidate who has been screened and trained to meet their needs. Governors can target training for people with disabilities that meets an identified business need. For example, **Maryland** runs customized training programs specifically for people with disabilities that are developed with a local business, targeting positions that are difficult to fill or maintain. Participants are screened, assessed, and in some cases trained in collaboration with the business. Customized training programs in Maryland have included the following employers:

- CVS (customer service)
- OfficeMax Distribution Center (warehouse technician)
- Hilton Home2Suites (hospitality worker)
- Collins Collision (auto body technician)
- M&T Bank (bank teller)
- Franklin Square Hospital (food service)
- Towson University (food service)
- Johns Hopkins School of Medicine (administrative assistant)
- Cleaning 2 Perfection (environmental services)
- Others, including medical billing, bakeries, screen printing, landscaping, and animal care

Of the individuals who have completed a training program, 75 percent achieved their goal of successful employment or received postemployment services.[57]

Governors can use funding sources that support people with disabilities toward job training. In **New Hampshire**, the Bureau of Developmental Services has established a revolving sector-based training fund making available $50,000 of Medicaid Waiver Employment funds to each of the state's 10 area agencies. The funds must be used to support individuals between the ages of 21 and 26 – a critical age for transitioning youth after high school – who then participate in instruction and training in a specific industry sector. Sector training options (e.g., Project SEARCH) offer instruction combined with real work experiences in a specific industry sector.[58]

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[55] Keith Hare, Deputy Secretary, Virginia Health & Human Resources (interview, May 3, 2013).

[56] As reported by business panelists participating in the NGA Experts Roundtable (Washington, D.C., October 24, 2012) and the NGA Institutes on Employing People with Disabilities (May 2013).

[57] Sue Page, Assistant State Superintendent, Maryland Division of Rehabilitation Services (reported as a best practices document sent to NGA on April 6, 2013).

[58] Denise Sleeper, New Hampshire Administrator II, MPA, DHHS/Bureau of Developmental Services, Services (reported as a best practices document sent to NGA on May 29, 2013).

**Provide job coaches when appropriate for individuals who otherwise would not be able to work in an integrated setting.** The role of job coaches is to provide specialized on-site coaching to the worker and to help modify the work environment, if necessary. Businesses report value from using job coaches. For example, Walgreens credited publicly funded job coaches as critical to their success in employing people with disabilities at their distribution center in **Connecticut**.[59]

States report a positive return on investment from using job coaches, as well. **Washington** calculated that people with disabilities work an average of 8 hours for every 1 hour of job support provided.[60] Typically, job coaches are supplied by a partner agency from either the state vocational rehabilitation agency or a nonprofit provider. Many programs that employ job coaches are approved as a service vendor for the state vocational rehabilitation agency. States also fund job coaches through Medicaid waivers, Social Security work incentives, and foundation funds.

**Benefits to Business: Job Coaches**

- Up-front work of assessment and recruitment for the business;
- Ongoing support after hiring, including job retention services, to ensure the new employee is completely up to speed;
- Assistance with the identification of other accommodations for the company and as a resource for their diversity efforts; and
- Assistance with possible tax credits, such as the Work Opportunity Tax Credit and the Disabled Access Tax Credit for small businesses.

**Assist with other accommodations.** Governors can work with businesses to determine what states can do to assist with other accommodations that empower people with disabilities to be productive and healthy employees for businesses (e.g., transportation, assistive technology). For example, **Connecticut** Governor Dan Malloy told his fellow governors at the 2013 NGA Winter Meeting that "Walgreens didn't ask for much," but its employees with disabilities were having trouble getting to work because of access to transportation. In response, the state agreed to install a bus stop in front of the Walgreens location. The bus stop made the difference between the workers' employment and unemployment. By working with Walgreens and asking the right questions, Connecticut was able to improve employment outcomes with a simple, one-time action.

Some accommodations are unique to people with disabilities, and some businesses report uncertainties about how to provide those accommodations and what they will cost.[61] Data show that on average, accommodations are typically minor and cost $500 or less.[62] Technology is making accommodations even less expensive and more discrete. For example, what used to require special equipment can now be done through various mobile apps for tablets and smart phones.

Governors can help ensure that businesses and individuals have the information they need about assistive technology, including cost, which can be the biggest uncertainty for employers and employees. For example, **Maryland** operates the Assistive Technology Loan Program, which provides low-interest loans to purchase assistive technology or make home modifications for people with disabilities.[63]

**Navigate the complexities of disability benefits.** Governors can act to provide resources so that workers

[59] Robert Nicholas, "Ready and Able," page 23.

[60] Linda Rolfe, "Employing People with Disabilities as a State Workforce Strategy" (presentation at the NGA Institute on Employing People with Disabilities, Seattle, Washington, May 22, 2013).

[61] As reported by the business panelists at the NGA Institutes on Employing People with Disabilities, Pittsburgh, Pennsylvania, May 10, 2013, and Seattle, Washington, May 22, 2013.

[62] Peter Linkow et al., "Leveling the Playing Field: Attracting, Engaging, and Advancing Peoples with Disabilities," The Conference Board (2013) http://digitalcommons.ilr.cornell.edu/edicollect/1292.

[63] Sue Page, Assistant State Superintendent, Maryland Division of Rehabilitation Services (reported as a best practices document sent to NGA on April 6, 2013).

with disabilities know their options for maintaining benefits while working. Although states cannot change the structure of federal disability benefits, which limit the amount of income recipients can earn while receiving benefits (e.g., personal care services to get ready in the morning), states can take concrete steps to counteract the work disincentives and other unintended consequences of those programs, such as:

- *Using various waiver programs through the Centers for Medicare and Medicaid Services (CMS).* Many states have chosen to expand Medicaid benefits to individuals with incomes above the mandatory Medicaid limits, because it allows them to maintain employment. States can do so by applying for various waivers that CMS offers and through the Medicaid Buy-In program. For example, **Delaware** implemented a Medicaid Buy-In program that raised income eligibility to 275 percent of the federal poverty line and uses standard Supplemental Security Income (SSI) income exclusions, meaning that all resources a participant receives are excluded in determining eligibility for Medicaid benefits. Thus, enrollees are eligible for long-term supports and services, such as personal attendant care.[64] A complete list of the employment initiatives available through CMS is available at http://www.medicaid.gov/Medicaid-CHIP-Program-Information/By-Topics/Delivery-Systems/Grant-Programs/Employment-Initiatives.html.

- *Dedicating a state funding source to fund the benefits individuals need while working.* For example, **Virginia** funds employment supports following the time-limited services that vocational rehabilitation provides to help an individual stay employed. The program, called long-term employment support services fund, generally funds a job coach who will check in with the employee on a regular basis and provide one-on-one training or support. The program is unique to Virginia in that it allows non–Medicaid-eligible individuals with disabilities to receive this kind of long-term employment support after the vocational rehabilitation funding and support end. A recent return on investment study conducted by the University of Richmond found that for individuals served in supported employment, each dollar spent on long-term services was matched by about $3.50 in an individual's earnings.

- Virginia reports that because of the long-term support, individuals with significant barriers to employment—primarily cognitive disabilities—are able to work and be taxpaying citizens, yielding benefits to the individual and the government.[65]

- *Providing easy-to-understand resources for individuals, families, and employers to learn about the benefit options.* To mitigate the confusion around disability benefits, states are launching online portals for the various stakeholders who want to understand the options for different benefit programs (which vary by state) while an individual with disabilities is working. Several states (**Arizona, California, Michigan, Minnesota, Missouri**, and **New Jersey**) launched websites on the platform Disability Benefits 101. The websites provide a user-friendly, one-stop portal for people with disabilities of all types as well as information about what will happen to their benefits when they are employed.[66]

**Connecticut** launched its own platform, Connect-Ability, as the state's single point of entry for all information related to employing people with disabilities. The website targets employers, job seekers, service providers, and school systems, including school counselors. Connect-Ability also has a distance-learning initiative, with online courses addressing barriers specific to people with disabilities and other free online training on soft skills, benefits counseling, assistance resources for independent living, disclosure of disability, and financial literacy.[67]

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[64] Rita Landgraf, Secretary, Delaware, Health and Social Services (reported via email to NGA on June 12, 2013).

[65] Keith Hare, Deputy Secretary, Virginia Health & Human Resources (interview, May 3, 2013).

[66] Disability-101.org.

[67] Amy Porter, Commissioner of the Connecticut Bureau of Rehabilitation (interview and email follow-up, April 3, 2013).

## Support Entrepreneurs with Disabilities

People with disabilities are twice as likely as people without disabilities to own their own business.[68] Self-employment gives people with disabilities flexibility over their workplace and schedule, which are common barriers to full-time employment. Governors can consider the following options:

**Include resources and services through vocational rehabilitation for entrepreneurs starting and running their own businesses. Alaska** launched the Industry-Driven Support model to encourage low-income individuals with disabilities to become entrepreneurs. The program offers training sessions on a specific business topic (for example, marketing), networking sessions on building social capital, and one-on-one business support to entrepreneurs in a specific industry (e.g., arts and crafts). The model has been piloted with 38 low-income Alaskan entrepreneurs with disabilities, including those in rural areas.[69]

**Certify disability-owned businesses.** The U.S. Business Leadership Network is a national organization which states can partner with to certify businesses in their state as disability-owned. States can also designate "disability-friendly businesses" as **Utah** has done. Disability-friendly businesses are assessed by state agency staff and provided with technical assistance if necessary to become accessible and knowledgeable about disabilities. In return, the business is designated "disability-friendly" with a placard, issued by the local Chamber of Commerce, that can be displayed at the business.[70]

## States as Model Employers

Governors have a significant opportunity to advance employment opportunities for people with disabilities simply by modifying their own employment practices. Although the recession has led to a decline in public-sector hiring, states and local government are still major employers across the United States. Nationwide, more than 5 million people are employed in non-education state government positions.[71] Businesses have told states that they are more likely to hire people with disabilities if state government is doing it successfully. Governors can increase the number of people with disabilities in state government by:

- Creating fast-track hiring systems for people with disabilities;
- Focusing on retention and advancement of current employees;
- Adopting strategies complementary to being a model employer, such as ensuring that state websites are accessible; and
- Setting hiring goals for state government and holding people accountable for achieving them.

## Create a Fast-Track Hiring System

Examples of programs and policies that states can adopt to create a fast-track hiring process for people with disabilities include hiring preferences, civil service exam exemptions, special appointment lists, trial work periods and provisional appointments, and mandatory interviews. These practices not only help people with disabilities access state employment opportunities but also help hiring managers find and fill positions with people with

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[68] U.S. Office of Disability Employment, "Entrepreneurship: A Flexible Route to Economic Independence for People with Disabilities," http://www.dol.gov/odep/pubs/misc/entrepre.htm (accessed June 14, 2013).

[69] Karen L. Heath and Danielle L. Reed, "Industry-Driven Support (IDS) Model to Build Social Capital and Business Skills of Low-Income Entrepreneurs with Disabilities," Journal of Vocational Rehabilitation 38 (2013): 139–148, http://iospress.metapress.com/content/vx0606652346414t/?p=296a03a158264a37820fea4d9bfd68bd&pi=5.

[70] Don Uchida, Executive Director, Utah Office of Rehabilitation Services (as reported during the NGA Institute on Employing People with Disabilities, Seattle, Washington, May 22, 2013).

[71] Savannah Barnett and Kathy Krepcio, "States as Model Employers of People with Disabilities: A Comprehensive Review of Policies, Practices, and Strategies." In press.

disabilities. Of the 10 states that have adopted a fast-track approach, most combined several specific policies to create an alternative pipeline into state government.[72] **Montana** is currently the only state with a hiring preference explicitly for people with disabilities; however, 49 states and the District of Columbia have hiring preferences for disabled veterans, which could be expanded to include all individuals with disabilities.

Actions governors can take to create a fast-track hiring system are:

**Waive civil service exam requirements (partially or fully) to increase access to state employment for qualified applicants with disabilities.** In **California**, for example, former Governor Arnold Schwarzenegger issued an executive order directing state agencies to fill vacancies through the Limited Examination and Appointment Program, designed to facilitate recruitment and hiring of qualified individuals with disabilities. **Illinois** offers an accommodated testing program to ensure that applicants with disabilities can access the exams necessary for state government positions. **New York** waives civil service exams for entry-level state positions, though agencies are not required to hire applicants through the program. States such as **Oklahoma** waive the exam for applicants certified by vocational rehabilitation.

**Create special appointment lists to help agencies locate the skilled workers with disabilities they need. Delaware** established a Selective Placement program through legislation and state policy. The program provides hiring managers with direct access to hire qualified candidates with disabilities into vacant positions, bypassing some of the complicated and time-consuming processes. The Division of Vocational Rehabilitation (DVR) or the Division for the Visually Impaired (DVI) certifies the application as a person with a disability, although the applicant need not be a DVR or DVI client. State human resources professionals review electronic applications filed by Selective Placement Candidates and identify positions for which the individual is qualified.

When those positions become available, hiring managers have direct access to their applications and can immediately interview and hire.[73]

**Offer trial work periods for people with disabilities.** As in the private sector, trial periods can be a win-win for state employers and people with disabilities, reducing perceived risk on both sides. For example, **Alaska** allows hiring managers to offer provisional appointment without competitive assessment to applicants with severe disabilities for up to four months. In **Illinois**, applicants with severe disabilities may be eligible for supported employment during a trial work period, with the possibility of permanent employment thereafter. **Maine** offers a trial work period of up to one year for candidates certified by vocational rehabilitation. Mandatory interviews also can help otherwise-qualified applicants with disabilities "get a foot in the door" in state government. For example, **Vermont** allows applicants with disabilities who meet the basic qualifications for a job to request a mandatory interview.

### Focus on Retention and Advancement

Governors can help ensure that employees with disabilities, including those who acquire disabilities while employed, maintain employment and independence through strategies such as:

**Establishing return to work as the first option for workers who acquire disabilities.** Rather than having employees who acquire disabilities enroll in the Social Security Disability Insurance program, states can focus on options to retain and advance these employees. For example, **Illinois** has recognized the need to address an aging workforce through retention strategies. In 2009, the state created a program to allow state employees who can no longer perform their job because of a disability to acquire provisional status in a different job within state government.

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[72] Ibid.

[73] Rita Landgraf, Secretary, Delaware, Health and Social Services (reported via email to NGA on June 12, 2013).

The federal government also focused specifically on return-to-work issues in Executive Order 13548, requiring that agency disability plans include retention and return-to-work strategies for those with disabilities and work-related injuries or illnesses.[74]

**Conducting outreach to educate employees with disabilities about how to request accommodations.** An effective mechanism for identifying and providing reasonable accommodations is a central tactic for averting disability-related job loss and maintaining productivity. As Massachusetts found in its employee survey, individuals with disabilities—especially those who acquire a disability—might not be fully aware of the process for applying for a reasonable accommodation, and managers can be reluctant to pursue accommodations if the cost must come out of their agency's budget. Massachusetts addressed the former problem by providing information to employees on a bi-annual basis and the latter problem by creating a dedicated funding stream for accommodations across agencies. The Massachusetts fund supplements reasonable accommodations budgets for agencies that might need it, but if such funds are available at the department level to begin with, states can centralize those funds at no additional cost. To the extent that the availability of dedicated funding increases demand for accommodations, the increased cost could be offset in other places if the accommodation leads to employee retention or increased productivity.

## Adopt Complementary Approaches to Becoming a Model Employer

In addition to a full-fledged fast-track system and dedicated retention and advancement strategies, states can adopt complementary practices to reinforce the pipeline from recruitment through advancement:

**Designate a task force or advisory body.** Vesting ownership of the issue in a designated body can facilitate progress at all stages of the process, from exploratory and planning activities at the outset to oversight and accountability once initiatives are underway. Task forces also can bring together stakeholders from disparate state agencies. For example, in 2012 Governor Sean Parnell of **Alaska** established a State as a Model Employer Task Force to focus on recruitment strategies as well as best practices for accommodations and inclusion in the workplace. Similarly, **Massachusetts**, using the inherent impetus found in Executive Order 478 that established the principles of non-discrimination, equal opportunity and diversity as operational imperatives and which defined protected classes, created an inter-secretariat task force to develop its strategic plan by which it would seek to become a Model Employer of People with Disabilities.

Task forces can also be instrumental in tracking progress; several states such as **Alaska** and **Utah** used disability employment task forces to survey state agencies and establish a baseline for the number of workers with disabilities already employed by state government.

**Ensure websites and other materials are welcoming, accessible, and easy to navigate.** Sometimes, employment information for applicants with disabilities is available on vocational rehabilitation or human services sites but not on central state and local hiring websites. States can ensure that their websites are not only accessible but that information is centrally located and easily found. In addition to helping people with disabilities find jobs, making this information widely available promotes an inclusive culture, creates an environment more hospitable to self-disclosure, and increases awareness among state employees and hiring managers. States can also create welcoming websites by selecting individuals with disabilities when employees are pictured in publications and other materials.

**Formalize partnerships among human resources and state agencies that work with people with disabilities.** Vocational rehabilitation agencies, public educational institutions, and other agencies within state government are already working with skilled youth and adults seeking to enter or re-enter the workforce. State human resources agencies can make sure they have formalized partnerships with these entities to maximize their pool

[74] Increasing Federal Employment of Individuals with Disabilities, EO No. 13548, Federal Register 75 (146), July 30, 2010/Presidential Documents, http://www.gpo.gov/fdsys/pkg/FR-2010-07-30/pdf/2010-18988.pdf.

of potential workers. One step in this direction is ensuring that staff and recipients of vocational rehabilitation services are proficient in the application process for state government jobs. Some states, such as **Illinois** and **Maine** have more formal partnerships with vocational rehabilitation, in which vocational rehabilitation certifies trained and work-ready candidates for trial work periods, civil service exam exemption, or special appointment lists. These partnerships can also support human resource professionals in creating inclusive job announcements and qualification standards that encourage applicants with disabilities to apply.

**Create opportunities for work experiences in state government.** Just as work experiences are a critical element of workforce development programs, they are vital to advancing employment opportunities for people with disabilities. States can create special internship and mentoring programs for students with disabilities by partnering with schools. For example, the U.S. Department of Agriculture partners with educational institutions that offer programs for individuals with specific disabilities, such as for people who are blind or deaf, to increase outreach for their internship programs. They support their internship programs through a centralized fund and track interns with disabilities who participate in the programs.[75] In **Delaware,** a modest number of positions are dedicated to people with disabilities throughout the state, which enables agencies to provide paid training and work opportunities for applicants seeking the experience and learning that comes with employment. Some of these are short term, limited to a year, while others are longer term and enable a person with a disability to attach to individual state agencies.

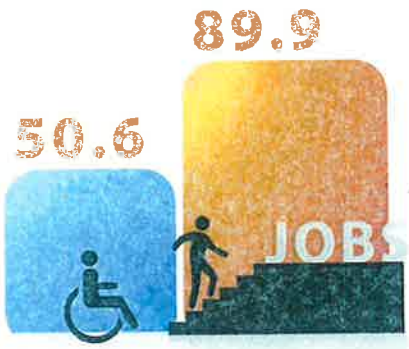
**Train managers on disability etiquette and best practices.** Simple lack of awareness, especially among hiring managers and supervisors, can be a barrier to job access for people with disabilities. States can raise awareness in several ways, from using the bully pulpit to external marketing campaigns, but training managers within state agencies is the most direct route to transforming workplace culture. States can capitalize on their large human resources infrastructure to train managers in disability inclusion. For example, **Massachusetts** has developed a disability awareness curriculum and provides mandatory training not only to hiring managers and supervisors but also to state employees and ADA coordinators. Based on research by Cornell University Employment and Disability Institute and the American Association of People with Disabilities, the most effective way to increase self-identification of disability is to create a welcoming environment in which people with disabilities feel confident their disability status will be kept confidential.[76]

[75] Office of Disability Employment Policy, U.S. Department of Labor, "Summary: Promising and Emerging Practices for Enhancing the Employment of Individuals with Disabilities Included in Plans Submitted by Federal Agencies Under Executive Order 13548," August 2012.

[76] Peter Linkow et al., "Leveling the Playing Field: Attracting, Engaging, and Advancing Peoples with Disabilities," The Conference Board (2013), http://digitalcommons.ilr.cornell.edu/edicollect/1292.

## Set Hiring Goals and Improve Use of Data

Hiring goals hold people accountable and focus their attention on the talent pool of people with disabilities. Survey research from Cornell University shows that when people are held accountable, the priority is not only communicated but demonstrated. Support from governors is critical for setting and meeting hiring goals. First, Carl Van Horn, founder of Heldrich Center for Workforce Development at Rutgers University, reports to NGA that when governors speak people listen and when governors insist on results, people rally to the cause. Second, governors have several tools at their disposal to improve data about state employees with disabilities, which is currently lacking in many states but essential to tracking progress toward goals.




**The EMPLOYMENT RATE for college graduates with disabilities is 50.6 percent compared to 89.9 percent for** ***college graduates without disabilities.***

**Set hiring goals. Massachusetts** Executive Order 478 (now 526) illustrates how governors can lead from the top and ensure consistent effort. Governor Deval Patrick showed his commitment to making the state a model employer by issuing an executive order clearly stating the executive branch's commitment to nondiscrimination, equal opportunity, and diversity as guiding principles for hiring and employment. Although Executive Order 478 was an important step in lending credibility to agency-level efforts to increase state hiring of people with disabilities, an order alone cannot drive disability employment policies forward. Massachusetts strengthened the order by requiring that hiring goals be incorporated in employment guidelines for the executive branch and ensured follow-through by creating a Disability Task Force on Employment.

**Improve use of data.** Governors can help address a key barrier to sustained progress in employing people with disabilities for states and private-sector employers alike: lack of data. Fearing repercussions, many people with disabilities do not disclose their disability status, and some states do not know how to collect this information. Indeed, employers are legally restrained from asking prospective employees about disability status in certain situations. Nevertheless, some employers have made headway in promoting self-disclosure and collecting this information through voluntary surveys.

Governors can act to improve data on employing people with disabilities. For example, in an effort to collect better baseline data on current employees with disabilities, **Massachusetts** surveyed participants regarding self-identification, disclosure and reasonable accommodation, the employment pipeline, and agency culture. The state found that employees were not aware of the process for self-identification or reasonable accommodation or the difference between two. In response, the state created a marketing campaign to reinforce the importance of diversity as well as mandatory training for employees and managers. Since the launch of Massachusetts' model employer effort in 2009, the share of people with disabilities working in the executive branch has increased from 2.4 percent to 2.9 percent.

Surveys also can be used to identify practices that work. **Alaska**'s employee survey included questions about employment supports. A majority of respondents pointed to health insurance benefits, support from friends and family, and supportive employers and coworkers as most helpful for successfully becoming and remaining employed. Just over a third cited flexible work schedules as helpful, and a quarter pointed to special equipment. Job coaching, other division of vocational rehabilitation services, and reliable transportation were helpful to just over one in 10 respondents. Fewer than 3 percent said a social security benefits counselor was helpful.[77]

[77] Teresa Holt, "States as Model Employers" (presentation at the NGA Institute on Employing People with Disabilities, Seattle, Washington, May 22, 2013).

Some states, such as **Alaska** and **Utah**, designate task forces or special entities to be responsible for this task. Alternatively, **Maine** charged the Department of Labor and the Bureau of Human Resources with surveying state workers to establish a baseline for the prevalence of disability employment in state government. The federal government ensures accountability by requiring all agencies to submit disability plans that designate a senior staff member to be accountable for improving outcomes based on robust employee survey data. In fiscal year 2012, approximately 13 percent of federal employees surveyed responded affirmatively to having a disability.

## Prepare Youth with Disabilities to Work

As governors think about improving employment outcomes for people with disabilities, it is important to change the traditional paradigm of prepping young people for a life of benefits to a life of work. Governors can act to harness the talents of the upcoming generation, which businesses need, by including people with disabilities through the following strategies:

- Incorporating career-readiness content into the educational curriculum to establish an early emphasis on working and launching a career;
- Providing professional skill development and job exploration opportunities in high school; and
- Encouraging state colleges and universities to support college students with disabilities by linking disability services with career services and providing students with specific knowledge and skills to be successful.

Today's youth with disabilities are growing up in a world of changing expectations; they are children of the Individuals with Disabilities Education Act (IDEA) and the American Disabilities Act (ADA), and the K–12 education system has increasingly provided them with opportunities. For example, four out of five students with disabilities who have transition plans have a goal of attending college, and young people with disabilities increasingly enroll in rigorous academic courses that will prepare them for college.[78] But despite the opportunities available to a generation of students with disabilities, youth with disabilities are less likely than their typically abled peers to graduate from high school, enroll in college, graduate from college, and enter the workforce.[79] People with disabilities 20–24 years of age have an employment rate of less than half of their typically abled peers. In March 2013, the employment rate for people with disabilities 20–24 years of age was 24.7 percent compared with an employment rate of 61.1 percent among those 20–24 years of age without disabilities.[80] Even youth with disabilities who do attend college are less likely to get a job after graduation than students in the general population: The employment rate for college graduates with disabilities is 50.6 percent compared to 89.9 percent for college graduates without disabilities.[81]

Too often, students with disabilities do not receive support to address the unique barriers they face to successfully entering the workforce. For example, they typically have low expectations for their future, despite receiving the same educational opportunities as the general population, and they may not expect to get a job after they leave high school. Similarly, many students with disabilities do not receive the same kind of career preparation services and work-based experiences as their typically abled peers. Without the same level of preparation, youth with disabilities are at a disadvantage. States can play an important role in raising awareness of the unique challenges students with disabilities face as they transition to adulthood by implementing changes that address these barriers.[82]

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[78] Christopher Sanford et al., *The Post-High School Outcomes of Young Adults with Disabilities up to 6 Years After High School: Key Findings from the National Longitudinal Transition Study-2*, Report to the U.S. Department of Education, 2011, http://ies.ed.gov/ncser/pubs/20113004/pdf/20113004.pdf.

[79] Ibid.

[80] U.S. Office of Disability Employment Policy, "Youth Employment Rates," http://www.dol.gov/odep/categories/youth/youthemployment.htm.

[81] R. Nicholas, R. Kauder, K. Krepcio, and D. Baker, Ready and Able: *Addressing Labor Market Needs and Building Productive Careers for People with Disabilities Through Collaborative Approaches* (New Brunswick, NJ: NTAR Leadership Center, Rutgers University, 2011).

[82] Senate HELP Committee, *Unfinished Business: Making Employment of People with Disabilities a National Priority*, July 2012: http://

## Start Early: Incorporate Career Readiness in K–12

The most important step in preparing youth with disabilities for the workforce is to incorporate career-readiness planning into the classroom at an early age. Governors can consider the following strategies:

**Integrate youth with disabilities in existing state efforts to improve college and career readiness.** Similar to how states can integrate individuals with disabilities into the state's overall workforce development strategy, states can integrate youth with disabilities into existing college and career-readiness efforts. All students can benefit from exposure to potential careers, but youth with disabilities in particular will see benefits from inclusion in those activities.

Research indicates that youth who participate in career exploration and other transition services are more engaged in planning their career and display greater motivation to attend school and pursue employment than students who do not have such services available.[83] As part of IDEA, all states provide transition services to youth with disabilities, including instruction, community experiences, development of employment goals, and acquisition of daily living skills,[84] but states vary in the types of career-readiness services they offer youth. Career-readiness services include career exploration opportunities, assessment of interests and abilities, planning for which classes to take to be appropriately prepared for desired careers, identifying in-demand industries and positions, developing soft skills, job shadowing, career mentoring, and career fairs. Most states provide career-readiness services for students with disabilities beginning in high school, but research suggests that high school is too late—schools should begin addressing career readiness as early as middle school to begin shifting expectations toward work and a career.[85]

In **Kentucky**'s Operation Preparation, trained volunteer community advisors meet one on one with every student in eighth and 10th grade, including those with a disability. The volunteers use the student's individualized learning plan to discuss his or her career aspirations and whether the student is taking appropriate courses to prepare for the desired career path. Operation Preparation is a joint effort of the Kentucky Department of Education and the Department of Workforce Development and strives to ensure that all of Kentucky's students graduate ready for college or a career. States can also identify ways to scale up integrated career-preparation efforts underway at the local level. In **North Carolina**, career development coordinators are responsible for coordinating career development services for students in local schools and districts; these coordinators are employees of the Career and Technical Education Division within the North Carolina Department of Public Instruction. In Wake County, the career development coordinators organize two countywide career day events each year—Great Explorations in Math & Science for ninth graders and Xtreme Beginnings for 10th and 11th graders. Both events give students, including those with disabilities, opportunities to learn about a variety of career options and meet directly with business representatives.

**Co-locate vocational rehabilitation counselors and services in high schools.** Effective career-readiness services for youth with disabilities involve collaboration and cooperation among the state's vocational rehabilitation agency and department of education, local school districts and individual schools, and the local business community. For example, **Arkansas'** Transition Services Program assigns vocational rehabilitation transition counselors to work with high school students and their teachers to discover students' career interests and life goals, with families to support students' career development, and with the local business community to provide job training opportunities for students with disabilities.

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www.harkin.senate.gov/documents/pdf/500469b49b364.pdf

[83] V.S. Solberg, K.A.S. Howard, S.L. Gresham, and E.W. Carter, "Quality Learning Experiences, Self-determination, and Academic Success: A Path Analytic Study Among Youth with Disabilities," *Career Development for Exceptional Individuals*, 2012, http://cde.sagepub.com/content/early/2012/05/11/2165143412439887.abstract?rss=1.

[84] http://idea.ed.gov/object/fileDownload/model/TopicalBrief/field/PdfFile/primarykey/17.

[85] M. Alwell and B. Cobb, "Transition Planning/Coordinating Interventions for Youth with Disabilities: A Systematic Review," Charlotte, NC: National Secondary Transition Technical Assistance Center, http://www.nsttac.org/sites/default/files/assets/pdf/pdf/what_works/2c_full_text.pdf.

**Rhode Island** has a partnership with the Educational Collaboratives and the five regional vocational assessment centers (RVACs) where Office of Rehabilitation Services (ORS) eligible students with disabilities have access to comprehensive vocational assessments and learn about their interests, skills and abilities. The assessments assist ORS to recommend strategies to students on how to best move into employment or postsecondary education. The RVACs are located onsite at the state's regional Educational Collaboratives, which also provide professional development and technical assistance and funding from the Rhode Island Department of Education to school district staff on transition services for youth with disabilities.

The **Delaware** Division of Vocational Rehabilitation, the Delaware Division of Developmental Disabilities Services, the Delaware Department of Education, and the local school districts collaboratively sponsor the Early Start to Supported Employment. The program facilitates constant communication among state and local agencies along with supported employment service providers and families. In addition, it provides schools with access to specific information that they can include in a student's Individual Employment Plan to better align the career-preparation activities they receive in school with what is needed to be successful in employment.[86]

In **Mississippi**, students with disabilities in most public high schools take a career exploration course taught by transition counselors in collaboration with students' classroom teachers. The classes cover job-readiness topics, including pre-employment skills; labor market information; identification of students' skills, abilities, and interests; and career exploration through work study and hands-on experience. Having transition counselors employed by vocational rehabilitation agencies provide work instruction in high school classrooms helps facilitate a relationship between the student and the vocational rehabilitation system and allows students to experience transition services in a familiar setting to increase their comfort level. In **West Virginia**, transition services are provided to students as young as 15 years of age through a cooperative agreement between the state's department of education and Division of Rehabilitative Services.

**Provide other career-readiness and career exploration services, such as career and job fairs, job shadowing, and career-focused mentoring.** In career-focused mentoring, youth with disabilities are matched with adult mentors who help them with a variety of career explorations. The strategy is particularly beneficial, because it provides students with more customized support based on their unique career interests. For example, **Minnesota**'s E-Connect program connects high school students with disabilities to members of the business community to establish a mentoring relationship. Partnering companies and their employees who serve as mentors represent a wide range of careers and offer students the opportunity to learn about the skills necessary for future employment. The mentoring partnership is time-limited and takes place mostly by email. Teachers guide and monitor the process, integrating the mentoring experience into class activities and into career awareness and exploration. Several times during the program, mentors and students meet face to face in structured, school-sponsored visits—one at the business and two at the school.

## Provide Work-Based Experience and Skill Development Opportunities

Once states have helped students with disabilities establish an expectation to work and launch a career, the next step in reinforcing this goal is to provide hands-on work experience. For students with disabilities, work experience during high school is a strong predictor of employment and higher wages after high school.[87] Youth with disabilities who participate in paid or unpaid work experiences during high school acquire jobs with higher wages after they graduate.[88] In addition, youth with disabilities who participate in integrated occupational and special education are more likely to be competitively employed than youth who have not participated in

[86] Rita Landgraf, Secretary, Delaware, Health and Social Services (reported via email to NGA on June 12, 2013).

[87] D.A. Colley and D. Jamison, "Post-School Results for Youth with Disabilities: Key Indicators and Policy Implications," *Career Development for Exceptional Individuals* 21 (1998): 145–160.

[88] Ibid.

such activities.[89,90] Randomized studies show that transitional employment services emphasizing competitive employment can improve employment outcomes in adulthood,[91,92] yet few youth with disabilities participate in such opportunities.

In light of this reality, states have implemented various work experience program models in close collaboration with the business community. States, businesses, and students all benefit from this collaboration, because students' preparation for the workforce aligns closely with business needs. States are implementing several different models and strategies in collaboration with the business community to provide work experiences to students with disabilities:

**Offer a hybrid of classroom and work-based education.** Many states use the Project SEARCH model to provide hands-on work experience to students with intellectual and developmental disabilities, helping them prepare for careers after high school. Project SEARCH students take classes and participate in hands-on work experiences onsite at businesses in the community. For an hour each day youth take classes in job readiness and other skills including team building, technology, communication, interviewing and job search skills, and money management. Students develop an individual career plan and complete 8-10-week internship rotations to prepare them for competitive employment. Staff members at the host business help students learn the core skills that are necessary to be hired in an entry-level position at the business or in the community and layer on additional skills as well. During the last few months of the program even greater focus on job placement occurs as job coaches assist students with applying for and securing competitive employment where they are able to utilize skills gained through Project SEARCH. Most states have five or fewer Project SEARCH sites in their state; seven states have more than ten sites, including **California, Florida, Georgia, Indiana, Ohio, Pennsylvania** and **Virginia**. In **Indiana**, a statewide coordinator provided concentrated technical assistance and training to all Project SEARCH sites in the state, which made it possible to scale up the program from one site to more than 10 sites within about three years.

**Focus on careers in high-tech and science, technology, engineering, and math (STEM) fields.** Six states use the High School/High Tech (HS/HT) model to help students with disabilities explore and gain technical work experience in STEM fields. HS/HT is an initiative of the U.S. Department of Labor's ODEP initiative that currently operates in **Florida, Georgia, New Jersey, Ohio, Oklahoma**, and **South Carolina**. HS/HT is a year-round program that incorporates both career-readiness services and work-based experience to help youth with disabilities consider pursuing technology careers. In Florida HS/HT, students experience a progression of career development activities, including career assessment, site visits, job shadowing, and youth development and leadership activities. The program culminates with a summer internship in a technology-related job; all students complete an internship before they graduate, and some students complete multiple internships.[93] HS/HT emphasizes development of technical or hard skills in the STEM fields, because its goal is to prepare students with disabilities for jobs in those fields. Research indicates that students with disabilities who participated in HS/HT programs had a lower high school dropout rate, a higher postsecondary graduation rate, a highe rate of employment, and increased self-esteem compared to nonparticipants.[94] HS/HT programs include partnerships

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[89] J. Blackorby and M. Wagner, "Longitudinal Postschool Outcomes of Youth with Disabilities," *Exceptional Children* 62 (1996): 399–413.

[90] R. Luecking and E.S. Fabian, "Paid Internships and Employment Success for Youth in Transition," *Career Development for Exceptional Individuals* 23 no. 2 (2000): 205-221.

[91] Stuart Kerachsky and Craig Thornton, "Findings from the STETS Transitional Employment Demonstration," Exceptional Children 53 no. 6 (1987): 515–521.

[92] Paul T. Decker and Craig Thornton, "Long-Term Effects of Transitional Employment Services," Social Security Bulletin 58 no. 4 (1995): 71–81.

[93] Allison Chase presentation during American Youth Policy Forum webinar, "Helping Students with Disabilities Transition to College and Careers," March 25, 2013, http://www.aypf.org/resources/helping-students-with-disabilities-transition-to-college-and-careers.

[94] Sallie Rhodes, "High School/High Tech Program Guide: A Comprehensive Transition Program Promoting Careers in Science, Technology, Engineering and Math for Youth with Disabilities," Washington, D.C.: National Collaborative on Workforce and Disability for

between public and private community stakeholders, including workforce investment boards, vocational rehabilitation agencies, school systems, colleges and universities, disability service providers, employers, and families. Several states use vocational rehabilitation system funding to support their HS/HT programs.

**Prioritize work experience programs for students with learning disabilities**. States can also scale up promising career exploration and work-based experience programs currently found at the local level. For example, Pittsburgh Public Schools in **Pennsylvania** operates the Start on Success program, a three-year systematic transition program for students with learning disabilities. Pittsburgh Public Schools implemented the program with funding and support from the National Organization on Disability, the Three Rivers Workforce Investment Board and the Pennsylvania Office of Vocational Rehabilitation (OVR). OVR assigns dedicated vocational rehabilitation counselors to each participating school; the vocational rehabilitation counselors help program staff provide career exploration and transition services to youth. In the first year, students assess their strengths and weaknesses, establish realistic career goals, and participate in a service learning project with their classmates. In the second year, students participate in a community mentorship opportunity once each week and continue taking classes on work readiness skill development. In the final year of the program, students complete a paid internship where they work each day in addition to the classroom-based training. Students are matched to internships that match their skills, interests, and long-term career goals. Students also receive guidance and support from their supervisors and co-workers at the business.

**Offer time-limited supported employment transition experience and reimburse employers for students' training costs.** For example, **Oklahoma**'s Department of Rehabilitation Services offers a one-semester supported employment opportunity for youth with disabilities as they transition from school to a permanent job.

Students in the second semester of their senior year can spend the semester fully immersed in a job at a local business and receive high school credit for it. Vocational rehabilitation counselors offer intensive support on the job to students and employers to make the work experience successful.[95] The **Wisconsin** Department of Vocational Rehabilitation (DVR) reimburses employers for the costs associated with training a youth in a job up to 100 percent of wages for up to 500 hours to support its statewide commitment to providing job experience opportunities for students with disabilities. Wisconsin offers several programs to help students gain work experience, including Project SEARCH and Let's Get to Work, a pilot program in nine districts. In Let's Get to Work, students with disabilities in each school work with a coach who provides training and assistance on topics such as job development, job support, person-centered planning, and customized employment. Coaches also provide coordinated training on topics that are challenges for all schools.

## Support College and University Students in Their Transition to Work

Students with disabilities are less likely than their typically abled peers to attend college, graduate, and enter the workforce. In 2009, 57 percent of individuals with disabilities were enrolled in postsecondary education.[96] Among college graduates, more than 50 percent of those with disabilities are employed after college compared with nearly 90 percent of college graduates without disabilities.[97] Governors and states can recommend several strategies and tools to vocational rehabilitation agencies and state colleges and universities to provide more effective support to students with disabilities as they move into the workforce:

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Youth, Institute for Educational Leadership, 2007, http://www.ncwd-youth.info/assets/guides/hsht_guide/HS-HT_Guide_2007_complete.pdf.

[95] Oklahoma Department of Rehabilitation Services, "Transition: School-to-Work," http://www.okrehab.org/students/transition.htm.

[96] National Council on Disability, *National Disability Policy: A Progress Report*, Washington, D,C., 2011, http://www.ncd.gov/progress_reports/Oct312011.

[97] R. Nicholas, R. Kauder, K. Krepcio, and D. Baker, Ready and Able: *Addressing Labor Market Needs and Building Productive Careers for People with Disabilities Through Collaborative Approaches* (New Brunswick, NJ: NTAR Leadership Center, Rutgers University, 2011).

**Encourage collaboration between state vocational rehabilitation agencies and state colleges and universities to target career services to students with disabilities.** Although students with disabilities receive strong support while in secondary school as a result of the IDEA program, they rarely receive the same level of support once they enter the higher education system, because this funding stream does not follow students to college. Instead, career-development services for college students are provided through the vocational rehabilitation system, and there is currently limited coordination between the vocational rehabilitation system and colleges and universities.

Although not all college students are clients of vocational rehabilitation agencies, state vocational rehabilitation systems can address this problem by increasing collaboration with colleges and universities to target the services they provide to students. Colleges and universities report some collaboration with state vocational rehabilitation agencies: 26 percent reported a moderate extent of collaboration, and 37 percent reported a minor extent of collaboration.[98] Further, 44 percent of institutions reported providing counseling to their students with disabilities about vocational rehabilitation services.[99] Colleges and universities can provide targeted career services for students with disabilities. Among degree-granting postsecondary institutions, 26 percent reported already providing these targeted services.[100] Although the above statistics indicate that some collaboration is already underway, state vocational rehabilitation agencies can work more closely with state colleges and universities to support college students with disabilities in their career-development activities.

**Coordinate between career services and disability services at state college and universities.** Research has found that another effective way to support college students with disabilities is to increase coordination and collaboration of services between college or university disability services offices and career services offices.[101,102] Disability services offices on college campuses are typically focused on meeting federal requirements regarding accessibility and classroom accommodations for students with disabilities.
Those offices are often unable to provide additional services such as counseling and career services because of resource constraints. Alignment or close working relationships with career and placement services, local employers, or other student service offices is inconsistent.[103]

Researchers have proposed that developing resources and services designed to address the needs of this population may help to increase the rate of college completion, decrease unemployment and reliance on

[98] Kimberley Raue, Laurie Lewis, and Jared Coopersmith, "Students with Disabilities at Degree-Granting Postsecondary Institutions" (Washington, D.C.: U.S. National Center for Education Statistics, 2011), http://nces.ed.gov/pubs2011/2011018.pdf.

[99] Ibid.

[100] Ibid.

[101] M. Friehe, B. Aune, and J. Leuenberger. "Career Services Needs of College Students with Disabilities," *Career Development Quarterly* 44 no. 3 (1996): 289-300.

[102] W.E. Hitchings, et al., "The Career Development Needs of College Students with Learning Disabilities: In Their Own Words," *Learning Disabilities Research & Practice* 16 no. 1 (2001): 8-17.

[103] The National Collaborative on Workforce & Disability for Youth and the Workforce Strategy Center, *Career-Focused Services for Students with Disabilities at Community Colleges*, Report for the U.S. Department of Labor, 2009, http://www.ncwd-youth.info/assets/background/disabilities-and-community-colleges.pdf.

governmental assistance postgraduation, and ultimately improve quality of life for graduates with disabilities.[104,105]

One example in **Tennessee** illustrates both targeted provision of career development services to vocational rehabilitation-eligible university students and strong collaboration between disability services and career services. The Disability Careers Office (DCO) at the University of Tennessee Knoxville has a full-time liaison position between the offices of career services and disability services. Initially funded through a five-year grant from the state, the DCO is now funded through the University of Tennessee. The office serves students who are eligible for services through Tennessee vocational rehabilitation or through disability services at the University. The DCO assists individual college students and alumni with various disabilities by providing career planning and guidance pertaining to specific disability-related issues. These issues include self-advocacy skill development, techniques for potential disability disclosure during the career search process, and methods of requesting reasonable accommodations in the workplace. General career counseling services, including major exploration, resume creation, and interview preparation, are also provided.

**Connect college students with disabilities to internships and job opportunities.** After recognizing the challenge of the disconnect between disability and career services at colleges and universities, nine higher education institutions in **New York** partnered with Career Opportunities for Students with Disabilities (COSD) to identify strategies to develop stronger collaborative relationships among disability services and career services offices at those institutions. The nine institutions participated in a community of practice for one year to share best practices as each campus developed its own collaboration model. As a result of this process, all nine schools reported improved collaborative efforts among their offices of disability services and career services and increased numbers of students with disabilities involved in the career development process.

State vocational rehabilitaiton agencies and colleges and universities can provide additional support to students with disabilities by connecting them with available internship and job opportunities. Again, many programs provide these services to youth while they are in secondary school, but such targeted services often drop off when students enter college. Several relevant examples of current programs are provided by nonprofit organizations. For example, INCIGHT is a nonprofit organization in Portland, **Oregon**, that created an online employment center for both youth with disabilities and interested businesses to connect both parties. College students with disabilities can search for available internships and volunteer opportunities available in the Portland community.[106] COSD provides two other valuable ways for college students with disabilities to connect with businesses. First is a nationwide Career Gateway, which serves as an online job posting and student resume database for college students and recent graduates with disabilities. Career Gateway provides a central point at which employers can find candidates with disabilities for full-time and internship positions. COSD further connects businesses to college students and recent graduates with disabilities through its FULL ACCESS Student Summits—educational and networking events that bring together college students with disabilities and large national employers to begin to understand and value one another.

## Make the Best Use of Limited Resources

Governors can act to capture and make the best use of additional resources by directing agency heads to continuously review opportunities for federal support and the possibility of partnerships with federal agencies and the private and nonprofit sectors.

### Capitalize on the Numerous Federal Programs

More than 45 federal programs support employment for people with disabilities, according to the U.S.

[104] W.E. Hitchings, et al., "The Career Development Needs of College Students with Learning Disabilities," 16.

[105] S.C. Helm, "Career Development and Employment Concerns of Employment-Seeking Students with Psychiatric Disabilities" (PhD diss., University of Tennessee, 2012).

[106] Incight.org, "Resources for Self-empowerment," http://www.incight.org.

Government Accountability Office. For the most part, the federal Departments of Education, Health and Human Services, and Department of Labor administer those programs. Although states cannot easily change federal policies, states they can make the best use of federal resources by streamlining and coordinating them to meet state goals.

**Consider how disability benefits interact with the changes that result from the Affordable Care Act (ACA) and resources from the U.S. Department of Health and Human Services (HHS).** The provisions in the law affect people with disabilities, and states can use resources available through the new law, such as Provision 1915(i), the Community Choice First Option, and the Balancing Incentive Program.

HHS's Administration on Community Living (ACL) was created in 2012 to merge several offices serving people with disabilities, including the Administration on Aging, the Administration on Intellectual and Developmental Disabilities, and the HHS Office on Disability, under one federal agency with the mission of helping people with disabilities to be more independent and improving their well-being and health.[107] The ACL oversees programs such as those the ACA creates that provide resources relevant to employing people with disabilities—for example:

- Provision 1915(i), known as Home and Community-Based Services, offers states the flexibility to design and tailor Medicaid services to accommodate the needs of individuals in the community before they need nursing home–level care.
- The Community Choice First Option supports states' efforts to serve as many people with disabilities as possible in their communities instead of in health care facilities.[108] For example, **California's** Community First Choice Option program will enhance the state's Medicaid program's ability to provide community-based personal attendant services and support to seniors and people with disabilities to certain enrollees who otherwise would need institutional care. By participating, California will receive a 6 percent increase in its federal medical assistance percentage for funds spent on those services.[109]

The Medicaid program is another significant resource for states. States like **Georgia, Iowa, Maryland, Mississippi, Missouri,** and **New Hampshire** are using the Balancing Incentive Program, which authorizes grants to states to increase access to noninstitutional long-term services and support. The program is designed to help states transform their long-term care systems by lowering costs through improved systems performance and efficiency, creating tools to help consumers with care planning and assessment, and improving quality measurement and oversight. The Balancing Incentive Program requires states to implement structural changes, including a no-wrong-door/single-entry-point system, conflict-free case management services, and core standardized assessment instruments. To participate in the program, a state must meet certain requirements, such as less than 50 percent of total Medicaid spending on noninstitutionally based support.[110] A list of upcoming funding opportunities for states is available on ACA's website.[111]

**Use research and evidence-based practice data collected by the U.S. Department of Education's Office of Special Education and Rehabilitation Services (OSERS).** Governors may also want to encourage state agencies to use the research and evidence based practices housed at OSERS. For example, **Virginia** conducts return on investment studies through a grant from OSERS' National Institute on Disability and Rehabilitation Research

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[107] ACL.gov, "Administration for Community Living," http://www.acl.gov/About_ACL/Index.aspx.

[108] U.S. Department of Health and Human Services, "HHS Announces New Affordable Care Act Options for Community-Based Care," Press Release, April 26, 2012, http://www.hhs.gov/news/press/2012pres/04/20120426a.html.

[109] "California Receives First-in-the-Nation Approval of New Community-Based Care Option for At-Risk Seniors and Persons with Disabilities," *East County Magazine* (2012), http://www.cdss.ca.gov/agedblinddisabled/res/CFCO-PressRelease.pdf.

[110] Center for Medicaid and CHIP Services website, "Balancing Incentive Program," http://www.medicaid.gov/Medicaid-CHIP-Program-Information/By-Topics/Long-Term-Services-and-Support/Balancing/Balancing-Incentive-Program.html.

[111] Office of Special Education and Rehabilitation Services, "What's New in OSERs," https://www2.ed.gov/about/offices/list/osers/news.html.

(NIDRR). In addition to producing five-year return on investment estimates for each agency, research is being conducted to better understand what types of vocational rehabilitation services produce lasting employment and increased earnings for people with disabilities.[112] OSERS provides grants to multiple institutions across the country, and states can partner with grantees to advance state efforts and make the best use of scarce resources.

OSERS offered examples of initiatives that have shown promise in supporting transition for youth:

- **Parent training initiatives.** These initiatives focus on giving parents the tools they need to support their students through the transition to work.[113] For example, the **Wisconsin** Department of Public Instruction offers weekend sessions to learn about working with statewide systems and other educational issues related to students with disabilities.[114]
- **The presence of vocational rehabilitation staff in high schools.** The earlier staff can meet with students and their counselors, the more likely students are to access employment support during the transition from school to work.
- **The SWIFT Initiative.** The School Wide Integration Framework for Transformation is a grant focused on combining resources within a school. OSERS will provide technical assistance to four state education agencies to adopt practices that bring together various federal funding such as Title 1, English as a Second Language, and special education to support evidence-based practices for students with disabilities (e.g., getting and using data, setting goals, ensuring accountability).[115]

In addition to research and practices, OSERS administers discretionary grants to states, including the Promoting Readiness of Minors in Supplemental Security Income grants.[116] The grants offer competitive funds to between three and six states to support cross-agency effort for improving outcomes for kids on SSI, including youth with disabilities. Grant opportunities from OSERS are listed at http://www.ed.gov/fund/grants-apply.html.

Another important way that governors can make greater use of OSERS' resources is to ensure that their vocational rehabilitation agencies are fully matching the federal funding from the RSA, which is an approximately 20 percent–state-funding-to-80 percent–federal-funding match. Many states are not fully matched, thus foregoing federal funding available to support vocational rehabilitation for people with disabilities. A match calculator is available at http://rsa.ed.gov/calculate_match_funds.cfm.

**Connect to technical assistance for states about employment for people with disabilities at the U.S. Department of Labor's Office of Disability Employment Policy (ODEP).** In keeping with the notion that employing people with disabilities should be part of broader state workforce strategies, the U.S. Department of Labor's ODEP recommends that states adopt the Employment First approach, under which community-based, integrated employment at the greater of minimum or prevailing wage is the first option for employment or day services for youth and adults with significant disabilities.

ODEP offers resources for states to do so, including the Employment First State Leadership Mentoring Program awarded to three "protégé" states (**Iowa, Oregon, Tennessee**) and one mentoring state team, **Washington** (find details about the state programs on page 12 and the ODEP website[117]).

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[112] Kathryn Hayfield, Virginia (as reported during the NGA Institute on Employing People with Disabilities, Pittsburgh, Pennsylvania, May 10, 2013).

[113] Parent Training Technical Assistance Center Network website, http://www.taalliance.org/ptidirectory.

[114] Wisconsin Department of Public Instruction, "Wisconsin Statewide Parent-Educator Initiative Training Opportunities for Parents or Educators," http://sped.dpi.wi.gov/sped_par_traing.

[115] Swift Center website, http://www.swiftschools.org.

[116] Ed.gov, "What's New in OSERS," https://www2.ed.gov/about/offices/list/osers/news.html.

[117] Employment First Leadership Mentor Program, http://www.dol.gov/odep/media/newsroom/employmentfirststates.htm.

ODEP is capturing the lessons learned and best practices for facilitating the full on inclusion of people with significant disabilities in the workplace and community through policy and funding alignment in those states over the life of the grants to be shared with other states.

Meanwhile, all states are encouraged to participate in the community of practice, which offers monthly webinars; free technical assistance and training opportunities; an ePolicyWorks virtual policy workspace in which states can share policy implementation tools such as state executive orders, state legislation and provisions in appropriations, and memoranda of understanding among agencies and providers; modifications to rate and reimbursement models; and new service definitions and requirements in Medicaid waiver renewals. ODEP offers all of this and more at its website, including an Integrated Employment Toolkit.

ODEP encourages states to use the technical assistance resources to help develop and influence disability employment–related policies and practices (see Appendix 1). Governors can also review existing resources available to support employment for people with disabilities (see Appendix 2).

## Connect to Private-Sector and Philanthropic Resources

Governors may want to connect with the private and philanthropic sectors to complement the ongoing funding streams and policy efforts of the public sector. States should consider three elements of nongovernmental funding:

**Foundations—both community and corporate—are expressing interest in employing people with disabilities and forming public–private partnerships with states and other governments.** For example, more than 50 interested stakeholders from the funding community participated in a national summit to talk about prioritizing disability employment efforts. The summit, Building a More Inclusive Workforce, was convened through a broad partnership of public and private stakeholders, including Governor Markell and the Senate Health, Education, Labor, and Pensions Committee, the USBLN, the Council on Foundations, and the Chicago Community Trust (CCT). A bipartisan panel, represented by Representative Kathy McMorris Rogers (Washington) and Senator Tom Harkin (Iowa), kicked off the event.

A wide array of foundations attended the meeting, including the Disability Funders Network, which is a go-to resource for funding disability employment efforts, as well as several foundations that do not focus exclusively on disability, such as the NEA Foundation, the Spencer Foundation, and Catholic Human Services Foundation. Corporate foundations have two roles in advancing employment for people with disabilities: as funders and as employers who can demonstrate the practices. Several corporations attended the summit, including the Bank of America Foundation, the CIGNA Foundation, IBM, the Marriott Foundation, the Mitsubishi Electric America Foundation, and the Wal-Mart Foundation. States and businesses can partner with those interested funders to accelerate current programs and add new innovations to advance disability employment efforts.

**Community or corporate foundation resources can facilitate experimental projects.** They can fund short-term pilots to try new innovations, for example, or fund (e.g., white papers and scopes of need) and conduct evaluations. The CCT is a good example. In 2012, to commemorate the 20th anniversary of the ADA, CCT launched the Persons with Disabilities Fund to promote the development of programs, policy, and public relation action to expand the participation of people with disabilities in Chicago communities. To date, the initiative has funded a call to action for **Illinois'** leaders, including recommendations to state policymakers.[118]

Another partnership example is called 21 and Able, among **Pennsylvania**'s Allegheny County, United Way of Allegheny County, and several foundations. Recognizing the tough transition faced by youth with disabilities in

[118] Karen Tamley et al., "A Quest for Equality: Breaking the Barriers for People with Disabilities" (Chicago: Chicago Community Trust, 2010), http://www.cct.org/impact/partnerships-initiatives/strengthening-communities/persons-with-disabilities/quest-for-equality.

the special education system when they turn 21, the partnership focuses on employment services for these youth. Working collaboratively with county and state leadership, 21 and Able is developing and testing innovative pilot projects to connect youth with disabilities with work experience and paying jobs while still in high school, which are crucial to securing and retaining employment after high school. In addition, 21 and Able educates the public and local, state, and federal policymakers for systems change that will: 1) ensure a successful transition for youth graduating from the special education system to adult systems of services and support; and 2) ensure that youth with disabilities receive services and support in home and community settings.[119]

### Foundation Resources

| CAN do: | CAN'T do: |
|---|---|
| Neutral convener; can educate stakeholders across sectors | Fill in the gaps or substitute for cuts in government funding |
| Well-connected/source of information and advice | Limited funds; can rarely provide long-term, ongoing support |
| Financial leverage to change systems | Support specific legislation |
| Study new ideas (white paper, scope of need) | Support political campaigns |
| Pilot new models | |
| Evaluation/dissemination | |
| Public–private partnerships | |

*Source: Kristy Trautmann, FISA Foundation*

**Foundations can act as a neutral convener and foster public–private partnerships across sectors in a community.** An outstanding example is the National Business and Disability Council (NBDC), which is the outgrowth of an initiative founded by Booz Allen Hamilton called Emerging Leaders in 2001, profiled in *Ready and Able*.[120] NBDC represents a coalition of major private- and public-sector employers nationwide who carry on the Emerging Leaders model, which places young people with disabilities in paid internships at world-class companies. The program complements the work experience component with work-related training and strategies for effectively managing disabilities in the workplace. The program has placed more than 100 interns with disabilities since 2001, and more than 90 percent of respondents to NBDC's alumni survey are still employed. A full 100 percent of the corporate sponsors reported that the intern had "a very successful job experience," and all reported that they would consider hiring their intern if they had a future vacancy. A list of all regional associations in the United States is available at http://www.givingforum.org/s_forum/sec.asp?CID=575&DID=2625.

## Take Advantage of the Disability Experts and Their Efforts in Your State

Many stakeholder groups throughout the nation are engaged in the same types of activities as state agencies to advance employment opportunities for people with disabilities, such as recruitment, assessment, services, outreach, and awareness campaigns. States that get to know those various stakeholders can leverage their

[119] Kristy Trautmann, FISA Foundation (presentation during the NGA Institute on Employing People with Disabilities Pittsburgh, Pennsylvania, May 11, 2013).

[120] Robert Nicholas, "Ready and Able," http://www.dol.gov/odep/categories/workforce/readyable/readyable.pdf.

activities to ensure that state efforts are aligned rather than competing with or duplicating nonstate efforts underway, such as:

**The advocacy community.** Advocacy groups often consist of the most expert stakeholders in any given state: people living with disabilities. Many advocacy organizations exist in local communities and states, and many national advocacy organizations have affiliates in every state and are actively involved in advancing employment opportunities for people with disabilities. Advocacy organizations can be part of consortiums of organizations and public–private partnerships, for example. States can leverage those efforts to further employment goals. For example, AAPD sponsors Disability Mentoring Day on the third Wednesday in October every year. The program is held in hundreds of locations across the country. It connects thousands of students and job seekers with disabilities to businesses and employers of all types to promote networking and career development through hands-on programs, job shadowing, and ongoing mentoring.[121]

**The research community and other experts.** States looking to advance employment opportunities have the benefit of several cutting-edge research institutions that are working with states and employers to support the EPB ideas that work. For example, the University of Colorado's Coleman Institute for Cognitive Disabilities collects a variety of data across all states related to people with disabilities, including state-by-state longitudinal data profiles on individuals living with intellectual and developmental disabilities for FY 1977–2011.[122]

Cornell University runs an Employment and Disability Institute funded by ODEP to increase employment and workplace inclusion for people with disabilities. Cornell conducts research and contributes to reports on the topic but also runs a TA Center for employers at AskEarn.org (introduced on page 15). AskEarn offers employers one-on-one consultations, customized training, toll-free telephone assistance, online answers, recruitment information, and webinars and information about issues related to recruiting, hiring, and promoting individuals with disabilities, including providing linkages to state and local community-based organizations serving job seekers with disabilities.[123]

Every state has a University Center of Excellence in Developmental Disabilities (UCEDD), which is part of the Association of University Centers on Disabilities.[124] In many states, the UCEDD is a resource for the disability employment efforts of the state. A good example is the Institute for Community Inclusion (ICI) at the University of **Massachusetts** Boston, which is a leader not only in Massachusetts but also nationally and internationally, as well. ICI projects and programs involve local, state, and national agencies; schools; institutes of higher education; national service programs; rehabilitation providers; multicultural organizations; employers; and many others.[125]

**Private-sector stakeholders.** Other private-sector stakeholders are working to advance disability employment in partnership with states. USBLN is one of the best resources for states that want to connect to businesses interested in hiring people with disabilities. In fact, during the NGA Institute on A Better Bottom Line: Employing People with Disabilities in May 2013, a representative from Nordstrom told state policymakers that USBLN is their key resource for connecting **Washington**'s resources that support employing people with disabilities across all areas of the company, from the retail division to the marketing department to the models they hire.[126] USBLN relies on strategic partnerships with government agencies, including states, to support successful job

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[121] The American Association of People with Disabilities, "Workplace and Employment," http://www.aapd.com/what-we-do/employment.

[122] University of Colorado, "State of the States in Developmental Disabilities," http://www.stateofthestates.org/index.php/intellectualdevelopmental-disabilities/state-profiles.

[123] Askearn.org, Employer Assistance & Resource Network: A Service of the National Employer Technical Assistance Center, http://askearn.org.

[124] Association of University Centers on Disabilities, http://www.aucd.org/template/index.cfm.

[125] Institute for Community Inclusion, http://www.communityinclusion.org/project.php?project_id=35.

[126] Colleen Fukui-Sketchley, Corporate Center Diversity Affairs Director, Nordstrom, "Lessons Learned from Business" (as reported during the NGA Institute on Employing People with Disabilities in Seattle, Washington, May 22, 2013).

matches with its 5,000 member companies.[127]

Manpower Group, an employment services firm, is another example of a private-sector stakeholder working with states to advance disability employment goals. In 2010, Manpower launched a disability employment initiative called Project Ability. Initially, Project Ability was launched in **California** in partnership with community organizations and the California State Department of Rehabilitation. Manpower's Project Ability program is now nationwide and has already enlisted several companies to commit to hiring individuals with disabilities, including Abbott and SVTC Technologies.[128]

[127] U.S. Business Leadership Network: Disability at Work, http://www.usbln.org/index.html.

[128] Manpower Group, "Manpower Launches Project Ability to Find Employment for People with Disabilities," Press Release, June 15, 2010, http://press.manpower.com/press/2010/project-ability.

## Conclusion

The 2013 NGA Chair's Initiative set an early goal to raise awareness among governors and state policymakers about the opportunities for businesses, individuals, and governments to benefit from advancing employment opportunities for people with disabilities. Before the yearlong initiative was completed, it was clear that governors across regions and parties were interested in the topic. Moreover, businesses of all industries and sizes expressed willingness to hire people with disabilities. This blueprint suggests five areas for state policymakers to consider for advancing those opportunities:

- Move disability employment efforts from the margins into the broader state workforce strategies.
- Find and support businesses in their efforts to employ people with disabilities, from recruitment and hiring through retention and advancement.
- Be model employers of people with disabilities.
- Prepare youth with disabilities for careers that will use their full potential, providing employers with a pipeline of skilled workers.
- Make the best use of a variety of resources to advance employment opportunities for people with disabilities.

Businesses of all types in all states as well as individuals with a variety of disabilities who engaged with the NGA Chair's Initiative attest to this underlying principle: Focus on the ability—not the disability—and focus on the bottom line to business, government, and individuals.

## Appendix 1

ODEP encourages states to use the technical assistance resources they offer, which are designed to help develop and influence disability employment–related policies and practices.

Job Accommodation Network. Leading source of free, expert, and confidential guidance on workplace accommodations and disability employment issues

National Employer Technical Assistance Center. Collaborative that researches, influences, and develops inclusive employer practices and policies and, through the Employer Assistance and Resource Network, helps employers hire and retain workers with disabilities

National Collaborative on Workforce and Disability for Youth. Partnership to promote success for youth with disabilities entering the world of work

National Center on Leadership for the Employment and Economic Advancement of People with Disabilities. Collaborative of disability, workforce, and economic empowerment organizations dedicated to advancing sustainable individual and systems-level change to improve competitive, integrated employment and economic self-sufficiency for adults across the spectrum of disabilities

## Appendix 2

**Social Security Work Incentives.** Special rules make it possible for people with disabilities receiving Social Security or SSI to work and still receive monthly payments as well as Medicare or Medicaid. Social Security calls these rules *work incentives.* Information is available at http://www.socialsecurity.gov/disabilityresearch/wi/generalinfo.htm.

**Ticket to Work program.** A free and voluntary program available to people 18–64 years of age who are blind or have a disability and who receive SSDI or SSI benefits. Information is available at http://www.ssa.gov/work/overview.html#a0=0.

**Individual development accounts.** These accounts allow low-income citizens, including people with disabilities, to deposit earnings from work into an approved account that will not count against the income or resources that figure into the SSI benefit. Information is available at http://www.socialsecurity.gov/ssi/spotlights/spot-individual-development.htm.

**Work Opportunity Tax Credit.** This credit is available to employers for hiring certain target groups the U.S. Department of Labor has identified, including people with disabilities. Information is available at http://www.doleta.gov/business/incentives/opptax.

**ADA Disability Access Credit.** This credit is available to small businesses for hiring people with disabilities. Information is available at http://askjan.org/media/tax.html.

**Workforce Investment Act (WIA) Youth Programs.** These programs offer resources for youths between 14 and 21 years of age who are low income and have one or more of the identified barriers, including disabilities. Information is available at http://wdr.doleta.gov/directives/attach/TEN/ten_46-11att.pdf.

WIA Intensive and Training Services. These services offer resources for low income adults and dislocated workers, including workers with disabilities. Information is available at http://www.doleta.gov/programs/general_info.cfm.

**Earned Income Tax Credit.** This benefit is for working people who have low to moderate income, including people with disabilities. Information is available at http://www.irs.gov/Individuals/EITC,-Earned-Income-Tax-Credit,-Questions-and-Answers.

## NGA CENTER DIVISIONS

The NGA Center is organized into five divisions with some collaborative projects across all divisions. The NGA Center provides information, research, policy analysis, technical assistance and resource development for governors and their staff across a range of policy issues.

- Economic, Human Services & Workforce covers economic development and innovation, workforce development focused on industry-based strategies; pathways to employment and populations with special needs; and human services for children, youth, low-income families and people with disabilities.

- Education focuses on helping governors develop effective policy and support its implementation in the areas of early education, readiness, and quality; the Common Core State Standards, Science Technology Engineering and Math, and related assessments; teacher and leader effectiveness; competency-based learning; charter schools; data and accountability; and postsecondary (higher education and workforce training) access, success, productivity, accountability, and affordability. The division also works on policy issues related to bridging the system divides among the early childhood, K-12, postsecondary and workforce systems.

- Environment, Energy & Transportation focuses on several issues, including improving energy efficiency, enhancing the use of both traditional and alternative fuels for electricity and transportation, developing a modern electricity grid, expanding economic development opportunities in the energy sector, protecting and cleaning up the environment, exploring innovative financing mechanisms for energy and infrastructure, and developing a transportation system that safely and efficiently moves people and goods.

- Health covers issues in the areas of health care service delivery and reform, including payment reform, health workforce planning, quality improvement, and public health and behavioral health integration within the medical delivery system. Other focus areas include Medicaid cost containment, state employee and retiree health benefits, maternal and child health, prescription drug abuse prevention, and health insurance exchange planning.

- Homeland Security & Public Safety focuses on emerging policy trends across a range of homeland security and public safety issues. Current issues include cybersecurity, prescription drug abuse, public safety broadband, sentencing and corrections reform, homeland security grant reform, justice information-sharing, and public health preparedness.

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# AGENDA ITEM 7

# DRAFT

# Employment Data Dashboard

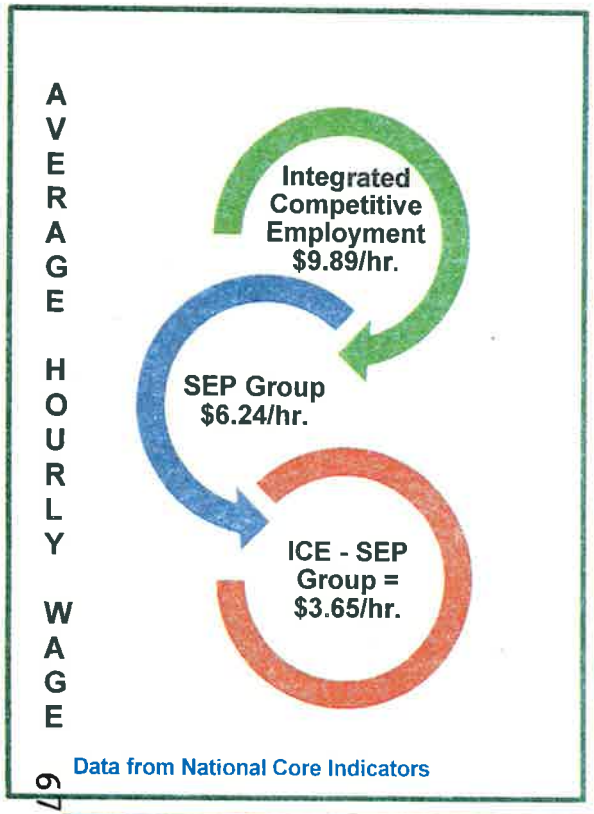
The CECY Data Nerds workgroup has been developing a draft for the "data dashboard" which will be hosted on the SCDD website. The Dashboard is intended to be the go-to place for anyone to find out how California is doing to support people with IDD to work in regular jobs with regular pay.

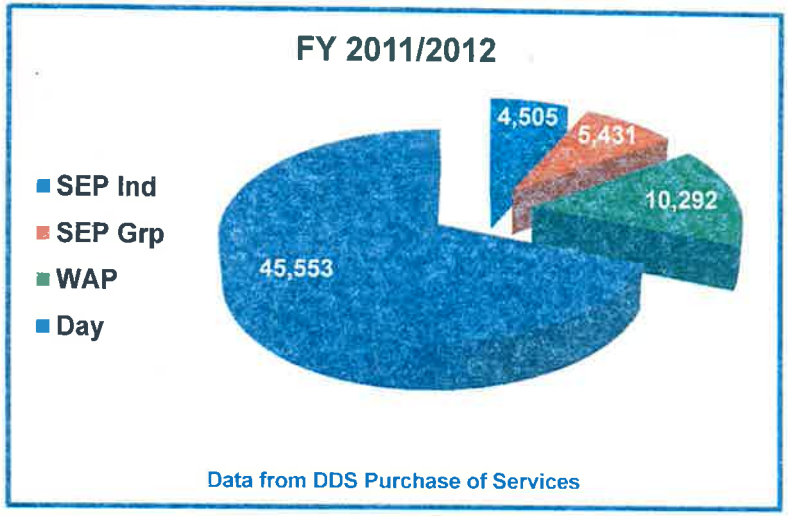
The Dashboard will have a front page with key indicators of success, such as how many people are employed and how much they make. Then people will be able to click on those images to get more detailed data on back pages.

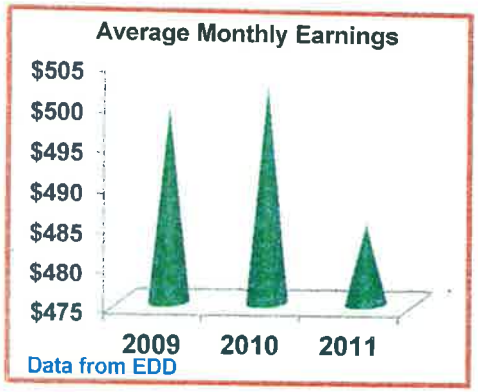
The current draft of the front page and some back pages are attached.

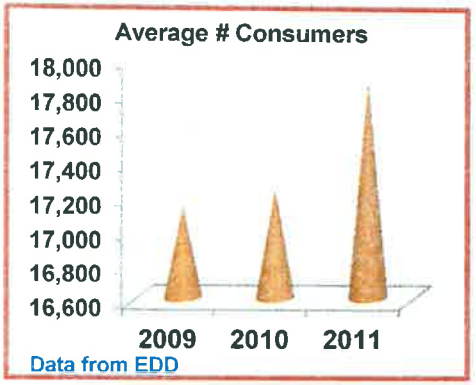
The EFC will discuss the effectiveness of this presentation and make recommendations to the data workgroup.

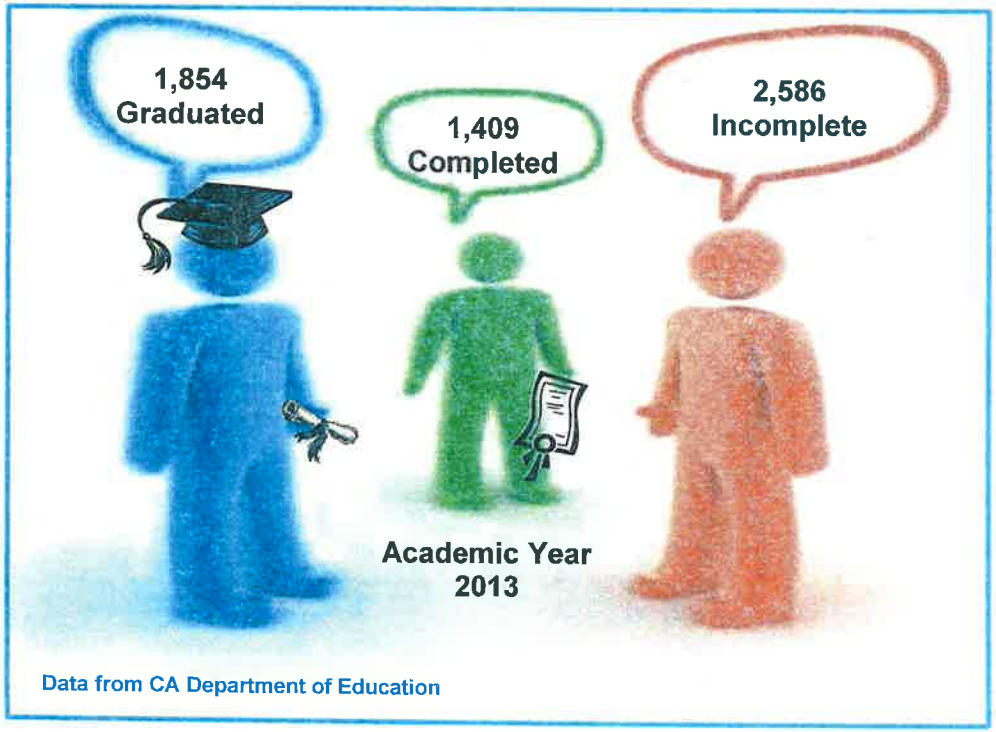
# State of California Developmental Disability System Employment Data Dashboard

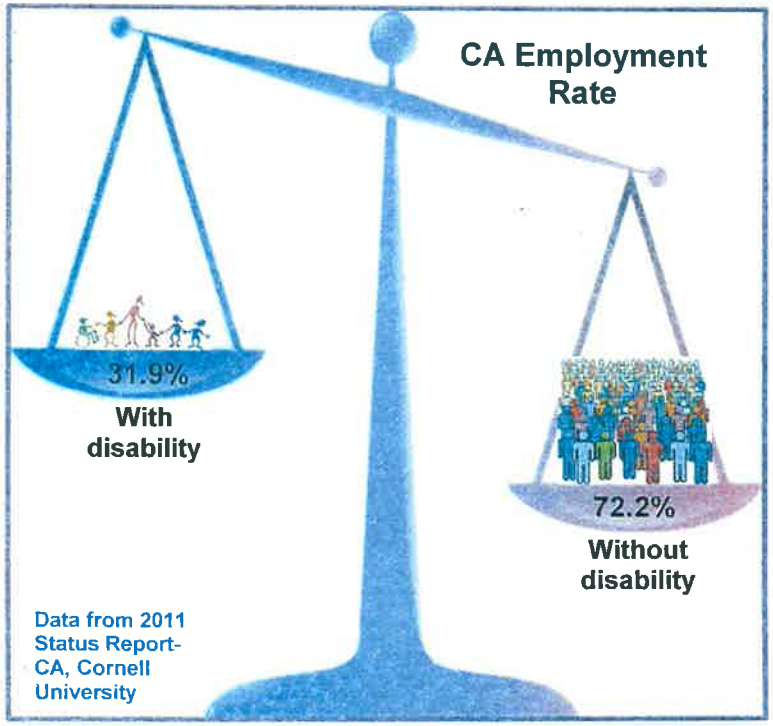


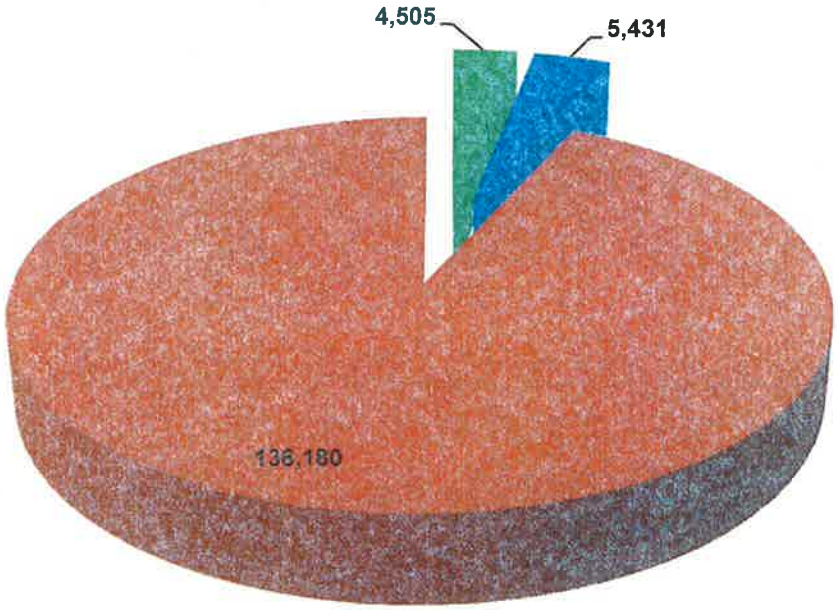



# National Core Indicators
# Fiscal Year 2011/2012

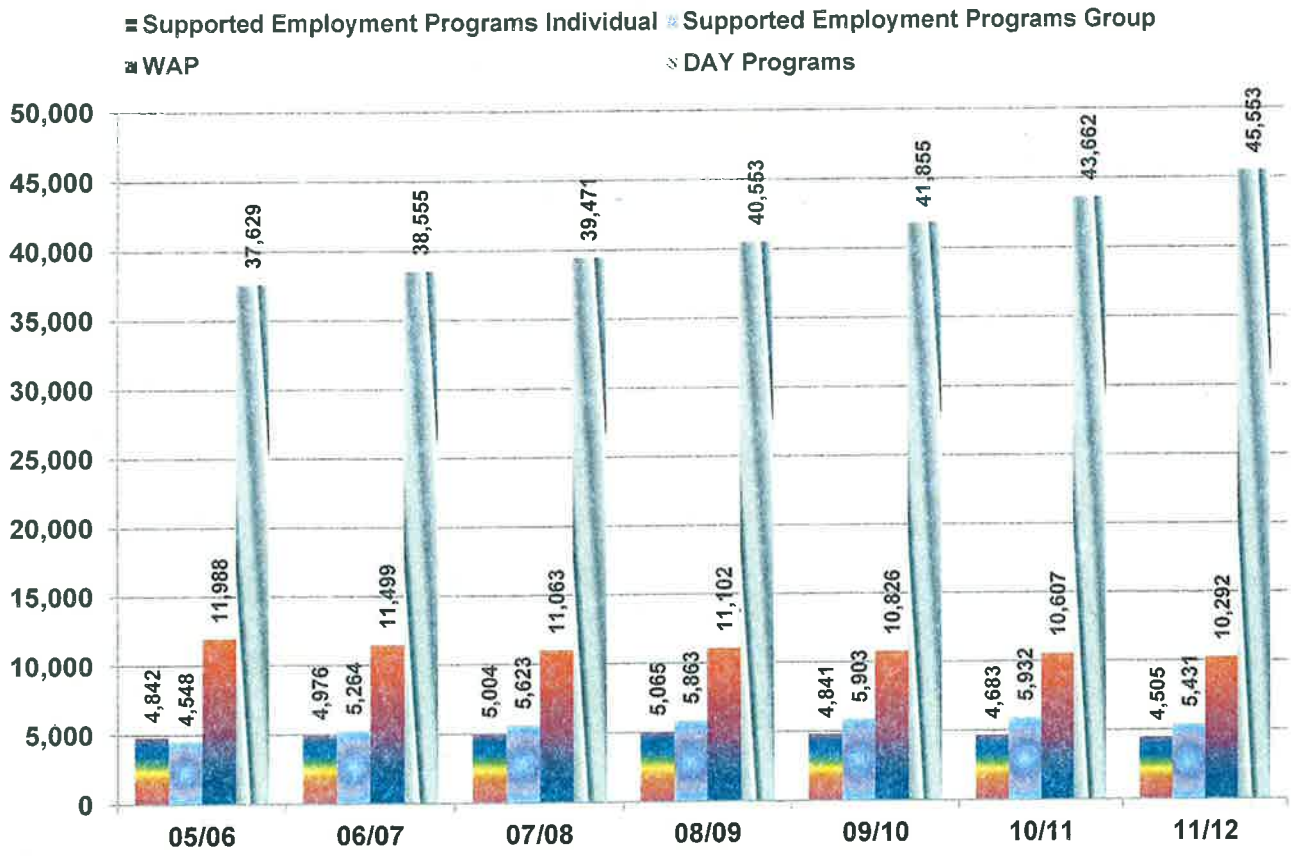
| Integrated Competitive Employment $9.89/hr. | Supported Employment Programs Group $6.24/hr. | Other Consumers $?/hr. |
|---|---|---|
| 4,505 | 5,431 | 136,180 |




The data is from the National Core Indicators Survey 2011/2012.

# Number of Regional Center Consumers Receiving Services: Statewide

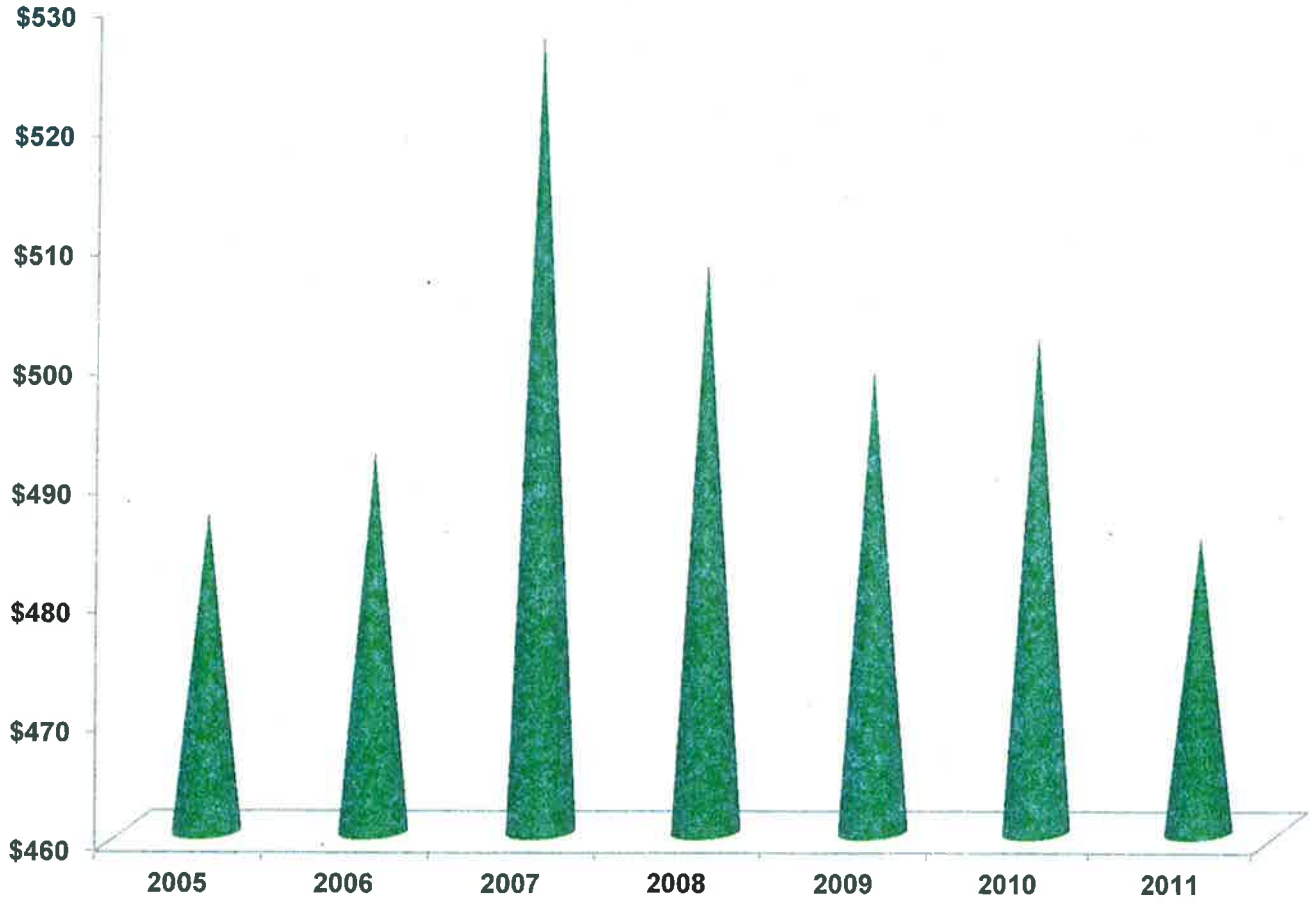
| Fiscal Year | Supported Employment Programs Individual | Supported Employment Programs Group | WAP | DAY Programs |
|---|---|---|---|---|
| 05/06 | 4,842 | 4,548 | 11,988 | 37,629 |
| 06/07 | 4,976 | 5,264 | 11,499 | 38,555 |
| 07/08 | 5,004 | 5,623 | 11,063 | 39,471 |
| 08/09 | 5,065 | 5,863 | 11,102 | 40,553 |
| 09/10 | 4,841 | 5,903 | 10,826 | 41,855 |
| 10/11 | 4,683 | 5,932 | 10,607 | 43,662 |
| 11/12 | 4,505 | 5,431 | 10,292 | 45,553 |




Data from DDS Purchase of Service (POS) system Hab Transition with Synthetic Waiver FY 05/06-11/12

# Average Monthly Earnings

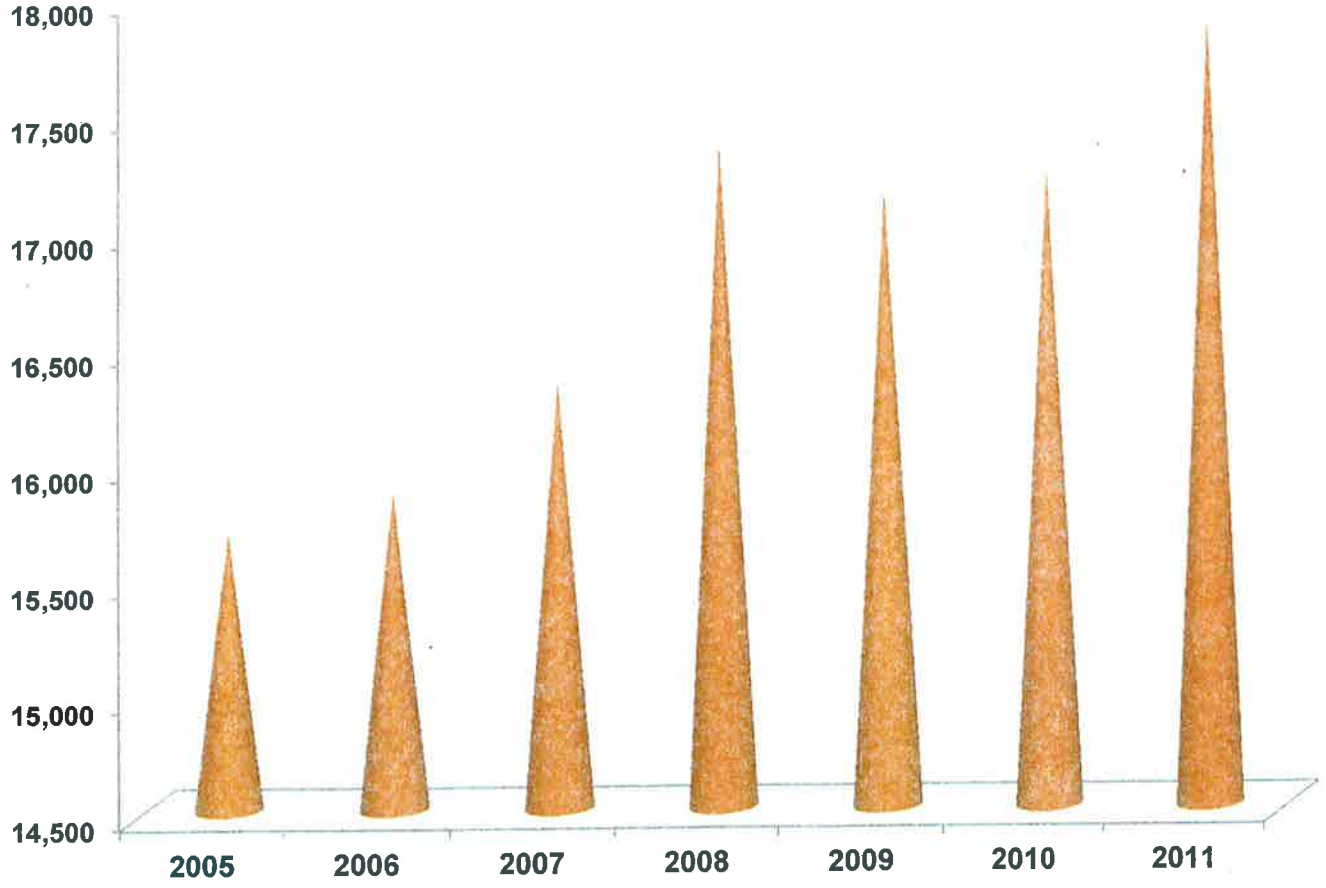
| Year | Average Monthly Consumer Wages |
|---|---|
| 2005 | $487 |
| 2006 | $492 |
| 2007 | $527 |
| 2008 | $508 |
| 2009 | $499 |
| 2010 | $502 |
| 2011 | $485 |




The data is from Employment Development Department (EDD). CA EDD data reflects the average annual wages reported to EDD for the purpose of Unemployment Insurance reporting, a limitation of the data as some people have contract earnings that are unreported.

# Number of Consumers

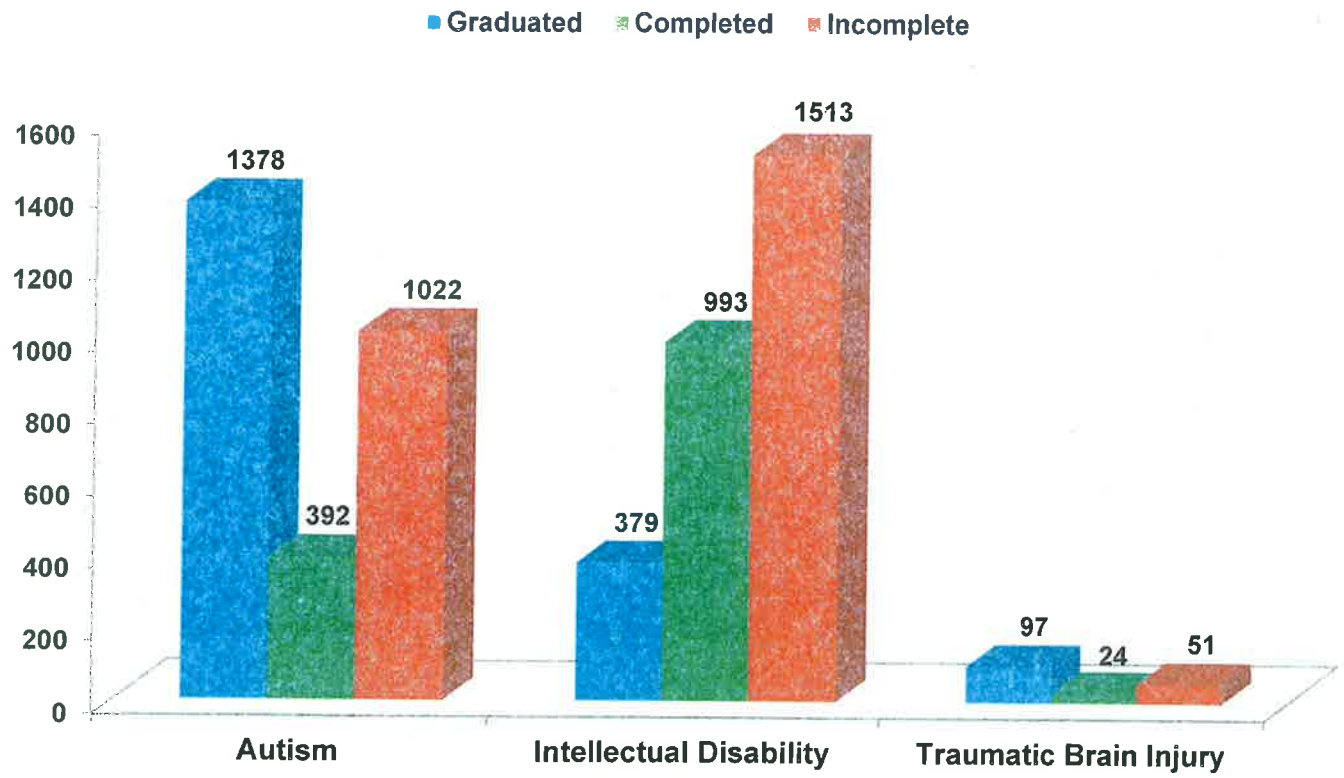
| Year | Average Number of Consumers Receiving Wages |
|---|---|
| 2005 | 15,687 |
| 2006 | 15,864 |
| 2007 | 16,335 |
| 2008 | 17,346 |
| 2009 | 17,142 |
| 2010 | 17,242 |
| 2011 | 17,870 |




The data is from Employment Development Department (EDD). CA EDD data reflects the average number of consumers reporting to EDD for the purpose of Unemployment Insurance, a limitation of the data as some people have contract earnings that are unreported.

# California Department of Education

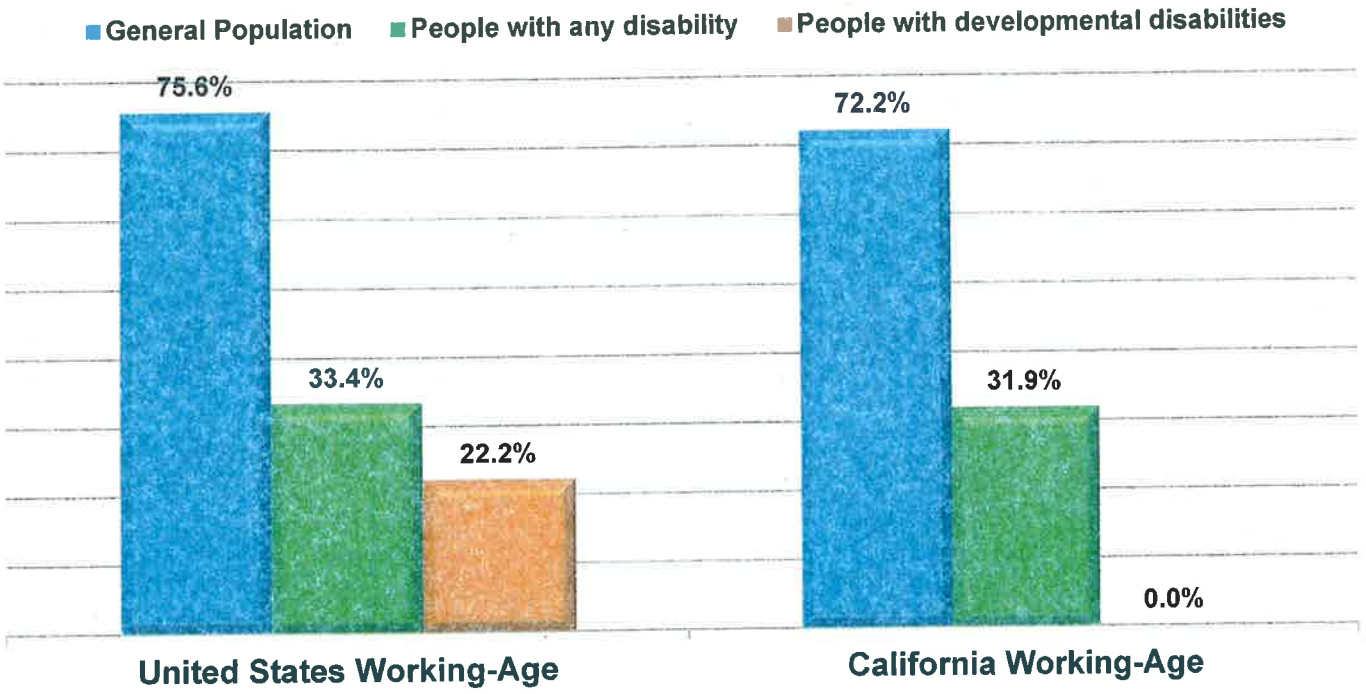
| 2012 - 2013 Academic Year | Autism | Intellectual Disability | Traumatic Brain Injury | Totals |
|---|---|---|---|---|
| Grad. high school with regular diploma | 1126 | 203 | 69 | 1398 |
| Received high school completion (GED) | 6 | 12 | 0 | 18 |
| Grad. High school with diploma using exemption | 188 | 133 | 21 | 342 |
| Grad. High school with a diploma using wavier | 58 | 31 | 7 | 96 |
| ***Subtotal*** | ***1378*** | ***379*** | ***97*** | ***1854*** |
| Grad. high school with certificate of completion | 392 | 993 | 24 | 1409 |
| ***Subtotal*** | ***392*** | ***993*** | ***24*** | ***1409*** |
| Reached maximum age | 366 | 987 | 16 | 1369 |
| Dropped out | 294 | 300 | 24 | 618 |
| Parent/self withdrawal if over 18 | 362 | 226 | 11 | 599 |
| ***Subtotal*** | ***1022*** | ***1513*** | ***51*** | ***2586*** |
| **Totals** | 2792 | 2885 | 172 | 5849 |




The data is from California Department of Education as of June 30, 2013.

# Comparison of California Employment Rates to the United States Rates

**Please see footnotes for Working-Age




[1]The data is from the 2011 Disability Status Report, United States, by Cornell University, based on analysis of the US Census Bureau's, American Community Survey (ACS), page 8. The data reflects non-institutionalized working-age people (21-64) with disabilities who work full-time/full year in the United States. The six types of disabilities included in the data are: sensory, physical, mental, self-care, go-outside-home, and employment.

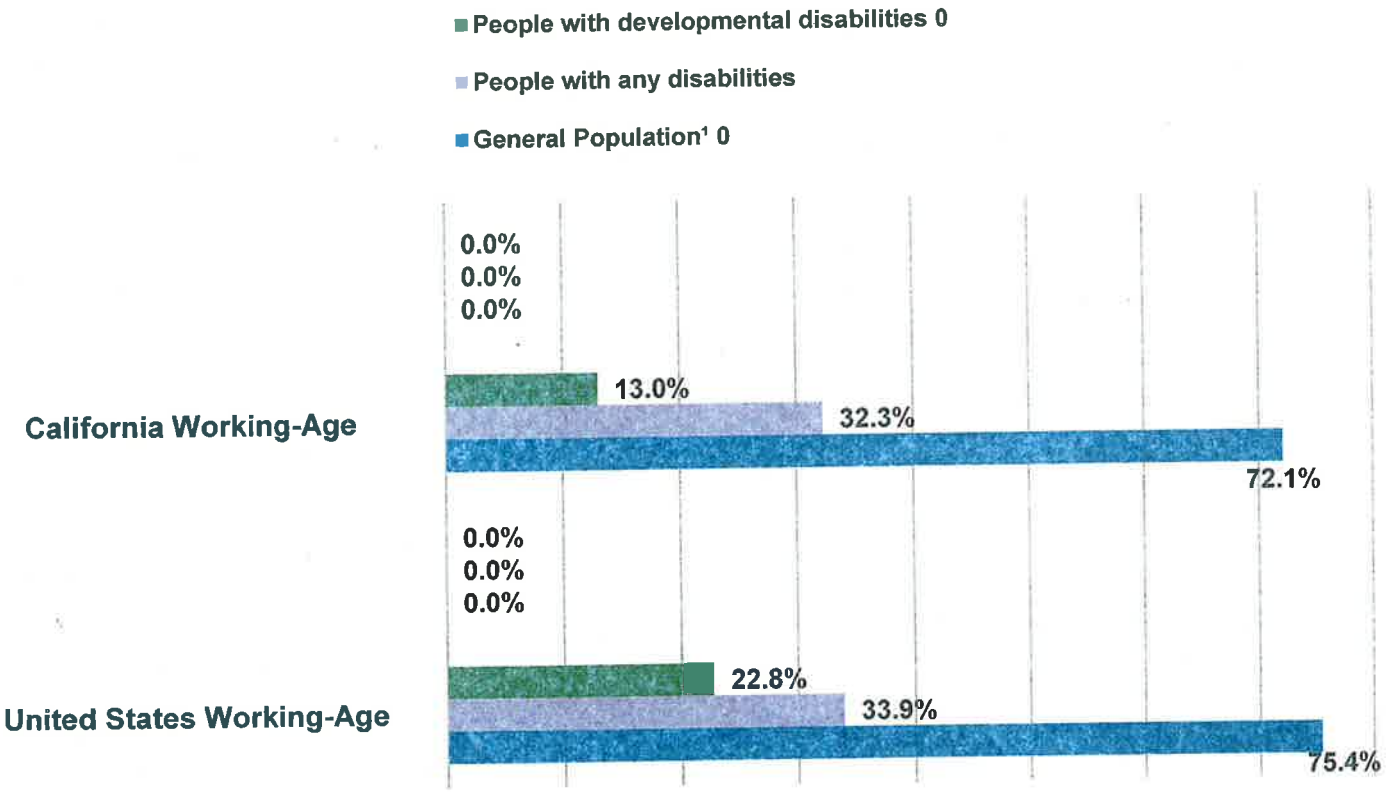
[2]The data is from National Population Statistics, page 57, Table 2 (**22.2%**). Employment Participation for Working-Age People (Ages 16 to 64), State Data: The National Report on Employment Services and Outcomes 2012 published by the Institute for Community Inclusion, UMASS. The data reflects individuals with cognitive disability employed in the United States.

[3]The data is from Employment Development Department (EDD). CA EDD Data (**00%**) reflects wages reported to EDD for the purpose of Unemployment Insurance reporting, a limitation of the data as some people have contract earnings that are unreported.

# Comparison of California Employment Rates to United States Rates

| | United States Working-Age | California Working-Age |
|---|---|---|
| General Population[1] | 75.4% | 72.1% |
| People with any disabilities | 33.9% | 32.3% |
| People with developmental disabilities | 22.8%[2] | 13.0%[3] |

**Please see footnotes for Working-Age




[1]The data was supplied by Erickson William, Research Specialist of Cornell University, based on analysis of the US Census Bureau's 2010 American Community Survey (ACS) Public Use Micro Data Sample (PUMS). The data reflects non-institutionalized working-age people (21-64) with disabilities who work full-time/full year in the United States. The six types of disabilities included in the data are: sensory, physical, mental, self-care, go-outside-home, and employment.

[2]The data is from National Population Statistics Table 2 (**22.8%**): Employment Participation for Working-Age People (Ages 16 to 64), State Data: The National Report on Employment Services and Outcomes 2011 published by the Institute for Community Inclusion, UMASS. The data reflects individuals with cognitive disability employed in the United States.

[3]The data is from Employment Development Department (EDD). CA EDD Data (**13%**) reflects wages reported to EDD for the purpose of Unemployment Insurance reporting, a limitation of the data as some people have contract earnings that are unreported.

Office of the Governor
State of Oregon

## EXECUTIVE ORDER NO. 13-04

## PROVIDING EMPLOYMENT SERVICES TO INDIVIDUALS WITH INTELLECTUAL AND DEVELOPMENTAL DISABILITIES

Individuals with disabilities persistently face higher rates of unemployment than their non-disabled fellow citizens.

As Oregon's economy continues to recover from the 2008 recession, we must strive to ensure that all Oregonians benefit from the recovery, including those with intellectual and developmental disabilities.

Oregon is a leader in providing supported employment services to individuals with intellectual and developmental disabilities. Oregon adopted an Employment First Policy in 2008, making it one of the first states to do so. The Employment First Policy makes integrated employment the goal for all Oregonians with intellectual and developmental disabilities.

In April 2012, Oregon was awarded a competitive grant from the United States Department of Labor to provide resources to assist in the strategic planning and implementation of the Employment First Policy. Oregon was one of only three states awarded the grant.

While the state cannot guarantee a job to any Oregonian, the state can and should consistently work to continue to improve its provision of employment services to provide the best possible opportunities for success and choice for individuals receiving those services. This requires new approaches and partnerships with government, the non-profit services sector, and potential employers in the business community.

Improving Oregon's delivery of employment services, with the goal of achieving integrated employment for individuals with intellectual and developmental disabilities, consistent with their abilities and choices, will benefit individuals with disabilities, their families, our communities, the economy, and the state.

## NOW THEREFORE, IT IS HEREBY DIRECTED AND ORDERED:

Following the strategies set forth in further detail below, the Oregon Department of Human Services and the Oregon Department of Education shall work to further improve Oregon's systems of designing and delivering employment services to those with intellectual and developmental disabilities toward fulfillment of Oregon's Employment First Policy, including a significant reduction over time of

state support of sheltered work and an increased investment in employment services.

## I. DEFINITIONS

For the purposes of this Executive Order only, as used below, the following terms have the following meanings:

1. "The State" means the State of Oregon, including the Office of Developmental Disability Services ("ODDS") and the Office of Vocational Rehabilitation Services ("OVRS"), as administered through the Department of Human Services ("DHS"), and the Oregon Department of Education ("ODE").

2. A "sheltered workshop" is a facility-based service that congregates more than eight adults with intellectual or developmental disabilities ("I/DD"). Sheltered workshops are operated by service provider entities. In general, a sheltered workshop employs only individuals with I/DD or other disabilities except for service support staff. However, assessments, instruction, and activities that typically occur in public schools and that are provided either directly or by contract by the public school districts, by public charter schools, by an educational service district, or ODE in a school setting are not considered sheltered workshops.

3. "Intellectual disability" and "developmental disability" are defined in Oregon Administrative Rules by the ODDS (OAR Chapter 411, Division 320).

4. "Individuals with I/DD" are persons who are found eligible for publicly-funded developmental disability services provided by ODDS.

5. "Employment Services" provided by ODDS or OVRS are services that are intended to assist a person with I/DD to choose, get, learn, and keep work in an integrated employment setting. Employment services shall be "individualized," meaning that services shall be individually planned, based on person-centered planning principles and evidence-based practices, where applicable.

6. A "career development plan" is part of an Individual Support Plan ("ISP") regarding ODDS services and an Individual Plan for Employment ("IPE") regarding OVRS services. A "career development plan" identifies the individual's employment goals and objectives, the services and supports needed to achieve those goals, the persons, agencies, and providers assigned to assist the person to

attain those goals, the obstacles to the individual working in an individualized job in an integrated employment setting, and the services and supports necessary to overcome those obstacles. Career development plans shall be based on person-centered planning principles. Career development plans are created through various strategies and tools, must include vocational assessments, and may also include situational assessments, discovery, and other strategies and tools.

a. A "vocational assessment" is an assessment administered to provide employment-related information essential to the development of, or revision of, an individual's employment-related planning documents, including the IPE and ISP, where applicable.

b. A "situational assessment" is an assessment that maintains the qualities of a vocational assessment but is administered on-site in an integrated employment setting, where an individual is evaluated in the performance of work activities that are typical to the setting where the assessment is administered.

c. "Discovery" is the time-limited process (up to six months) by which an individual's planning team assists an individual to identify his/her interests, strengths, and abilities relating to employment, with the goal of attaining and maintaining employment in an integrated employment setting, including self-employment.

7. "Person-centered planning" is the process by which an individual, with the assistance of the person's planning team, identifies the direction of his/her future vocational and employment related activities based on his/her skills, interests, strengths, and abilities, regardless of whether the individual has the verbal ability to express such information.

8. A "qualified employment services provider" is a provider of Employment Services that meets the qualification requirements to deliver employment services consistent with OAR 411-323-0010 to 0070 and OAR 411-345-030, and any rule subsequently issued by DHS.

9. An "integrated employment setting" is a setting that allows an individual to interact with non-disabled persons in the employment setting. An integrated employment setting cannot be facility-based work in a sheltered workshop or non-work activities, such as Alternatives to Employment (ATE). An integrated employment setting is a typical work environment, including self-

employment or small business models, in the community. An integrated employment setting can include a group enclave or mobile crew but must allow an individual to interact with non-disabled persons in the employment setting.

10. "Working age individuals" are adults with I/DD between the ages of 21 and 60, individuals with I/DD who are younger than 21 and who are no longer receiving public school services, and those with I/DD over 60 who choose to continue employment.

11. "Evidence-based practices" means well-defined best practices, which have been demonstrated to be effective with the I/DD population or the relevant subset of that population, such as youth sixteen or older, by multiple peer-reviewed research studies that are specific to the I/DD population or subset of that population.

## II. TARGET POPULATIONS

1. ODDS/OVRS Target Population. At a minimum, the following individuals will receive Employment Services described in this Order:

a. Working age individuals with I/DD who receive sheltered workshop services on or after the effective date of this Order; and

b. Transition aged individuals with I/DD who are found eligible for ODDS or OVRS services. For the purpose of this provision, transition age means (1) at least 16 years of age for OVRS services and at least 18 years of age for ODDS services, and (2) no older than the date two years after an individual has ceased receiving public school services in the Oregon secondary schools.

2. Education Target Population. The expectations for ODE described in Section X. below are intended to benefit the following target populations, to the extent described in Section X. below:

a. School age children and youth with I/DD who are found eligible for ODDS or OVRS services;

b. All youth receiving services in public schools who are eligible for services under the Individuals with Disabilities in Education Act ("IDEA") who are of transition age. Transition age for purposes of this

provision begins at the start of the one-year period of a student's Individual Education Plan ("IEP") during which the student reaches 16 years of age. Transition age ends when a student leaves school.

## III. SHELTERED WORKSHOPS

1. By July 1, 2014, ODDS and OVRS shall no longer purchase or fund vocational assessments for individuals with I/DD that occur in sheltered workshop settings.

2. By July 1, 2015, ODDS and OVRS shall no longer purchase or fund sheltered workshop placements for:

a. transition-age youth with I/DD, as defined under Section II.1.b. above;

b. any working age adult with I/DD who is newly eligible for ODDS or OVRS services; and

c. any working age adult with I/DD who is already utilizing ODDS or OVRS services who is not already working in a sheltered workshop.

## IV. EMPLOYMENT SERVICES PROVIDED THROUGH ODDS AND OVRS

1. ODDS and OVRS will establish and implement a policy that Employment Services shall be evidence-based and individualized. Where such evidence-based practices have not been identified, Oregon may adopt practices used in other states that are generally recognized as effective practices.

2. Employment Services shall be based on an individual's capabilities, choices, and strengths and shall be individually tailored to each person.

3. ODDS and OVRS will provide Employment Services to at least 2000 individuals in the ODDS/OVRS Target Population, in accordance with the following schedule:

a. By July 1, 2014, ODDS and/or OVRS will provide Employment Services to at least 50 individuals.

b. By July 1, 2015, ODDS and/or OVRS will provide Employment Services to at least an additional 100 individuals.

c. By July 1, 2016, ODDS and/or OVRS will provide Employment Services to at least an additional 200 individuals.

d. By July 1, 2017, ODDS and/or OVRS will provide Employment Services to at least an additional 275 individuals.

e. By July 1, 2018, ODDS and OVRS will provide Employment Services to at least an additional 275 individuals.

f. By July 1, 2019, ODDS and OVRS will provide Employment Services to at least an additional 275 individuals.

g. By July 1, 2020, ODDS and OVRS will provide Employment Services to at least an additional 275 individuals.

h. By July 1, 2021, ODDS and OVRS will provide Employment Services to at least an additional 275 individuals.

i. By July 1, 2022, ODDS and OVRS will provide Employment Services to at least an additional 275 individuals.

4. The intent of paragraph 3 above is that, over the next nine years, approximately half of the persons receiving Employment Services under this provision will be those in the Section II.1.b. ODDS/OVRS Target Population, and half will be those in the Section II.1.a. ODDS/OVRS Target Population, recognizing that numbers and percentages may change each year based on changing demographics, demand, and the choices of consumers.

5. OVRS shall not be required to provide services in a way that violates federal regulations that govern vocational rehabilitation services.

## V. CAREER DEVELOPMENT PLANNING

1. No later than six (6) months after the effective date of this Order, ODDS shall adopt and implement policies and procedures for developing career development plans. The policies will include a presumption that all individuals in

the ODDS/OVRS Target Populations are capable of working in an integrated employment setting.

2. The career development plan shall prioritize employment in integrated settings. The career development process shall focus on the strengths of the individual and shall be conducted with the goal of maximizing the number of hours spent working, consistent with an individual's abilities and choices. The primary purpose of all vocational assessments shall be to determine an individual's interests, strengths, and abilities, in order to identify a suitable match between the person and an integrated employment setting. If an individual has an existing vocational assessment that is current, accurate and relevant to establishing individual goals and services, it need not be redone or revised.

3. Working age individuals in sheltered workshops in the ODDS/OVRS Target Population shall receive a career development plan as part of the Employment Services they receive under Section IV., pursuant to the schedule set in that section. The expectation for transition-age persons in that Target Population is that they should have a career development plan no later than the date of their anticipated departure from the Oregon public schools, and in any event no later than one year after their departure. The provision of Employment Services by ODDS will not be delayed or denied due to the lack of a career development plan.

## VI. TRAINING

1. By January 1, 2014, ODDS and OVRS will establish competencies for the provision of Employment Services, and will adopt and implement competency-based training standards for career development plans, job creation, job development, job coaching, and coordination of those services.

2. By July 1, 2016, ODDS and OVRS will purchase Employment Services for people with I/DD only from agencies or individual providers that are licensed, certified, credentialed or otherwise qualified as required by Oregon Administrative Rule. Such requirements for the provision of Employment Services will be competency-based and may include, as applicable, such national credentialing programs as the APSE Certified Employment Support Professional exam or a substantial equivalent.

## VII. OUTREACH AND AWARENESS

By January 1, 2014, ODDS and OVRS will develop an outreach and informational education program for all persons in the ODDS/OVRS Target Population that explains the benefits of employment, addresses concerns of families and perceived obstacles to participating in Employment Services, and is designed to encourage individuals with I/DD and their families to seek Employment Services.

## VIII. PROVIDER CAPACITY

State agencies will make good faith efforts, within available budgetary resources, to ensure that there are a sufficient number of qualified employment providers to deliver the services and supports necessary for individuals in the ODDS/OVRS Target Population to receive Employment Services consistent with the terms of this Order.

## IX. STATE AGENCY ACTIONS

1. Consistent with its authority and the Oregon Administrative Procedures Act, DHS will update ODDS and OVRS policies and administrative rules related to employment to be consistent with this Order.

2. Within six (6) months of the effective date of this Order, DHS shall designate a statewide Employment Coordinator to oversee and coordinate its employment services program and all activities required by DHS, ODDS, and/or OVRS under this Order. The Employment Coordinator will coordinate with the ODE employees referenced in Section X.3.b. below.

3. By January 1, 2014, DHS will support new or existing technical assistance provider(s) or use other available training resources to provide leadership, training and technical assistance to employment providers and to provider, county, support services brokerage, and vocational rehabilitation staff to support the performance of this Order.

4. By November 1, 2013, DHS shall adopt an "Integrated Employment Plan" to further carry out the goals of this Order. This Order and the Plan itself are not admissions that such a Plan is legally required, nor are they admissions on any legal issue that is currently the subject of (a) *Lane v. Kitzhaber*, a class action lawsuit alleging violations of the Americans with Disabilities Act, or (b) a parallel

United States Department of Justice ("USDOJ") investigation of a complaint to USDOJ made by persons involved in the *Lane* case. Given those matters and Oregon's longstanding commitment to integrated services for individuals with disabilities, however, adopting a Plan is a prudent step. The Policy Group described in Section XIV. below shall provide comments on the Plan before it issues.

## X. EDUCATION PROVISIONS

1. Intent. This Order, including these Education Provisions, is not intended to expand the obligations of the State or its schools under the IDEA.

2. Definitions. For purposes of this Section X., the following definitions apply:

a. "Education Goals" means the following goals:

(1) Families, students, and educators will have the expectation that individuals with I/DD will work in integrated, community-based settings.

(2) Students transitioning to adult services through OVRS or ODDS will be prepared to transition to integrated work experiences.

(3) Statewide systems will be coordinated to reach the goal of integrated employment opportunities as an outcome of students' education.

b. "Transition-aged student" means a student who fits within the Education Target Population Section II.2.b.

c. "Transition services" means a coordinated set of activities for transition-aged students with I/DD that:

(1) Is designed to be within a results-oriented process, that is focused on improving the academic and functional achievement of the student to facilitate the student's movement from school to post school activities, including postsecondary education, vocational education, integrated employment

(including supported employment), continuing and adult education, adult services, independent living, or community participation;

(2) Is based on the individual student's needs, taking into account the student's preferences and interests; and

(3) Includes:

(A) Instruction;
(B) Related services;
(C) Community experiences;
(D) The development of employment and other post school adult living objectives; and
(E) If appropriate, acquisition of daily living skills and functional vocational evaluation; and

(4) May be special education, if provided as specially designed instruction, or related services, if required to assist a student with a disability to benefit from special education.

d. "Transition Technical Assistance" will be the substance of the work of the Statewide Transition Technical Assistance Network, described in Section X.3.c. below, and will include development of competencies for teachers, administrators, and other educational service providers that include:

(1) Transition-related curriculum and instructional approaches which are consistent with the Education Goals.

(2) Outcome-based transition planning approaches that use precepts of discovery and person-centered planning.

(3) Implementation of transition-related instructional approaches for I/DD target students, such as those that are community based, and which can include authentic experiences such as internships, mentorships, youth work experiences, job skill related instruction, and job shadowing.

(4) Facilitation and management of interagency teams and resources to help ensure students and families can utilize resources from ODDS, OVRS, and local education agencies.

(5) Encouraging the implementation of Transition Services in the schools that are consistent with the Education Goals.

3. Strategies

a. ODE will implement, through contract with Oregon's federally-funded Parent Training and Information Center, or other similar entity, an ongoing program of outreach to students, families, and communities to seek to ensure that all individuals in the Education Target populations are familiar with the Education Goals.

b. ODE will designate staff specialists whose work will be focused on systems-change efforts in schools and communities to focus on liaisons with partner agencies, data quality and tracking, local capacity development, and working with local education agencies to help ensure that the Education Goals are reflected in the provision of Transition Services. ODE staff will also coordinate the work of a Statewide Transition Technical Assistance Network.

c. ODE will establish a Statewide Transition Technical Assistance Network to assist high schools in Oregon to provide Transition Services. The Transition Technical Assistance Network shall seek to ensure that the Education Goals of this order are implemented in assessment, curriculum, and instruction for students of transition age.

d. ODE will partner with OVRS and ODDS to ensure that individuals with I/DD who are in the Education Target Population are individually tracked so that the effects of these activities can be assessed.

e. Consistent with its authority, ODE shall support proposed legislative or rule changes that will prohibit local education agencies from contracting with adult service providers for employment or vocational assessment services in sheltered workshops.

## XI. INTERAGENCY COLLABORATION

1. Within six (6) months of the effective date of this Order, the State will develop and implement one or more inter-agency agreements or memorandum(a) of understanding among ODDS, OVRS, and ODE designed to assist in accomplishing the implementation of this Order that generally addresses the following issues:

a. Allocation of responsibility, funding commitments, and authority for conducting and ensuring the performance of this Order, including career planning, transition planning, outreach, training, Employment Services, data collection and sharing, and service gaps.

b. Employment outcomes through collaboration among ODDS, OVRS, and the Policy Group described in Section XIV. below.

c. Coordination of funding ("braiding and blending") to accomplish the goals of this Order.

d. Coordinated outreach efforts to individuals in the ODDS/OVRS Target Populations by vocational rehabilitation counselors, personal agents, and service coordinators.

2. ODDS will include specific provisions in its contracts with each support services brokerage and each community developmental disability program ("CDDP") to accomplish the full implementation of this Order.

## XII. QUALITY ASSESSMENT AND IMPROVEMENT

By July 1, 2014, DHS will develop and implement a quality improvement initiative that is designed to promote Employment Services developed in accordance with this Order and to evaluate the quality of Employment Services provided to persons with I/DD under this Order statewide.

## XIII. DATA COLLECTION AND REPORTING

1. Starting January 1, 2014, and semi-annually (twice a year) thereafter, the Employment Coordinator will monitor the progress of implementation of this Order through data collection, data analysis, and quality improvement activities.

2. Starting January 1, 2014, and semi-annually (twice a year) thereafter, ODDS and OVRS shall collect data and report to the Employment Coordinator and the Policy Group the following data for working age individuals in the ODDS/OVRS Target Populations:

a. The number of individuals receiving Employment Services;

b. The number of persons working in the following settings: individual integrated employment, self-employment, sheltered employment, and group employment (8 or less);

c. The number of individuals working in an integrated employment setting;

d. The number of hours worked per week and hourly wages paid to those persons;

e. The choices made by individuals between integrated work, sheltered work, and not working; and

f. Complaints and grievances.

3. Starting January 1, 2014, and semi-annually (twice a year) thereafter, OVRS, ODDS, and ODE will report to the Employment Coordinator and the Policy Group on the progress made on the terms of this Order and the results of the data collected under this Section.

4. Starting July 1, 2013, ODDS, OVRS, and ODE will begin a program of regularly collecting and analyzing data described above in this Section XIII., and will identify problems or barriers to placement in or retaining jobs in an integrated employment setting, as well as service gaps, and will recommend to DHS, ODE, and the Legislature actions to improve services. ODDS, OVRS, and ODE will review this information on a semi-annual basis and develop and implement measures to improve services with respect to the problems and barriers identified.

## XIV. ASSURING SUCCESS

1. The involvement of stakeholders is critical to success. Following execution of this Order, a group consisting of representatives of ODE and DHS, legislators, and stakeholders shall be formed to make recommendations to the

Director of DHS and the Deputy Superintendent of Public Instruction regarding design and implementation on issues including but not limited to education, outreach, development of provider capacity, training, and processes for assessment and discovery. This group is referred to throughout this Order as the Policy Group. Disability Rights Oregon is also invited to attend and is expressly encouraged to participate in the Policy Group.

2. The Policy Group shall be formed no later than July 1, 2013.

3. The Policy Group shall recommend outcome metrics to the State, review the State's performance under those metrics, and make annual recommendations to the Governor for improving performance. Metrics developed by the Policy Group shall not create enforceable rights.

## XV. OTHER LAWS

1. State agencies are not directed by this Order to act in a way that would jeopardize the State's federal funding, such as funding from United States Department of Education, Centers for Medicare & Medicaid Services, and/or Rehabilitation Services Administration, or that would violate federal law or regulations.

2. Performance of this Order is subject to Oregon law, including Article XI, section 7 of the Oregon Constitution. To the extent that this Order is not consistent with Oregon state statutes or administrative rules, the Order should be read as requesting a change in state law, so long as that request is consistent with federal law. This Order does not attempt to override any provision of state law but reflects a desired policy change.

3. Wherever possible, this Order shall be read as consistent with federal law. In the event any provision of this Order is declared by a court to be in violation of any Oregon or federal law, that law will prevail and the remaining terms of this Executive Order will remain in full force and effect.

## XVI. EFFECTIVE DATE AND EFFECT OF THIS ORDER

1. This Order shall take effect on July 1, 2013.

2. This Order addresses employment services for those who have intellectual or developmental disabilities. Because various state agencies provide services to these persons, this Order is intended to promote agency coordination by providing a statement of my executive policy preferences, to assist the agencies in working together towards a common goal of better enabling those with intellectual or development disabilities to locate and maintain employment in community-based jobs. This Order states my policy preferences and directions to DHS and ODE. Directives that certain measures "shall" or "will" occur are not substitutes for rulemaking, which should occur where necessary to implement this Order and satisfy the requirements of the Oregon Administrative Procedures Act ("APA"). The Order is my request to DHS and the State Board of Education to engage in any rulemaking necessary to implement the terms of this Order, consistent with the terms of this Order, the agencies' rulemaking authority, and the APA.

3. Nothing in this Order is intended to or does create enforceable rights that do not already exist under current state or federal law. The terms of this Order do not provide a right to any person to individually claim that he or she has not received services required under any state or federal statute or regulation.

Done at Salem, Oregon, this 10 day of April, 2013.

John A. Kitzhaber, M.D.
GOVERNOR

ATTEST:

Kate Brown
SECRETARY OF STATE