



## **EMPLOYMENT FIRST COMMITTEE (EFC) AGENDA/NOTICE**

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**DATE:** September 29, 2015  
**TIME:** 10:00 a.m. – 4:00 p.m.  
**LOCATION:** Hawthorne Suites  
321 Bercut Drive  
Sacramento, CA 95811  
Phone: (916) 441-1200

*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) 322-8481 or email [michael.brett@scdd.ca.gov](mailto:michael.brett@scdd.ca.gov). Requests must be received by 5:00 pm, June 24, 2015.*

	<b><u>AGENDA</u></b>	<b><u>Page</u></b>
1.	<b>CALL TO ORDER</b>	L. Cooley
2.	<b>ESTABLISH QUORUM</b>	L. Cooley
3.	<b>WELCOME/INTRODUCTIONS</b>	L. Cooley
4.	<b>PUBLIC COMMENTS</b>	
	<i>This item is for members of the public only to provide comments and/or present information to the Council on matters <b>not</b> on the agenda. Each person will be afforded up to three minutes to speak. Written requests, if any, will be considered first.</i>	
5.	<b>APPROVAL OF JUNE 30, 2015 MINUTES</b>	L. Cooley      3

*For additional information regarding this agenda, please contact Michael Brett, 1507 21<sup>st</sup> Street, Ste, 201, Sacramento, CA 95811, (916) 322-8481. Documents for an agenda item should be turned into SCDD no later than 12:00 p.m. the day before the meeting to give members time to review the material. The fax number is (916) 443-4957*

6.	<b>MEMBER REPORT</b>	Members	
7.	<b>STATUTES OVERVIEW OF EFC REQUIREMENTS</b>	N. Nieblas	
8.	<b>EFC &amp; CECY PARTNERSHIP</b>	A. Mudryk/ O Raynor	13
9.	<b>PURCHASE OF SERVICE ORDER</b>	A. Westling	
10.	<b>REVIEW OF THE 2014 EFC ANNUAL REPORT</b>	Members	47
11.	<b>SACRAMENTO CHAMBER DISCUSSION</b>	L. Cooley	
12.	<b>PENDING QUESTIONS</b>	All	
13.	<b>NEXT MEETING ITEMS &amp; DATE</b>	L. Cooley	
14.	<b>ADJOURN</b>	L. Cooley	

**Item 5**  
**APPROVAL OF**  
**JUNE 30, 2015 MINUTES**

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## **DRAFT**

### **Employment First Committee (EFC) Meeting Minutes**

**June 30, 2015**

#### **Members Present**

Daniel Boomer  
Lisa Cooley (SA) (Vice)  
Wilda Benamati (for  
Denyse Curtright)  
Rick Hodgkins (SA)  
Connie Lapin (FA)  
Rebecca Martinez  
Bill Moore  
Andrew Mudryk  
David Mulvey  
Olivia Raynor  
Steve Ruder  
Robert Taylor (SA)  
Kecia Weller (SA)  
(Chair)  
Vanda Yung (FA)  
Amy Westling  
Barbara Wheeler

#### **Members Absent**

Tony Anderson  
Dale Dutton  
David Mayer  
Debbie Sarmento  
Denyse Curtright

#### **Others Attending**

Bob Giovati  
Nelly Nieblas  
Mary Ellen Stives  
Michael Brett  
Vickie Vining  
Lisa Fisher  
Carole Watilo  
Sylvia Hoggatt  
Stormy Miller

### **1. CALL TO ORDER**

Kecia Weller (SA), Chairperson, called the meeting to order at 10:00 a.m. She also stated employers have important views regarding employment. Today there will be various presentations on different programs that help individuals with developmental disabilities on employment.

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#### Legend

SA = Self-Advocate

FA = Family Advocate

## 2. ESTABLISH QUORUM

A quorum was established.

## 3. WELCOME/INTRODUCTIONS

Chairperson Weller (SA), members of the committee, staff, and guests gave introductions.

## 4. PUBLIC COMMENTS

There were no public comments.

## 5. APPROVAL OF APRIL 14, 2015 MINUTES

It was moved/seconded (Hodgkins (SA)) (Lapin (FA)). All in favor of approving the April 14, 2015 Minutes except for two abstentions from Raynor and Martinez.

(See member list for voting)

## 6. MEMBER REPORTS

The following individuals gave member reports:

**Rick Hodgkins** (SA), committee member, discussed various acts/bills like the Time Act and SB 644.

**Connie Lapin** (FA), committee member, gave an update on Self Determination. She stated that the Department of Developmental Services sent a Letter to the Regional Centers and Regional Offices directing them to start Local Advisory Committees by July 1, 2015. These committees consist of consumers and family members who will watch, supervise, and support on the implementation of Self Determination.

**Robert Taylor** (SA), committee member, discussed that he is part of the North Coast Regional Self Determination Advisory Committee and held their first teleconference call on June 26, 2015. They plan to have a

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video conference with Willie West, who is a self-advocate, at the North Coast Regional Office on August 21, 2015. Also said to remember the anniversary of the America's Disabilities Act taking place on July 26, 2015.

**Lisa Cooley (SA)**, Vice Chair, mentioned that she is part of Sacramento's Regional Office Self-Determination Advisory Committee. She also said that she will be going to the local area Chamber of Commerce/businesses/organizations on hiring persons with disabilities.

## **7. CONGRATS: LISA COOLEY, VICE CHAIR**

Chairperson Weller (SA) announced to the committee that Lisa Cooley (SA) has been appointed the Vice Chair for the EFC. All gave accolades.

## **8. NEW MEMBER: Dr. Rebecca Martinez**

Chairperson Weller (SA) and the committee gave a warm welcome to the newest member of the EFC, Dr. Rebecca Martinez. She is an Independent Enterprising Disabled Worker Consultant running her own consulting firm by the name of Disability Transition Solutions and one of her clients, for the past 13 years, is CVS Health. She works with their Workforce Initiatives Department which she represents nationally. Dr. Martinez gave a brief description of her professional background along with numerous EFC members asking questions regarding her expertise.

Nelly Nieblas, staff, welcomed new members, committee and reviewed the goals and laws from the Welfare and Institution codes on what is required of committee members within the EFC. Ms. Nieblas opened the floor for questions:

- Recommendation: Olivia Raynor, committee member and UCEDD from the University of California, stated: as we go ahead, the activities should connect with our goals so the committee understands where we are going. The agendas should reflect this along with making sure activities/discussions are following our outcomes/functions concerning

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the by-laws. Ms. Nieblas remarked in agreement that this agenda today gives an introductory overview of the players within the arena. This shows where we are, what we have done, and it will focus on the key law elements.

- Andrew Mudryk, Disability Rights California and committee member, suggested discussing the mandates. Committee members continued to discuss this issue. For instance, our mission and goals should show how it works with the Workforce Intervention Opportunity Act in regards to competitive integrated employment, limitations on subminimum wage, focus on servicing youth, and changes to supportive employment. Ms. Nieblas continued to state that procedures are in the works like getting in touch with the Finance Tax Board and the Department of Rehabilitation.
- Recommendation: Several years ago goals and priorities were written in various reports. It is recommended that these reports be brought to the next meeting to remind committee members what has been done so the EFC can get on track. Staff responded by stating that we have gone over previous EFC reports and asked the committee if they would like to see these goals outlined in bullet points on what has been done and what to build upon. This would give the committee a starting point of where to go.
- Recommendation: Committee suggested a memo be created before the next meeting stating what we have done, where we are, and where we should go. Staff has agreed to write this memo.
- Mr. Mudryk gave the committee a file of work for the committee to look at and is willing to go over the information.

## **9. BLUEPRINT UPDATE**

Mr. Mudryk gave this briefing which goes over the Memo of Understanding (MOU). Disability Rights of California is working with the Department of Developmental Services, Department of Rehabilitation, and Department of Education to agree to a process to develop the Integrated Developmental Employment Blueprint. This blueprint

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contains items which can be seen at the following website:  
[www.chhs.ca.gov](http://www.chhs.ca.gov). The MOU can also be found on this website.

It was suggested by committee member Robert Taylor (SA), who had spoken with committee member, Denyse Curtright from DDS, to develop a Survey Monkey so committee members can give their opinions on the blueprint. Ms. Curtright took this into consideration and is going to get with other departments. Chairperson Weller (SA) and Mr. Taylor (SA) attended the May 2015 Self Advocates Advisory Committee where Ms. Curtright gave a presentation on the blueprint and discussed the above procedure.

## **10. PROMISE GRANT UPDATE**

Sylvia Hoggatt from the Department of Rehabilitation gave a PowerPoint presentation to the committee on the Promise Grant. This grant is promoting the readiness of minors in supplemental security income which stands for PROMISE. This briefing consisted of the following areas:

- Who does PROMISE serve
- Challenges
- Goals
- Partners
- Organization
- Service Areas
- Enrollment
- Different areas dealing with demographics
- Services
- Different areas dealing with Person-Centered Planning

The full PowerPoint presentation can be seen at the following website:  
[http://www.scdd.ca.gov/res/docs/pdf/Employment\\_First/2015/Presentation%202.pdf](http://www.scdd.ca.gov/res/docs/pdf/Employment_First/2015/Presentation%202.pdf)

Committee held a discussion over this presentation with Ms. Hoggatt.

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## **11. JAY NOLAN GRANT UPDATE**

The next presentation of the day was a PowerPoint Presentation and video given by Lisa Fisher and Vickie Vining from Jay Nolan Community Services.

Some of the history of this grant is the State Council gave \$750,000.00 to Jay Nolan who is in Los Angeles and partnering with Easter Seals who is in San Diego. They served 76 young adults between the ages of 13 and 30 by using customized employment techniques. The grant cycle started in January 2012 and ended in March 2015. The committee then held a question and answer session with Jay Nolan.

If interested in seeing this PowerPoint Presentation by Jay Nolan, please go to the following link on the SCDD Website:

[http://www.scdd.ca.gov/res/docs/pdf/Employment\\_First/2015/Presentation%201.pdf](http://www.scdd.ca.gov/res/docs/pdf/Employment_First/2015/Presentation%201.pdf)

## **12. COLLEGE TO CAREER PRESENTATION ADULTHOOD TO WORK**

The next presentation was given by Stormy Miller from the San Diego Community College District explaining that community colleges also have initiatives that deal with workforce change. The California Community College Chancellor's Office has adopted initiatives on doing work that matters. It is great and important that the EFC begins to understand and identify with the community college initiatives. Ms. Miller works with the College to Career Program.

This presentation went over the following areas:

- What colleges and campuses are included in SDCCD.
- Disability in higher education.
- SDCCD C2C staffing and program design.
- Enrollment period.
- C2C Courses for 3 years.

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- Academic progress for spring 2015.
- Success stories.
- Collaboration and collaboration with employment.
- Business partnership.

To view this PowerPoint presentation, please go the following link on the SCDD Website:

[http://www.scdd.ca.gov/res/docs/pdf/Employment\\_First/2015/Presentation%203.pdf](http://www.scdd.ca.gov/res/docs/pdf/Employment_First/2015/Presentation%203.pdf)

Committee held a discussion over this presentation with Ms. Miller.

### **13. CAROLE WATILO, EXECUTIVE DIRECTOR: PROGRESSIVE EMPLOYMENT CONCEPTS**

The final presentation was given by Carole Watilo who is the Executive Director for Progress Employment Concepts which is a non-profit organization to help individuals find gainful employment. They also do job coaching. Also, Ms. Watilo discussed some of the monetary challenges dealing with the DOR. She goes on to explain the successes they have achieved. This non-profit's mission has brought opportunities to all communities that promote dignity, respect, and inclusion with employers, families, and supervisors alike. They are funded thru the Regional Center, DOR, and under the Community Intergraded Work Training.

The committee then held a question and answer session with this non-profit organization.

### **14. EFC & CECY PARTNERSHIP**

This agenda item is being moved to the next committee meeting.

### **15. PENDING QUESTIONS**

Chairperson Weller (SA) recapped the presentations to open up the next agenda item by stating that common themes were presented today.

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Like coordination between different agencies, customized employment and career to college. She opened the floor for discussion:

- Services are possible in the current system but it is not happening on a wide basis. What is the policy fix? How do we get training/providers to do this work, and get the regional centers to move in this direction?
- Due to past budget cuts, funding issues were brought up.
- Mentioned the Lanterman Act regarding transition and Trailer Bill Language.
- Committee asked about the EFC Report for 2014. Chairperson Weller (SA) stated that it will be presented to the members at the next meeting.

## **16. NEXT MEETING ITEMS AND DATE**

The following items were discussed by the committee to place on the next agenda for the September 29, 2015 meeting

- Self Determination.
- What the mandate is and what we already have done and what we need to do on future goals.
- What do we need to do from the top down regarding the mandate?
- Items summary should be provided to the committee members.
- It was also mentioned that a policy decision around these customized themes should be discussed.
- Funding schemes.
- Person centered planning/management.
- Customized employment.
- Collaboration.
- Up front support.
- Networking.
- Training.
- Career to college.

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- Barriers due to exchanging information and budget cuts.

## 17. ADJOURN

Meeting adjourned at 4:07 p.m.

DRAFT

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Item 8

**EFC & CECY PARTNERSHIP**



## YOUTH with DEVELOPMENTAL DISABILITIES.

### WHO

47 people from 25 agencies with responsibilities for the education, preparation, and support of youth with intellectual and other developmental disabilities (IDD).

### WHAT

Raising expectations and aligning public policies, practices, and funding to help youth in their successful transition from school or college to competitive integrated employment ("CIE").



### HOW

5 Workgroups effecting change within individuals, families, agencies, and wider systems for CIE.

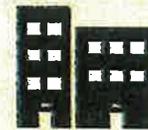


Products developed by each group addressing specific areas of focus.

policy briefs   data dashboard   best practices   survey tools   resource guide



7 Local Employment Collaborative Teams demonstrating successful practices for achieving CIE.



Regional Centers serving youth with IDD & their families, guiding them toward CIE opportunities.



7 Community Conversations (to date), engaging families, educators, local officials, and employers in developing solutions for CIE.

### to ACHIEVE

## competitive integrated employment

"Part- or full-time work, with or without supports, for which an individual is compensated at or above the minimum wage, but not less than the customary wage and level of benefits paid by the employer for the same or similar work performed by individuals who do not have a disability."

### & RESULT in

## Empowering Youth and Young Adults with IDD:

- to work in jobs of their choosing,
- advance their careers, and
- contribute to their communities.



# California Employment Consortium for Youth and Young Adults with Intellectual & Developmental Disabilities (CECY)

is a collaboration of state agencies, centers, and organizations with responsibilities for the education, rehabilitation, employment, and support of youth with disabilities and their families. **CECY has shifted the way California state agencies interact with each other. We are recognized as a national model for interagency collaboration** in working toward competitive integrated employment (CIE) for youth and young adults with intellectual and development disabilities (IDD).

## OUR MISSION

To stimulate policy change and build capacity in California state systems and local communities to increase the number of youth and young adults with intellectual and other developmental disabilities (IDD) in competitive integrated employment (CIE).

## OUR GOALS

CECY goals to increase opportunities for youth and young adults to achieve CIE are to:

- Affect policy and systems change at a state and local level.
- Strengthen interagency collaborations and practices between and among local and state agencies that support youth and young adults with IDD and their families.
- Build knowledge and understanding of professionals, families, and youth and young adults with IDD about effective practices to affect CIE.

## OUR VISION

In 2017, we will see:

- A system that ensures successful transition into adulthood, including:
  - Successful implementation of Employment First with increased employment opportunities.
  - Replication of effective practices that lead to CIE.
  - Pathways to employment that are coordinated, widespread, and available.
- Youth, young adults, and families who envision success.
- Youth and young adults who are able to:
  - Make informed choices about their future.
  - Transition into adult life prepared for real work for real pay.
  - Become economically independent.



CECY is a five-year (2011-2016) Project of National Significance Partnerships in Employment Systems Change grant (#90DN0284) by the Administration on Intellectual and Developmental Disabilities (AIDD). ■ The Tarjan Center at UCLA, a University Center for Excellence in Developmental Disabilities, provides its administrative leadership.

**Policy Briefs addressing:**

- Developmental Disabilities Services (DDS)
- K-12 Education System
- Vocational Rehabilitation
- Workforce Development System
- Interagency Collaboration for Competitive Integrated Employment



**DDS Brief Recommendations**

(April 2014)

1. Establish goals, benchmarks, and measurable outcomes for the implementation of the Employment First Policy.
2. Align and incentivize funding for competitive integrated employment.
3. Stop placement of transition age youth and young adults with IDD in sheltered employment.
4. All workers should be paid at least minimum wage.

**K-12 Brief Recommendations**

(August 2015)

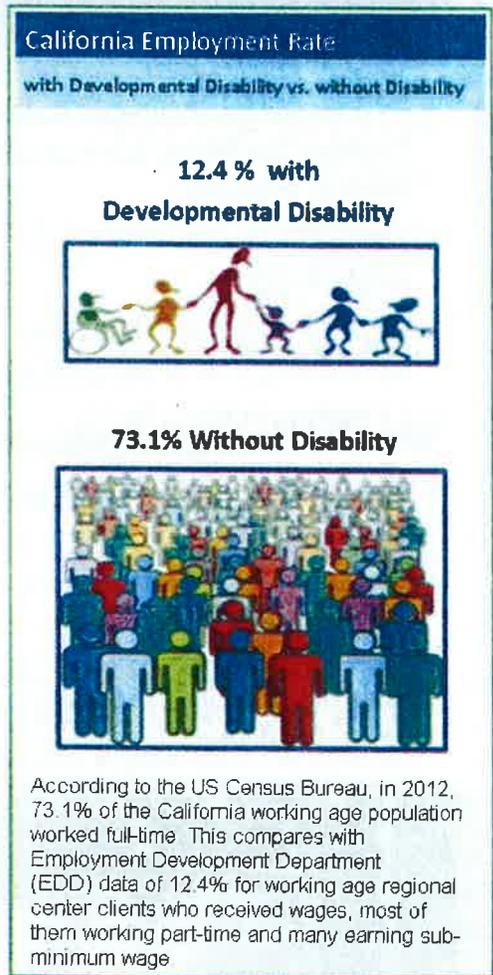
1. Raise expectations for success in education and employment.
2. Establish criteria for transition.
3. Eliminate segregated work and subminimum wages.
4. Broaden the focus from procedural compliance to effective practice.
5. Strengthen data-driven policy and practice.

**Data Dashboard delivering relevant data on employment trends for people with IDD:**

- Wage Gap (Average Hourly Wage)
- Where People Are Served
- State Employment Rate
- How Many Receive Wages
- Average Monthly Earnings
- Education (H.S. Completion)



Hosted by the California State Council on Developmental Disabilities [scdd.ca.gov/employment\\_data\\_dashboard.htm](http://scdd.ca.gov/employment_data_dashboard.htm). Screenshot below.



# Community Conversations



Communities  
Building  
Solutions  
Together

## What is a Community Conversation?

Many youth and young adults with disabilities can work, be hard-working employees, and want to give back to their communities. Through collaborative dialogue, community members and representatives come together to generate fresh ideas, solutions, and action steps to improve employment opportunities for youth and young adults with disabilities in their communities.

Between March 2014 - February 2015, CECY hosted 7 Community Conversations

- **7 Communities:** Alameda, Anaheim, Glenn-Butte Counties, San Diego, San Francisco, Taft, and Whittier (California)
- **440 participants**, with majority representation by employers (20%).
- **59 young adults with disabilities** attended, representing 13% of the participants.

## What Did Employers Recommend?

- Share what works through employer-to-employer outreach.
- Work with community partners to address barriers, i.e., online application process.
- Learn about accommodations, job supports.
- Partner with schools & providers – provide mentors, job shadowing & internship opportunities.

*Nancy O'Malley,*

*Alameda County District Attorney's Office:*

*"As an employer, we focus on ability, not disability, because everyone has abilities.*

*Our workplace is enhanced because we have people in the right position."*

## Who Participated in the Conversations?

88 Private, Public, Small, & Corporate Employers including:

- Alameda County District Attorney's Office
- B&D Security
- California Conservation Corp.
- Cinema and Long Beach Cinematheque
- City of San Francisco
- The County of Orange
- Disney Worldwide Services Inc.
- East Bay Economic Alliance for Business
- Fremont Bank
- GameStop
- H&R Block
- House of Blues
- Kaiser Permanente
- Kumar Hotels
- Lawrence Livermore National Laboratory
- North Orange County Community College District
- Orange County Transportation Authority
- PG&E
- Ralphs
- Raytheon
- Red Robin
- Smart & Final
- Starbucks
- T.J. Maxx
- Twitter
- WABA Grill
- Whittier Area Chamber of Commerce

There's a place for you at the table.



**CECY Policy Priorities for Consideration  
by Employment First Committee  
September 29, 2015**

The California Employment Consortium for Youth (CECY) is a five-year systems change grant from the Administration on Intellectual and Developmental Disabilities (AUCD) to promote changes in policy and practice which will advance the employment of youth with intellectual and developmental disabilities (IDD). The State Council on Developmental Disabilities (SCDD) is a lead agency in the grant, along with the Departments of Developmental Services, Rehabilitation, and Education. Over 40 people from government, the federal partners, education, and the stakeholder community have been working in CECY for four years to identify barriers to employment and solutions. The CECY Policy Committee is issuing policy briefs that identify the need for policy change and other actions that are necessary for California to better support people with IDD to achieve Competitive Integrated Employment (CIE).

Below are listed several policy solutions and other actions, identified by CECY, that are consistent with the State Council's statutory responsibilities under the Employment First Policy. The Council may consider leading the effort to implement or actively support these proposals.

**Goal 1. Establish goals, benchmarks, and measurable outcomes for the implementation of the Employment First Policy.**

Good data drives policy and performance. To effectively implement the Employment First Policy, California needs an established outcome measurement



CECY is administered by the Tarjan Center at UCLA, a University Center for Excellence in Developmental Disabilities.

Tarjan Center at UCLA, 760 Westwood Plaza, 58-2228 Semel Institute, Los Angeles, CA 90095-1759  
voice: (310) 794-1141 | fax: (310) 794-1143 | [tarjancenter.org/cecy](http://tarjancenter.org/cecy)

system, baseline measurements of current performance, and goals for improvement. Employment outcome measures may include the percentage of people working, wages, hours worked, employment settings, and other employment measures.

### **1.1 Data sharing legislation.**

The data that the Department of Developmental Services (DDS) currently has access to do not allow it to assess employment outcomes by geography, disability type, severity of disability, ethnicity, or age. There is also limited data on the quality of employment for the people served and a lack of data on regional center clients who do not receive day or employment services. Without better data, California cannot know how well it is doing to implement Employment First, where it is succeeding, or where it needs to improve. Therefore, legislation to improve data sharing is critical path to implementation of the Employment First Policy.

SCDD committed at its July 2014 Council meeting to sponsor legislation requiring: (1) Franchise Tax Board and/or EDD to release to DDS income data for regional center clients; (2) DDS to collect data from regional center service providers on all working-age regional center clients on hours worked, income earned, type of job, and other relevant employment data; and (3) DDS to maintain confidentiality of individual income data.

### **1.2 Convene and organize a stakeholder process on measurements and goals.**

After the data sharing legislation is passed into law, there needs to be a stakeholder process for deciding on: (1) The most important measures of employment; (2) determining goals for improvement in those measures over

time; and (3) goals, if appropriate, for target populations and geographic areas. Consideration of employment measures could include: income earned, hourly earnings, hours worked, level of integration, type of job, access to employer benefits, duration of employment, advancing on the job, and other employment measures.

## **Goal 2. Align and incentivize funding for CIE.**

There is consensus among stakeholders that the current regional center rates for day and employment services do not support CIE outcomes. In addition, the statutory formula for funding supported employment programs (SEP), which is also used by the California Department of Rehabilitation (DOR), discourages CIE as an outcome. Accordingly, in keeping with the implementation of California's Employment First Policy, existing funding needs to be realigned to better support services that lead to CIE.

### **2.1 Incentivize CIE by increasing the rate for Individual Placement SEP.**

Individual Placement (IP) SEP supports people to work at regular job sites integrated into the work site and earning competitive wages. IP SEP is therefore considered CIE and consistent with the Employment First Policy. The rate level for IP SEP has long been recognized as leading to a contraction in the supply of service providers, as the rate is not adequate for the hiring and retention of qualified job coaches. In 2014, the California Disability Services Association (CDSA) reported the results from a survey of their members: they found that SEP agencies on average lose close to \$700 per year per person served in supported employment. Agencies were only able to maintain these services by subsidizing from other parts of their operations, leading to greater stress on the entire

organization. Since agencies are penalized for each individual served by IP SEP, they have the incentive to reduce their concentration in CIE and expand their use of segregated employment or non-work day services. This has resulted in very few providers across the state that are willing to provide CIE services to new clients.

Group SEP is usually not CIE, because the individual usually works for the provider agency (not for the business where they work), works as part of a group of individuals with IDD, is less integrated into the work site, and is often paid subminimum wage. The rates for IP and Group SEP are the same. However, given the same rate, providers have an incentive to develop Group SEP, at the expense of individual placement. It is easier and less costly to hire job coaches for Group SEP, as IP SEP job coaching requires a significantly higher skill level. Supporting people in IP is more complex than Group, as the agency must schedule and train an IP job coach to support several clients in a variety of jobs, locations, and businesses. The agency must also maintain steady hours for job coaches while they fade hours supporting people getting used to a job. In contrast, a Group SEP job coach typically supports 3 or 4 individuals full time, at one employment site, with no fading.

To implement the Employment First Policy, the Lanterman Act would need to be amended to allow for an increase in the IP SEP rate to make individual placement a workable business model for providers and adequately compensate highly skilled job coaches. This rate must be meaningfully above that for Group SEP in order to remove the unintended incentive in the current rates that drives consumers to less integrated, lower paid, and more expensive group placements.

### **Goal 3. Phase out sheltered work and subminimum wage.**

Increasingly, federal policy is finding that sheltered work and payment of subminimum wage are not appropriate employment outcomes. For example, the Workforce Innovation and Opportunities Act (WIOA) places limits on the use of sheltered work and subminimum wage jobs for youth with disabilities. The U.S. Department of Justice ruled that unnecessary segregation in sheltered workshops is considered discrimination under the Americans with Disabilities Act. Additionally, the new Centers for Medicare & **MEDICAID** Services (CMS) Settings Rule for Medicaid waiver services requires states to transition from segregated day settings, such as sheltered workshops, to integrated community settings by March 2019. Consistent with these developments, the SCDD policy on sheltered work and subminimum wage calls for the phasing out of these services.

#### **3.1 California should commit to stop new placements of individuals with IDD in sheltered work.**

An important part of phasing out sheltered work is to limit new admissions. Options could include a complete ban on new placements or a ban on new placement of transition age youth, ages 16-30. This could be accomplished through policy changes at the state or local level. For example, Orange County Regional Center has stopped new admissions to sheltered workshops in their catchment area.

#### **3.2 Establish bridge funding for sheltered work facilities to transition to CIE.**

Faced with the need to transition to community integrated services, sheltered work providers need the knowledge and the resources to downsize existing operations and start up new operations to support CIE. All of this costs money.

DDS should either provide incentive payments to providers, use grants, or give a temporary rate increase to fund the costs of transition to CIE.

**Goal 4. Repeal trailer bill language prohibiting regional center day services for students 18-22 years old.**

The Lanterman Act was amended in 2011 to prohibit regional centers from funding day and employment services for youth ages 18-22, unless they have completed school with a certificate of completion or a high school diploma. This cost-saving measure is at odds with the efforts at the state and federal levels towards greater integration of services and coordination of transition preparation and planning. Exceptions to the prohibition that are allowed in law create more paperwork, bureaucracy, and barriers to receiving needed services. These exceptions are not often utilized, and implementation varies across regional centers.

One difficulty is that the prohibition discourages DOR from providing services to students with IDD while they are in school. When needed by an individual, DOR will fund a supported employment provider to give intensive job coaching to a person while they are first learning a new job and adjusting to the demands of the work environment. Once the individual is stabilized on the job, typically when job coaching has faded below 20% of hours worked, the responsibility for long-term job coaching, or follow-on support, is transferred to the regional center system. However, under current law, regional centers are generally prohibited from providing that follow-on service until the youth leaves school at age 22.

As an example of the impact this has, DOR's innovative Transition Partnership Program (TPP) successfully places half of its students with disabilities in CIE.

However, the TPP serves very few students with IDD, in part because follow-on services may not be available from the regional center until age 22.

This prohibition also limits the ability of schools to prepare students for employment, since it is difficult for them to collaborate with supported employment providers funded by DOR and DDS. It also discourages regional centers to engage in transition planning with schools and to support students with ancillary services such as support for summer jobs and transportation to work sites during the transition years.

#### **4.1 Address the barrier in the trailer bill language prohibiting regional center day services for students 18-22 years old.**

Data from DDS indicates that repealing the prohibition will not be a significant cost to the state, and that enabling students to transition directly to CIE will create significant long-term savings.

#### **Goal 5. Raise and align expectations toward CIE.**

Historically, we have underestimated the abilities and interests of people with disabilities, especially those with IDD, to succeed in educational and employment settings. Professionals and families are not familiar with the Employment First Policy. Professionals from different departments often discourage youth and their families from considering CIE.

### **5.1 Inform and train individuals with IDD and their families in the Employment First Policy.**

Individuals with IDD and their families need information early on about the Employment First Policy, the possibilities for CIE for all individuals, and the services and supports that can help individuals and their families get there. Service systems respond to demand from consumers and families. Having the knowledge about the possibilities for CIE will lead to people asking for the necessary supports to get there.

SCDD could contribute to this work through expansion of its Employment First/Data Dashboard webpages to include stories of success, best practices, employment resources, and training materials. Also, the Council could use its regional staff to train people at the local level about the Employment First Policy and what it could mean for them.

### **5.2 Develop a model curriculum for self-advocacy training for special education students that includes Employment First.**

The core of successfully preparing students for adult life and its responsibilities is ensuring that they take responsibility and advocate for themselves. Therefore, California must require self-advocacy training for special education students. The model curriculum will include strategies for students to understand their own strengths and needs, identify personal goals, plan for their future, know their rights and responsibilities, advocate for their educational goals, and network with adult role models with disabilities. The curriculum must establish the expectation for Employment First, including the possibility of CIE and the services that can help them achieve it. Students and their families also need information on the management of Supplemental Security Income (SSI) benefits and the use of Social

Security Administration (SSA) work incentives. The Council could develop this curriculum through the direct work of staff or through grant funding.

**Goal 6. Improve availability of benefits planning information.**

Professionals from within education, rehabilitation, and developmental services have long reported that the fear of losing public benefits, such as SSI and Medicaid, cause many individuals to never enter the workforce or decide to stay with subminimum wage jobs. Also, family members often discourage individuals from getting work because of their belief that earnings would disqualify them from public benefits.

**6.1 Develop a tool on benefits planning resources.**

Through the direct work of staff or through grant funding, SCDD could develop a tool that summarizes all the benefits planning resources available to individuals with IDD, family members, and service providers throughout the person's lifespan.



**Aiming Higher: Increasing Employment for Young Adults with Intellectual and Developmental Disabilities**

Developmental Disabilities Services System

**April 2014**

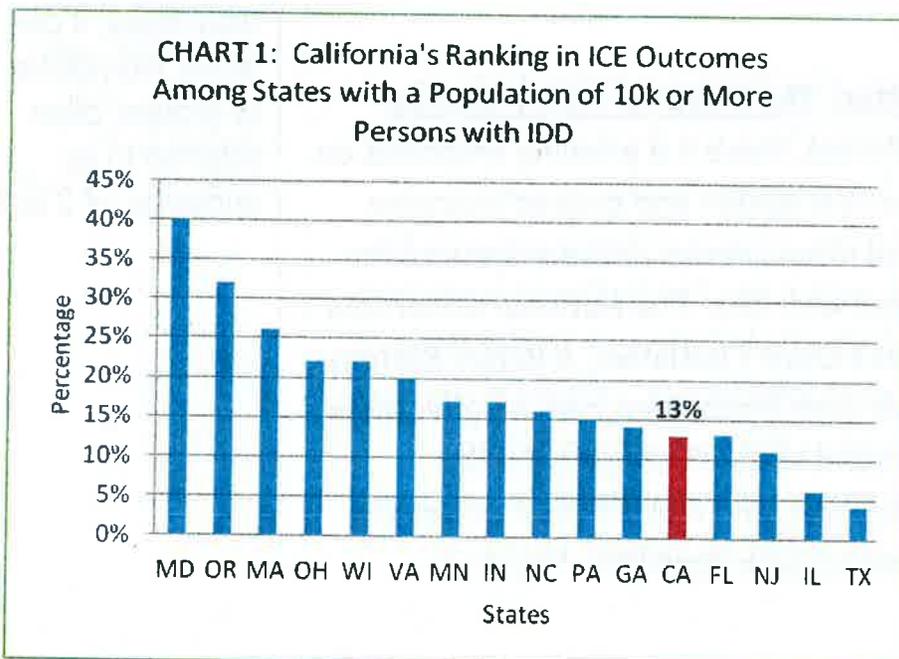
**Background**

For nearly 5 decades, California has committed to lifelong services for individuals with IDD and their families, implemented through the regional center system administered under the Department of Developmental Services (DDS). Today, the state’s policies and systems do not adequately provide the preparation, transition, or support for young adults to achieve and maintain ICE.

California ranks 33rd nationally<sup>1</sup> in the percentage of people with IDD engaged in ICE.<sup>2</sup> In addition, as shown in Chart 1, of the 16 states with an IDD population of greater than 10,000, California is tied with Florida for 12th place.

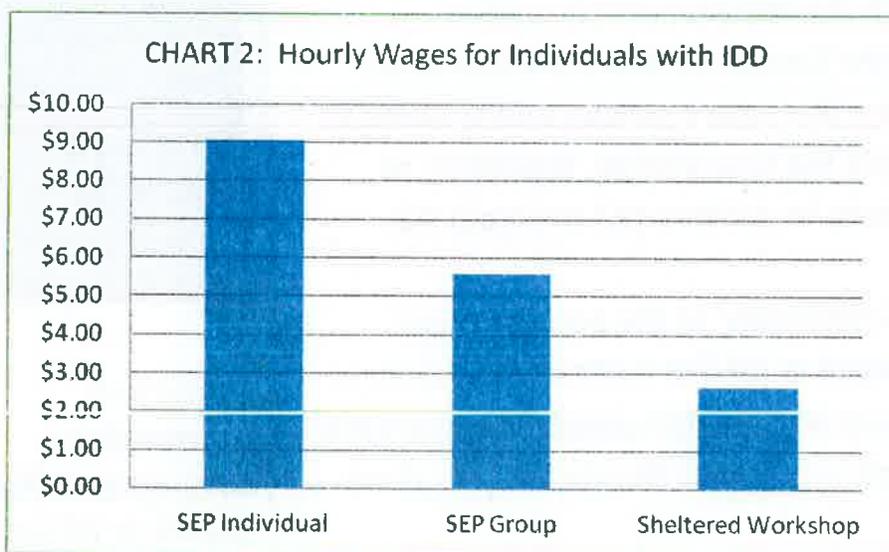
The Issue:  
Young adults with intellectual and developmental disabilities (IDD) rarely attain integrated competitive employment.

**Integrated competitive employment (ICE)** is part- or full-time work, with or without supports, for which an individual is compensated at or above the minimum wage, but not less than the customary wage and level of benefits paid by the employer, for the same or similar work as non-disabled individuals.



Furthermore, only 13% of working-age Californians with IDD surveyed had a job in the community.<sup>3</sup> Many of these individuals work in segregated sites such as sheltered workshops, make subminimum wage, or work only a few hours per week.<sup>4</sup>

The data shown in Chart 2<sup>5</sup> clearly indicate that individuals with IDD in ICE earn significantly greater wages than those in group supported employment or sheltered workshops.



**California Can Do Better: The Need for Policy Change**

Nationally and in California, there is a growing emphasis on employment to be the first option and desired outcome considered by DDS and other service delivery systems for working-age consumers with IDD. The National Governors Association’s 2012-3013 Chair’s Initiative, *A Better Bottom Line: Employing People with Disabilities*, calls on governors to “prioritize ‘employment as the first option’ when designing policies, programs, and investments to support the employment of people with disabilities” (p. 5).<sup>6</sup>

A sheltered workshop is a segregated, non-competitive entity authorized to employ workers with disabilities at subminimum wages. Work Activity Programs primarily include sheltered workshops.

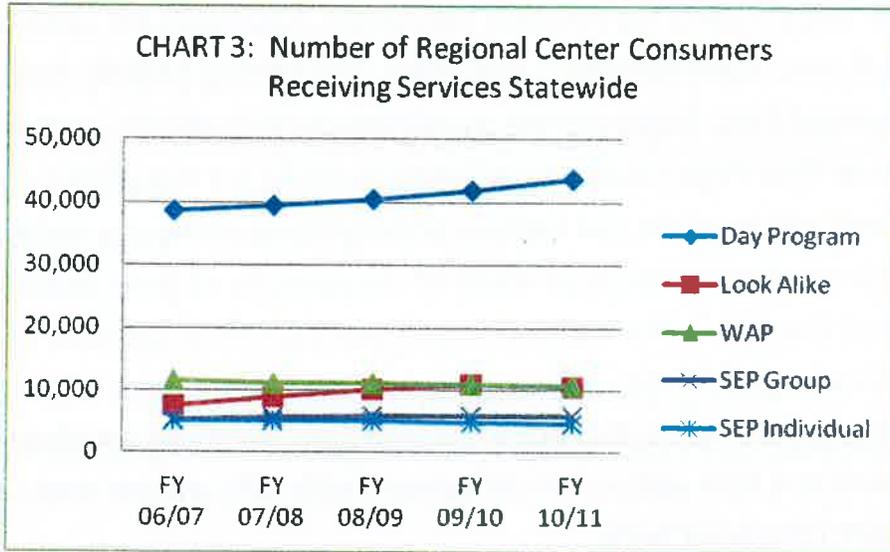
Supported employment (SEP) consists of services and training activities provided in the community for workers with disabilities. It can assist individuals or groups, often referred to as enclaves, of 2 to 8.

In October 2013, California enacted legislation, Assembly Bill 1041 (amending Cal. Welf. & Inst. Code §§4646.5 and 4868, and adding §4869), that established an Employment First Policy for the developmental disabilities system. The Employment First Policy states that “opportunities for integrated competitive employment will be given the highest priority for working age individuals with developmental disabilities, regardless of the severity of their disabilities” (Section 4869(a) (1)).<sup>7</sup> The legislation will ensure that individuals with IDD and their families are informed of the policy and available supports and pathways for preparation, including postsecondary education. For more information on employment as a first option for consumers with IDD, please read CECY’s Employment First brief [here](#).<sup>8</sup>

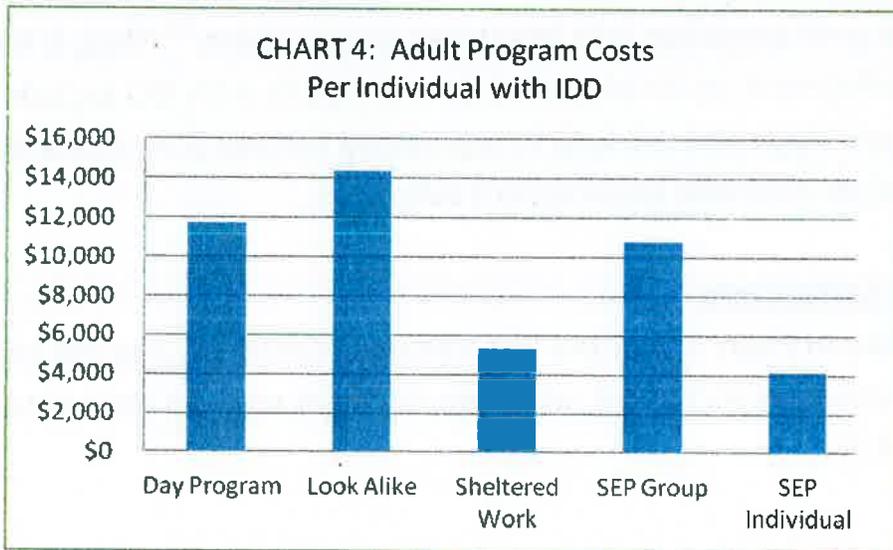
In addition, as the U.S. Department of Justice applies the principles of the *Olmstead* Supreme Court decision to employment, policies have increasingly emphasized that employment options must be provided in the most integrated setting possible.<sup>9</sup> Research shows that no more than 5% of people in sheltered workshops ever transition into integrated employment.<sup>10</sup> Thus, it is critical that policy development on employment for individuals with IDD exclude subminimum wage and working in segregated settings (i.e., sheltered workshops) as desirable employment outcomes.

### **Fiscal and Social Costs**

As illustrated in Chart 3 over the last 5 years in California, the use and funding of day programs have increased, while employment services have remained mostly unchanged.<sup>11</sup>



This trend conflicts with the interests, choices, and desires of many individuals with IDD and also costs more than individualized supported employment, as detailed in Chart 4 in the per-person cost of services.<sup>12</sup>



A rise in employment would likely decrease the use of day program services and increase use of individual supported employment.

## Recommendations for Policy/Systems Change

- 1. Establish goals, benchmarks, and measurable outcomes for the implementation of the Employment First Policy.** To effectively implement the Employment First Policy, California needs an established baseline, goal, and outcome measurement system including employment settings, wages, and hours worked to track the employment rate of individuals with IDD. Upon implementation, this policy should drive transition planning for youth with IDD, the allocation of funds by DDS, and the development of new service delivery options.

There needs to be a stakeholder process for developing this measurement system and for determining goals. The stakeholder group should share data and information to promote shared understanding of consumer needs, ensure access to services and supports, and improve interagency coordination.

- 2. Align and incentivize funding for integrated competitive employment.** There is consensus among stakeholders that the current formula used by DDS to fund services for individuals with IDD does not support ICE outcomes. In addition, the statutory formula for funding supported employment services, which is also used by the California Department of Rehabilitation (DOR), does not incentivize ICE as an outcome. Accordingly, in keeping with the implementation of California's Employment First Policy, existing DDS funding needs to be realigned to better support employment services, ensuring that they focus on ICE outcomes to the greatest degree possible. Realigned funding should support capacity building, innovation, and use of technology. Models for funding realignment towards ICE include the Department of Rehabilitation's College to Career programs, Project Search for internships; self-determination and tailored day service funding models.

In addition, existing local innovations in funding that allow for sequential or hybrid funding models (DDS/DOR) should be scaled up. For example, TransCen's WorkLink program<sup>13</sup> breaks down the day rate provided by the regional center to an hourly rate. This enables it to both provide employment exploration and preparatory skill development through its day program, and to utilize DOR funds for job placement and supported employment.

- 3. Stop placement of transition age youth and young adults with IDD in sheltered employment.** In keeping with the guidance of the U.S. Department of Justice regarding the *Olmstead* Supreme Court decision as applied to employment,<sup>14</sup> California, along with other states, should develop a plan to phase out funding for sheltered workshops. Accordingly, DDS should make a commitment to place persons with IDD, ages 16-30, in ICE settings rather than in sheltered workshops. The Regional Center of Orange County has made the commitment 'close the door' to referrals to sheltered workshops as of July 1, 2014.

As California implements its Employment First Policy, it will be critical to provide comprehensive transition planning for youth with IDD, starting with the individual's initial transition plan and identified postsecondary education and employment goals. Regional center staff will be essential partners in this transition planning process in order to ensure that their services are aligned with those of other systems, such as the Department of Rehabilitation, to support the achievement and sustainability of ICE outcomes.

- 4. All workers should be paid at least minimum wage.** All individuals with disabilities who can perform the essential functions of their jobs, with reasonable accommodations, should be paid the same as their non-disabled peers. Therefore, California should make a commitment to phase out the use of subminimum wages. California should analyze the successes and failures of other states to determine the most appropriate way to phase out subminimum wage.

**The California Employment Consortium for Youth and Young Adults with Intellectual and Developmental Disabilities (CECY)** is a collaboration of 23 state agencies, centers, and organizations; families; and self-advocates with responsibilities for the education, rehabilitation, employment, and support of youth with disabilities. Our mission is to strengthen state policies and practices to increase the number of youth and young adults with IDD in integrated competitive employment. CECY is a 5-year (2011-2016) Project of National Significance under a Partnerships in Employment Systems Change grant (#90DN0284) by the Administration on Intellectual and Developmental Disabilities. ■ The Tarjan Center at UCLA, a University Center for Excellence in Developmental Disabilities (UCEDD), provides the administrative leadership for CECY. For more information, please contact Tarjan Center and CECY Director Olivia Raynor at [oraynor@mednet.ucla.edu](mailto:oraynor@mednet.ucla.edu) or (310) 794-1141. ■ [tarjancenter.org/cecy](http://tarjancenter.org/cecy)

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<sup>1</sup> 2012 data, CA is 33rd out 44 states, unavailable/not collected for Arkansas, Delaware, Michigan, Mississippi, Nebraska, New York, North Dakota, and Rhode Island.

<sup>2</sup> StateData.info.(n.d.) State IDD Agencies [Raw data]. Retrieved from [http://www.statedata.info/download/download\\_1.php](http://www.statedata.info/download/download_1.php); see also <http://www.statedata.info/download/IDD%20Survey.pdf>.

<sup>3</sup> California Department of Developmental Services. (2011, December 31). National Core Indicators Family Survey Results: Quality Assessment Project, Fiscal Year 2010-2011. Retrieved from [https://www.dds.ca.gov/QA/docs/nciSurveyResults2010\\_11.pdf](https://www.dds.ca.gov/QA/docs/nciSurveyResults2010_11.pdf).

<sup>4</sup> California State Council on Developmental Disabilities. (2013). Annual Report of the Employment First Committee. Retrieved from [http://www.scdd.ca.gov/res/docs/pdf/Employment\\_First/2013%20EMPLOYMENT%20FIRST%20REPORT.pdf](http://www.scdd.ca.gov/res/docs/pdf/Employment_First/2013%20EMPLOYMENT%20FIRST%20REPORT.pdf).

<sup>5</sup> Regional Center of Orange County (RCOC). (2013, July 18). *Work Initiative Update Employment Outcomes*. Presentation on data from October 2012 to the RCOC's Employment Community Advisory Council at its Santa Ana office.

<sup>6</sup> Markell, J. (2012-2013 Chair's Initiative). *A Better Bottom Line: Employing People with Disabilities, Blueprint for Governors*. National Governors Association. Retrieved from [http://www.nga.org/files/live/sites/NGA/files/pdf/2013/NGA\\_2013BetterBottomLineWeb.pdf](http://www.nga.org/files/live/sites/NGA/files/pdf/2013/NGA_2013BetterBottomLineWeb.pdf).

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<sup>7</sup> California State Legislature. (2013, October 10). AB 1041 Developmental Services: Employment First Policy. Retrieved from [http://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill\\_id=201320140AB1041](http://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill_id=201320140AB1041).

<sup>8</sup> CECY's Employment First Brief is at [http://www.semel.ucla.edu/sites/all/files/cecy\\_consortium/CECY\\_EFBrief.pdf](http://www.semel.ucla.edu/sites/all/files/cecy_consortium/CECY_EFBrief.pdf).

<sup>9</sup> U.S. Department of Justice. (2014, January 6). DOJ Findings Letter to Rhode Island. Retrieved from [http://www.ada.gov/olmstead/documents/ri\\_lof.pdf](http://www.ada.gov/olmstead/documents/ri_lof.pdf); see also *Lane v. Kitzhaber*, 12-CV-00138. (D. Or. 2012).

<sup>10</sup> National Disability Rights Network. (2012, April). *Beyond Segregated and Exploited: Update on the Employment of People with Disabilities*. Retrieved from [http://www.napas.org/images/Documents/Resources/Publications/Reports/Beyond Segregated and Exploited.pdf](http://www.napas.org/images/Documents/Resources/Publications/Reports/Beyond_Segregated_and_Exploited.pdf).

<sup>11</sup> California Department of Developmental Services (no date), 2010-2011 Employment and Day Services Annual Report. Data from DDS Purchase of Service system HAB services. Retrieved from [http://www.dds.ca.gov/WorkServices/docs/EmploymentDayPrgmAnnualRpt2010\\_2011.pdf](http://www.dds.ca.gov/WorkServices/docs/EmploymentDayPrgmAnnualRpt2010_2011.pdf).

<sup>12</sup> Ibid.

<sup>13</sup> More information at <http://www.transcen.org/worklink/>.

<sup>14</sup> California State Council on Developmental Disabilities. (2013). Annual Report of the Employment First Committee. Retrieved from [http://www.sccd.ca.gov/res/docs/pdf/Employment\\_First/2013%20EMPLOYMENT%20FIRST%20REPORT.pdf](http://www.sccd.ca.gov/res/docs/pdf/Employment_First/2013%20EMPLOYMENT%20FIRST%20REPORT.pdf); see also *Lane v. Kitzhaber*, 12-CV-00138, (D. Or. 2012); *DOJ Findings Letter to Rhode Island* (2014).

## Aiming Higher: Expanding Transition Services to Increase Employment for Young Adults with Intellectual and Developmental Disabilities

K-12 Education System

August 2015

### Background

California has been a national leader in policies and services for people with disabilities. However, as documented in CECY Policy Brief No. 1, we lag behind most other states in supporting people with intellectual and developmental disabilities (IDD) to work in integrated employment: California is tied for 33rd among the 43 states with comparable data. Of the 16 states with more than 10,000 people with IDD, California is tied with Florida for 12th place.<sup>1</sup> Only 12.4% of working-age Californians with IDD received a paycheck in 2012.<sup>2</sup> Many of these individuals work only a few hours per week, work in segregated sites such as sheltered workshops, or make subminimum wage.<sup>3</sup>

For all students, the preparation they receive in school greatly influences what they do in the few years following school and their employment potential for the rest of their lives. However, for many reasons, including those outlined in this brief, many students with IDD<sup>4</sup> leave high school without the expectation, skills, or connections to services to prepare them for success in postsecondary education or competitive integrated employment.

Given evolving federal and state policies, sheltered work and subminimum wage settings are no longer acceptable employment outcomes for schools or the adult service

The Issue:  
Young adults with intellectual and developmental disabilities rarely attain competitive integrated employment.

The Workforce Innovation and Opportunity Act (WIOA) now defines **Competitive Integrated Employment (CIE)** as full or part-time work, where individuals are fully integrated with co-workers without disabilities, earning at or above minimum wage, with pay and benefits similar to people without disabilities performing the same or similar work. (See the full definition at 29USC705.)

systems. Whereas previously students were transitioning to adult services that predominantly provided segregated and subminimum wage settings, the federal Workforce Innovation and Opportunity Act (WIOA) and the state's Employment First Policy (WIC, Section 4869(a)(1)) are changing direction by making competitive integrated employment the priority for working-age adults with IDD.

### **Transition Services**

California's Education Code states:

*"The goal of transition services is planned movement from secondary education to adult life that provides opportunities which maximize economic and social independence in the least restrictive environment for individuals with exceptional needs."<sup>5</sup>*

Schools are required to provide transition services to all students who have an Individualized Education Program (IEP) based on the Individuals with Disabilities Education Act, 2004 (IDEA) and subsequent regulations<sup>6</sup>. IDEA defines transition services as a coordinated set of activities for a student with a disability that is designed to be within a results-oriented process focused on improving academic and functional achievement to facilitate the student's movement from school to post-school activities. Since education does not collect data specifically for students with IDD, in this brief we use data provided by the California Department of Education (CDE) for students with intellectual disability (ID), autism and traumatic brain injury (TB) as the closest comparable data set.

In addition to school personnel, there are several key agencies that should be involved in the transition process and provide support after students with IDD leave high school. These include the California Department of Rehabilitation (DOR) and the California Department of Developmental Disability Services (DDS), among others. Changes in federal laws and regulations, such as WIOA and the Centers for Medicare and Medicaid Services Home and Community Based Services Waiver, will result in significant changes in cross-agency collaboration designed to improve school-to-work outcomes for youth with disabilities.

## California Can Do Better: The Need for Policy Change

For the 2012-2013 school year, the California Department of Education reports that 5,849 students with autism, intellectual disabilities (ID), or traumatic brain injury (TBI) exited K-12 education.<sup>7</sup> Many entry-level jobs require a high school diploma. Yet as displayed in Chart 1 below, only 32% of students with autism, ID, or TBI graduated,<sup>8</sup> while 24% received a certificate of completion. Furthermore, 44% of the students with these disabilities either dropped out or aged out, which is displayed as “School Leaver” in Charts 1 and 2.

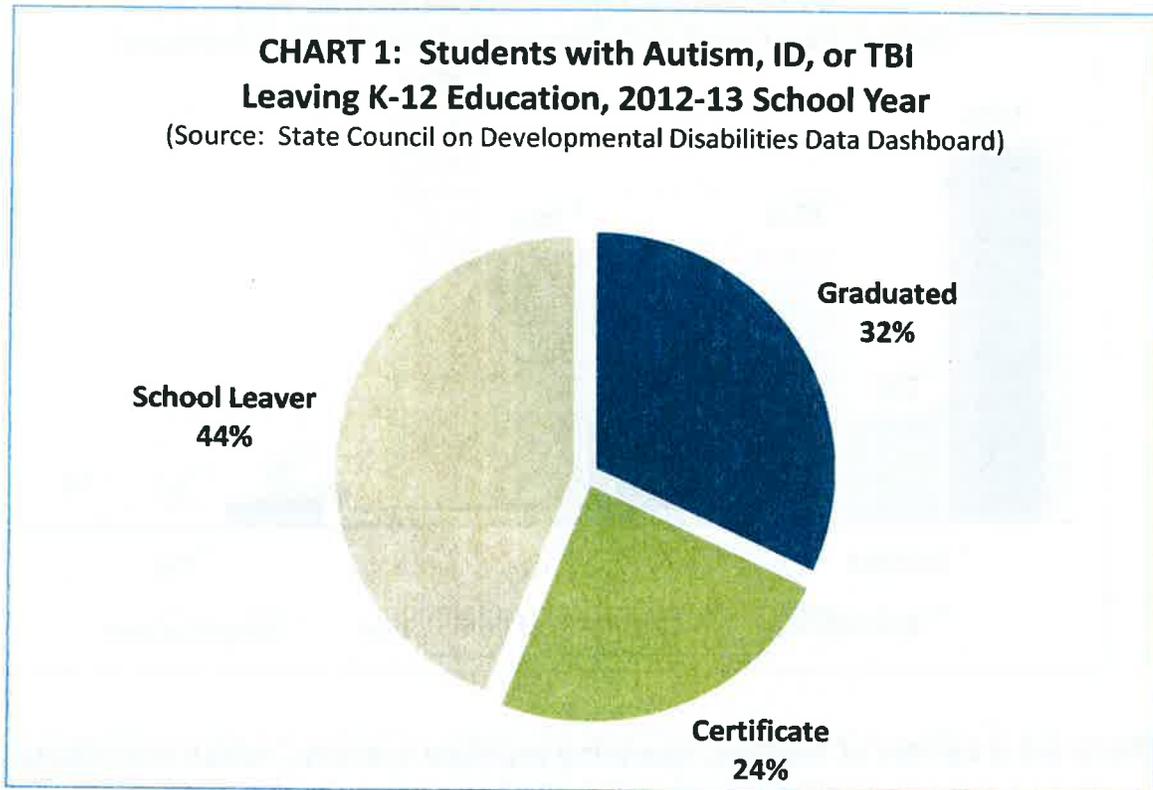
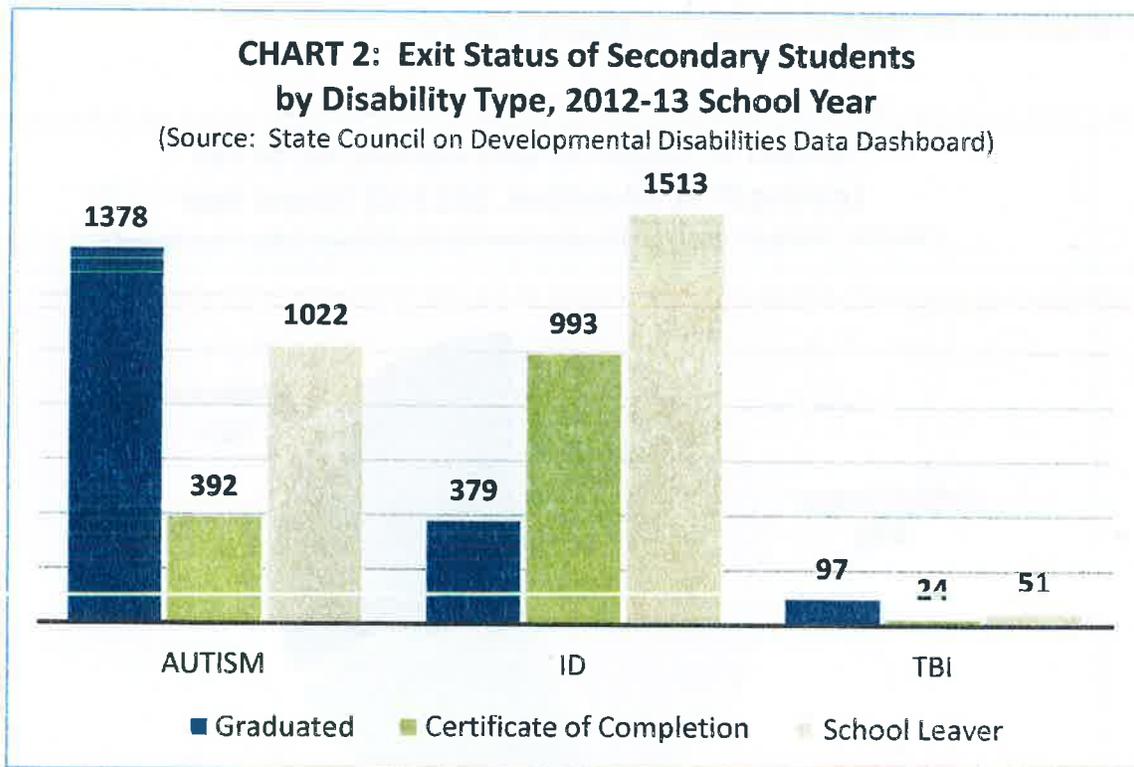


Chart 2, below, examines the high school exit status by disability category. Whereas half of the students with autism and TBI graduated with a diploma, very few students with ID did. California Education Code<sup>9</sup> stipulates the minimal requirements for earning a high school diploma in California, with additional local requirements being determined by individual school districts. Many students with IDD do not meet these academic standards, even with appropriate supports, and leave high school without a diploma, which is a minimum requirement for many jobs. Since earning a high school diploma formally ends participation in the

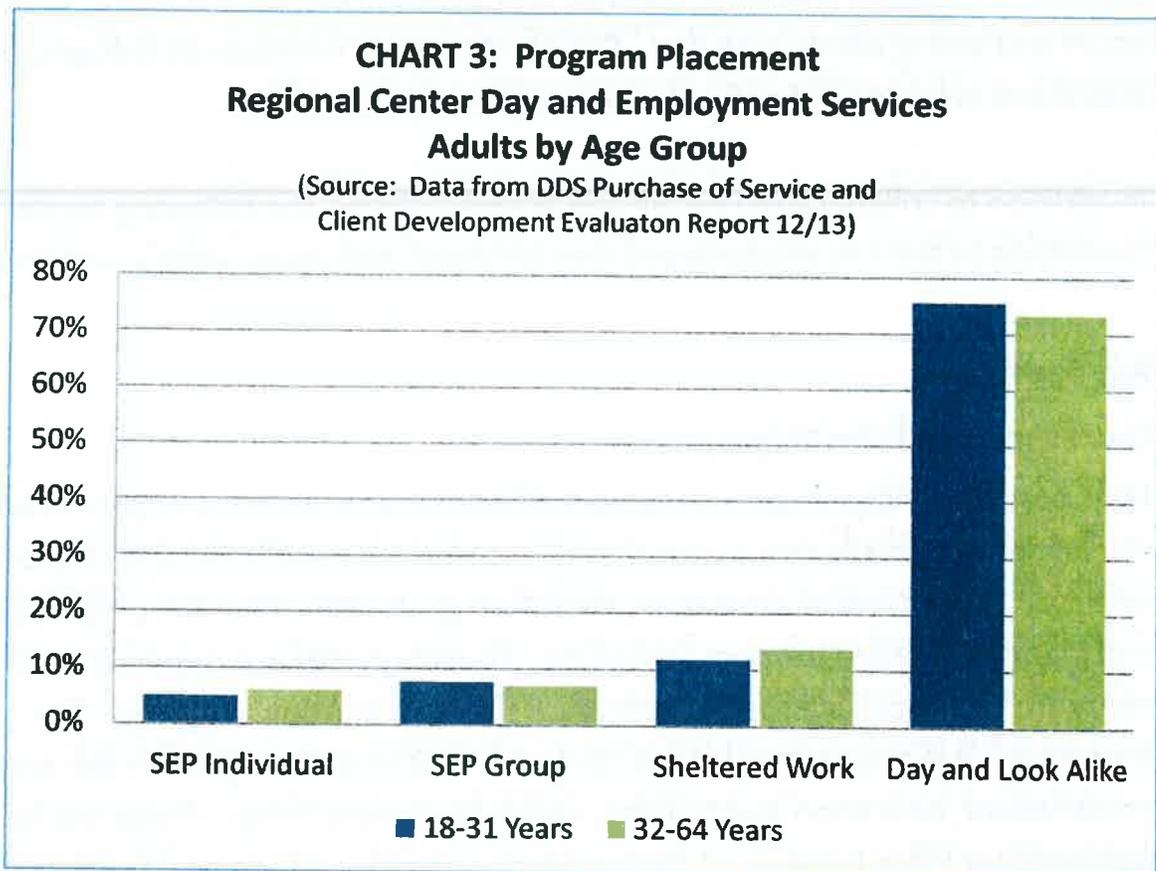
K-12 system, parents and students may decline to earn a diploma in order to stay in school until age 22.

Chart 2 also shows that only 993 (34%) of the students with ID received a certificate of completion, while more than half either dropped out or aged out, which is displayed as “school leaver.”



There are a variety of reasons, spanning multiple systems, which contribute to the current poor employment outcomes for working-age individuals with IDD. Since data from Indicator 14 for post-school outcomes are not adequate, information from the regional centers is used as a way to understand how well transition has worked for a subset of students with the most significant disabilities. Chart 3, below, displays outcomes for working-age regional center clients, ages 18-31 and 32-64. For the fiscal year 2012-2013, these data<sup>10</sup> show that nearly all individuals receiving regional center services attend day programs; look-alike day programs; or segregated Work Activity Programs, also known as sheltered workshops. A small percentage of regional center clients are supported through Supported Employment Program (SEP) Group to work in integrated settings in small groups,

but often not at competitive wages. Only a small fraction are supported to succeed in competitive jobs at regular work sites through Individual SEP services.



Comparing the two columns of Chart 3 above, we see little difference in employment/program placements between the 18-31 and 32-64 age groups. Thus, the outcomes for transition-age young adults are little changed from the outcomes for individuals who transitioned more than a decade before. In addition, data<sup>11</sup> show that once a young person exits school into a day program or sheltered work, he or she is unlikely to ever transition to competitive integrated employment.

Consistent with the data discussed above, the Education Code indicates that despite improvements in special education over several decades, we have not witnessed a corresponding increase in paid employment or maximum community integration for young adults who received special education services.<sup>12</sup> In 1987, the Legislature specifically cited the lack of a formalized process that bridges the gap between school and post-school services as a barrier to positive post-school outcomes.<sup>13</sup>

We know that a formalized process for seamless transition and collaboration at the state and local levels that includes policy development and implementation, support of effective practices, training, and evaluation is critical to the success of youth and young adults with IDD. The need for such interagency linkages will be addressed in CECY's policy brief on interagency collaboration.

In addition to collaboration within and across systems, the following barriers contribute to the low employment rate for youth and young adults with IDD.

### **Key Barriers**

#### **Low Expectations for Employment**

Historically, we have underestimated the abilities and interests of people with disabilities, especially those with IDD, to succeed in educational and employment settings. Within special education, transition goals determine the preparation and planning needed for post-school life. Transition IEPs are required by IDEA for every student receiving special education services, starting at age 16. The transition IEP is required to list the student's postsecondary goals in the areas of employment, education and training, and independent living. Preparing for independent living is the most frequently reported transition goal for students with ID (50%), followed by competitive employment (46%), supported employment (45%), postsecondary vocational training (25%), and 2 or 4 years of college (11%).<sup>14</sup> As California implements its Employment First Policy, it will be important for competitive employment, vocational training, and postsecondary education to be increasingly listed as primary transition goals for students with IDD.

#### **Lack of Meaningful Certificate for Students Not Receiving a Diploma**

Taking the California High School Exit Exam (CAHSEE) as a graduation requirement can be waived for students with an IEP.<sup>15</sup> The state criteria for a course of study to earn a certificate are to complete a prescribed alternative course of study, meet IEP goals and objectives, and satisfactorily attend school and participate in instruction.<sup>16</sup> While the individualization of the conditions for attaining a certificate may be positive, it does not ensure all students attain a minimum level

of skills and knowledge. Thus, schools can award certificates that communicate little meaningful information to employers and others in the postsecondary world on the preparation students have received.

### **Segregated Work and Subminimum Wage**

The education system acknowledges that students need educational and work experiences that prepare them for competitive and integrated work. Currently, most of the transition-age students with IEPs who participate in paid work experience through school districts participate in WorkAbility I, a program funded as a grant to districts through CDE. Past policy allowed the use of subminimum wage certificates for school work experience programs that were consistent with most post-school adult service employment placements at the time. In response to changing public policy, effective June, 2014, the Department of Education has set guidelines that forbid the use of WorkAbility I funds to pay subminimum wages.<sup>17</sup>

Given the change in direction, there is a need to review fiscal and pay issues and the use of student learner wages to enable schools to provide a spectrum of work-based learning opportunities.

### **Monitoring Protocols**

The monitoring system at CDE is mandated to focus heavily on procedural compliance. Federal law requires the department to monitor to ensure that schools produce transition IEPs that contain measurable goals for postsecondary outcomes in employment, education, and independent living.

While the federal and state focus on compliance is important, it is not adequate for driving change to achieve needed postsecondary outcomes.<sup>18</sup>

### **Lack of Data**

There is a significant lack of available, meaningful, and uniform data, disaggregated by disability, on students with disabilities in school, as well as postsecondary student outcome data. Therefore, it is hard to gather specific data

on students with IDD. Even when such data are available, there are gaps in their specificity, which make them difficult to interpret. In addition, data elements (e.g., disability categories, services, work experience) vary across service systems such as education, rehabilitation, and the developmental disabilities service system, and they are not coordinated, making it difficult to examine outcomes for youth and young adults with IDD.

There are insufficient data from CDE on postsecondary student outcomes to meaningfully assess the effectiveness of secondary curriculum, planning, and practice.

### **Recommendations for Policy/Systems Change**

#### **1. Raising Expectations**

The first step to achieving increased employment outcomes for young adults with IDD is for educators, other professionals, families, and students to have positive expectations about their abilities to succeed in school and at work. These expectations should be reflected in students' transition plans and preparation.

Staff from the various systems that interact with students in transition must understand California's Employment First Policy and the resources and services necessary for students to succeed in competitive integrated employment. Staff from different systems should be giving students the same message. Therefore, there should be statewide uniform training across departments for staff at CDE, the Department of Rehabilitation (DOR), the Department of Developmental Services (DDS), and California's regional centers regarding the state's Employment First Policy, career exploration strategies, the principles and practice of person-centered planning, and available resources. In the education sector, this means ongoing pre-service and in-service training.

In addition, the core of successfully preparing students for adult life and responsibilities is ensuring that they take responsibility and advocate for themselves. Therefore, California must require self-advocacy training for

special education students that establishes the expectation for Employment First. The training should follow a model curriculum that includes strategies for students to understand their own strengths and needs, identify personal goals, plan for their future, know their rights and responsibilities, advocate for their educational goals, and network with adult role models with disabilities. Students and their families also need training in the management of SSI benefits and the use of Social Security Administration (SSA) Work Incentives.

## **2. Establishing Criteria for Transition**

Similar to the minimum requirements for a high school diploma, California should define in the Education Code the requirements for a certificate of completion. The definition would be developed through a collaborative statewide process and contribute to consistency across school districts. It would also ensure that youth with IDD are given experiences to prepare them for successful employment and/or postsecondary education, including participation in integrated community work-based learning opportunities, paid employment, and community safety and travel training. The definition of the certificate needs to take into consideration the individualized needs, accommodations, services, and supports outlined in the transition IEP.

## **3. Eliminating Segregated Work and Subminimum Wage**

To assist in the transition to offering students integrated work experience, the state should statutorily require education-based work experiences to be in integrated settings and prohibit the payment of subminimum wages. Further, schools should offer a spectrum of work-based learning opportunities to appropriately respond to the diversity of student needs. Therefore, the state should define all options for engagement in work based learning, such as paid and unpaid work experiences, volunteering, internships, learner wages, and project-based learning.

## **4. Broadening the Focus from Procedural Compliance**

CDE should continue its efforts to broaden its focus from procedural compliance in special education to suggesting improvements in local programs

based on effective practices and resources. It should support continued and expanded training and share effective models and practices for assisting students with significant disabilities, including IDD, to enter into competitive, integrated, employment. It also should support development of policies, practices, and strategies cited in this brief, including the development of standards for certificates of completion/attendance and development of model curricula for student self-advocacy training.

Effective practices that highlight positive outcomes through collaboration at the local level could serve as models to low-performing school districts and guide the way to improvement rather than simply cite lack of compliance. CECY and the CA Community of Practice (COP) can contribute to this effort by sharing the data and information from identified local best practices. These include strategies for person-centered planning, job development, and interagency coordination that lead to positive employment outcomes.<sup>19</sup>

## **5. Strengthening Data-Driven Policy and Practice**

In order for schools to improve their practice by monitoring postsecondary student outcomes, there must be better outcome data. CDE should allocate additional resources and establish protocols to assist schools in gathering more complete postsecondary outcome data. There should be improved coordination between general education and special education in an effort to track student achievement after leaving high school.

As discussed further in the forthcoming interagency policy brief, the relevant departments, including CDE, DDS, DOR, and the Employment Development Department, should be required by statute to share outcome data on transition-age students. To assist in sharing of data, there should be uniform definitions of disability and other data elements across agencies. Aggregate information about students with disabilities and their post-school outcomes, statewide and locally, must be transparent and available.

### **Brief's Authoring Agency**

The **California Employment Consortium for Youth and Young Adults with Intellectual and Developmental Disabilities (CECY)** is a collaboration of 24 state agencies, centers, and organizations; families; and self-advocates with responsibilities for the education, rehabilitation, employment, and support of youth with disabilities. Our mission is to strengthen state policies and practices to increase the number of youth and young adults with IDD in competitive integrated employment. CECY is a 5-year (2011-2016) Project of National Significance under a Partnerships in Employment Systems Change grant (#90DN0284) by the Administration on Intellectual and Developmental Disabilities. ■ The Tarjan Center at UCLA, a University Center for Excellence in Developmental Disabilities (UCEDD), provides the administrative leadership for CECY. For more information, contact Tarjan Center and CECY Director Olivia Raynor at [oraynor@mednet.ucla.edu](mailto:oraynor@mednet.ucla.edu) or 310-794-1141. ■ [tarjancenter.org/cecy](http://tarjancenter.org/cecy)

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<sup>1</sup> StateData.info.(n.d.) [State IDD Agencies](http://www.statedata.info/download/download_1.php) [2012 raw data]. Retrieved from [http://www.statedata.info/download/download\\_1.php](http://www.statedata.info/download/download_1.php); see also

<http://www.statedata.info/download/IDD%20Survey.pdf>.

<sup>2</sup> State of California Developmental Disabilities System Employment Data Dashboard [www.sccd.ca.gov](http://www.sccd.ca.gov).  
Data on working-age adults with IDD who are regional center clients.

<sup>3</sup> 2013 Employment First Report, State Council on Developmental Disabilities, July 2013.

<sup>4</sup> The term Intellectual and Developmental Disabilities (IDD) encompasses individuals with intellectual disabilities, autism, cerebral palsy, epilepsy, and conditions that require services similar to those with intellectual disability.

<sup>5</sup> Cal. Ed. Code 56460(e). 1987

<sup>6</sup> IDEA Regulations 34 CFR 300.43(a) 120 USC 1401

<sup>7</sup> Categories of disability as defined under IDEA. See Sec. 300.8 Child with a disability. Retrieved January 28, 2015 from <http://idea.ed.gov/explore/view/pl,root,regs,300,A,300%252E8>.

<sup>8</sup> Graduation includes a diploma, diploma with exemption or waiver, or a GED.

<sup>9</sup> CDE Graduation / Diploma Requirements Ed Code 51220-51-229

<sup>10</sup> Data from DDS Purchase of Service and Client Development Evaluation Report 12/13.

<sup>11</sup> 2010-2011 Annual Employment and Day Program Report, California Department of Developmental Services, pp. 22-31.

<sup>12</sup> Cal. Ed. Code Sec. 56460. 1987

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<sup>13</sup> Cal.Ed. Code Sec 56460(b) 1987

<sup>14</sup> Grigal, M., Hart, D., & Migliore, A. (2011). Comparing the Transition Planning, Postsecondary Education, and Employment Outcomes of Students with Intellectual and Other Disabilities. *Career Development for Exceptional Individuals*, 34(1), 4-17. (Note that a transition plan will typically have more than one goal, so the percentages add up to more than 100%).

<sup>15</sup> California High School Exit Exam Waiver EC Section.60852.3

<sup>16</sup> CA ED Code Recognition of Educational Achievement or Completion of Program ED Code Sec 56390-56392

<sup>17</sup> E-mail from Alison Greenwood, Education Administrator, California Department of Education, May 2014.

<sup>18</sup> Yudin, M, (undated) Higher Expectations to Better Outcomes for Students with Disabilities.

HOMEROOM, the Official Blog of the US Dept of Education <http://www.ed.gov/blog/2014/06/higher-expectations-to-better-outcomes-for-children-with-disabilities/>

<sup>19</sup> Irvine Unified, Whittier Union High School, and Sweetwater School Districts, and the Glenn County Office of Education were selected as local collaborators of CECY because of their demonstrated best practices and student outcome data.

**Item 10**  
**REVIEW OF THE 2014 EFC**  
**ANNUAL REPORT**



# Employment First Committee

Annual Report



2014



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# **Employment First Committee**

## **Annual Report 2014**

### **Introduction**

This is the fourth annual report by the Employment First Committee, a committee started by the California State Council on Developmental Disabilities in 2011.

### **2014 Employment First Committee Guidelines**

At its June 2014 meeting, the Employment First Committee (EFC) directed that its annual report give an update on employment outcomes from 2014, including information reported by ethnicity. Most of the report will describe 'best practices' learned from the Council's Jay Nolan Community Services grant and the California Employment Consortium of Youth and Young Adults with Intellectual and Developmental Disabilities (CECY) and its grant-funded Local Employment Collaborative Teams' (LECTs') programs of excellence.

This report will also include federal guidelines, as well as efforts by various states throughout the nation of putting Employment First into action.

## Overview

Under the Lanterman Act, California has successfully developed a broad system of services to support people with intellectual/developmental disabilities (I/DD) to live in their own communities of choice. In that process, however, this state largely provided non-work-related services. As a result, California now ranks 3<sup>rd</sup> among its sister states in offering non-work day program services but is ranked 35<sup>th</sup> in the nation when it comes to supporting people with I/DD in fully integrated work settings.

In California, 12.45% of working age, regional center clients get a paycheck. Of this 12.45%, most work in segregated work sites, make minimum or sub-minimum wages, and/or work a few hours a week. Only 8% of Californians with I/DD work in integrated competitive employment (ICE) settings. The goal of Employment First is to focus on services that support and enable people with disabilities to work in integrated, competitive settings.

There is a strong, growing national movement to support Employment First policies and practices, with 22 States having already adopted such policies: Arkansas, Colorado, Connecticut, Delaware, Kansas, Louisiana, Maine, Maryland, Massachusetts, Missouri, New Jersey, North Dakota, Ohio, Oklahoma, Oregon, Pennsylvania, Rhode Island, Tennessee, Utah, Virginia, Washington and, now, California.

The passage of AB 1041 (Chesbro) in 2013 codified California's Employment First Policy and established an employment first policy in statute, directing the state to make opportunities for integrated, competitive employment a clear priority. This legislation is the result of seven years of cooperation between the Council, its stakeholders, the Legislature and the Administration in implementing strategies to expand employment outcomes for people with developmental disabilities throughout California.

## **US Department of Labor: The Workforce Innovation and Opportunity Act Overview (July 22, 2014)**

President Barack Obama signed the Workforce Innovation and Opportunity Act (WIOA) into law on July 22, 2014. WIOA, the first legislative reform of the public workforce system in 15 years, was passed by Congress in a wide bipartisan majority. WIOA is designed to help job seekers gain employment, with education, training, and support services to succeed in the labor market and to match employers with the skilled workers they need to compete in a global economy. Every year, WIOA programs help millions of jobseekers and workers acquire the skills and credentials needed to obtain good jobs.

### **WIOA Programs**

WIOA brings together core programs of federal investment in skill development:

- Employment and training services for adults, dislocated workers, and youth
- Wagner-Peyser (one-stop) employment services, administered by the Department of Labor (DOL) through grants to states; and
- Adult education and literacy programs and Vocational Rehabilitation state grant programs that help people with disabilities obtain employment, administered by the Department of Education (DoED)

### **WIOA Background**

WIOA replaced the workforce investment act of 1998 and retains and amends the Adult Education and Family Literacy Act, the Wagner-Peyser Act and the Rehabilitation Act of 1973. WIOA provides programs and services for vulnerable populations, including those for Native Americans, and migrant and seasonal farmworker programs. WIOA supports Job Corps and YouthBuild, as well as evaluation and multi-state projects administered by the DOL. WIOA also authorizes programs administered by the DoED and the Department of Health and Human Services.

### **Highlights of WIOA Reforms:**

**Requires States to Strategically Align Workforce Development Programs:** WIOA ensures that employment and training services provided by core programs are coordinated and complementary so that jobseekers acquire skills and credentials that meet employers' needs:

- Every state will develop and submit a four year strategy – in the form of a single unified strategic plan for core programs – for preparing an educated and skilled workforce and meeting the workforce needs of employers.
- States can include other partners in their plans, such as Temporary Assistance for Needy Families (TANF).

**Promotes Accountability and Transparency:** WIOA ensures that federal investments in employment and training programs are evidence-based and data-driven, accountable to participants and taxpayers:

- Core programs are required to report on common performance indicators and provide employment information, such as how many workers entered into and kept employment, average wage figures, and whether workers obtained credentials and measurable gains in skill development.
- Programs now measure the effectiveness of services to employers.
- Department of Labor (DOL) and the Department of Education (DoEd), with input from stakeholders, will establish a common performance accountability system for programs.
- Negotiated levels of performance for common indicators will be adjusted, based on a statistical model that takes into account economic conditions and participant characteristics.
- Performance reports for states, local areas, and eligible training programs will be publicly available.
- Programs will be evaluated by independent third parties at least every four years.

**Fosters Regional Collaboration:** WIOA aligns workforce development programs with regional economic development strategies to meet the needs of local and regional employers:

- States will identify regions within their state.
- Local areas within regions will have coordinated planning and service delivery strategies.

**Improve the American Job Center (AJC) System:** WIOA increases the quality and accessibility of services that jobseekers and employers receive at the local AJCs:

- States will develop criteria to certify AJCs (at least) every three years to ensure continuous improvement, easy access to services (including virtual access), and integrated service delivery for jobseekers and employers.
- Key partners and services will be available at AGCs in the co-location of the Wagner-Peyser Employment Service and the addition of the TANF (Temporary Assistance for Needy Families) program as a required partner.
- The workforce system will have a common identifier so workers that need employment or training services and employers that need qualified workers can easily find their local AJCs.
- The Secretary of Labor, with the input from a new advisory council, other federal agencies, and states will develop and implement plans to improve the national workforce and labor market information system and help jobseekers make informed career choices.

- States and local areas are encouraged to improve customer service and program management by integrating intake, case management, and reporting systems.
- AJC partner programs will dedicate funding for infrastructure and other shared costs.

**Improve Services to Employers and Promotes Work-Based Training:** WIOA contributes to economic growth and business expansion by ensuring the workforce system is job-driven, matching employers with skilled workers.

- State and local boards, which are responsible for activities to meet workforce needs of local and regional employers, will use industry and sector partnerships to meet multiple employer needs within an industry.
- Local areas can use funds for demonstrated strategies that meet employer needs, including incumbent worker, on-the-job, and customized training, registered apprenticeships and transitional jobs.
- Employers will receive increased reimbursement rates for on-the-job and customized training, to meet the workforce needs and offer learning opportunities for workers.

**Provides Access to High-Quality Training:** WIOA helps jobseekers acquire credentials for in-demand jobs:

- Training that leads to industry recognized, postsecondary credentials is emphasized.
- State and local areas will use career pathways to provide education, employment and training assistance, in order to speed jobseekers' education and career advancement.
- Local areas will have additional training procurement vehicles, to increase customer choice and quality, including training accounts, pay-for-performance contracts, and direct contracts with higher education.

**Enhances Workforce Services for Unemployed or Other Jobseekers:** WIOA assures that unemployed and other jobseekers have access to high quality workforce services.

- Workforce Investment Act (WIA) service categories of core and intensive services are collapsed into 'career services' and there is no required sequence of services, enabling jobseekers to access training immediately.
- Local areas have flexibility to serve jobseekers with the greatest need by transferring up to 100% of funds between Adult and Dislocated Worker programs.
- Jobseekers that are deficient in basic skills, in addition to those with low income, have priority in getting adult program services.
- Unemployment insurance claimants can receive eligibility assessments and referrals to training and education resources through the Wagner-Peyser Employment Service program.

**Improve Services to Individuals with Disabilities:** WIOA will increase access to high-quality workforce services for people with disabilities' and prepare them for integrated, competitive employment (ICE).

- AJs (American Job Centers) will provide physical and program accessibility to employment and training services for people with disabilities.
- Youth with disabilities will receive intensive pre-employment transition services so they can successfully achieve ICE.
- State with vocational rehabilitation agencies will set aside at least 15% of their funds to provide transition services for people with disabilities.
- A committee will advise the Secretary of Labor on strategies to increase ICE for individuals with disabilities.
- Vocational Rehabilitation (VR) state grant programs will work with employers to improve employment outcomes.

**Makes Key Investments in Serving Disconnected Youth and Other Vulnerable Populations:** WIOA will prepare vulnerable youth and other jobseekers for successful employment through increasing the use of proven service models.

- Local areas must increase the percentage of youth formula funds to serve out-of-school youth to 75%, which is an increase from the 30% provided under current laws.
- Local areas must spend at least 20% of youth formula funds on work experience activities such as summer jobs, pre-apprenticeships, on-the-job training, and internships, to prepare youths for employment.
- YouthBuild participants will get training in growing fields, expanding career opportunities.
- Key programs serving Native Americans and migrant and seasonal farmworkers will remain AGC partners, ensuring that program participants receive employment and training services from American Job Centers.

## Council Legislative Activities

The Council has worked with the Administration, Legislature and stakeholders on policy to support full integration of people with developmental disabilities and cross-disabilities within the California workforce with integrated, competitive employment. The bills listed below illustrate some of that ongoing legislative effort.

### **AB 1041 (Chesbro), Chaptered 2013**

This bill defines competitive employment, micro-enterprises, and self-employment for these purposes. The bill would additionally require the Employment First Committee to identify existing sources of consumer data that can be matched with employment data, as specified, and to recommend goals for measuring employment participation and outcomes for various consumers within the developmental services system.

### **AB 1089 (Calderon) Chaptered 2014**

This bill specifies the transfer procedures that apply when a consumer receiving regional center services (with an order for foster care) is awaiting foster care placement or is placed in out-of-home care transfers between regional centers. The bill would establish specific timelines and procedures for making these transfers. By imposing new duties and a higher level of service on county employees, the bill would impose a state-mandated local program.

### **AB 1595 (Chesbro) Chaptered 2014**

This bill broadly rewrites the statutory responsibilities of the State Council on Developmental Disabilities (SCDD), including restructuring the role and scope of the state's 13 area boards, to comply with the requirements of the federal Administration on Intellectual and Developmental Disabilities (AIDD), which has designated the SCDD as being at high risk and limited access to its \$6.5 million grant. Additionally, this bill revises the authorization for the Department of Developmental Services (DDS) to contract with SCDD for advocacy services within its state developmental centers and makes other conforming changes.

### **AB 1687 (Conway) Chaptered 2014**

Existing law states that the intent of the Legislature is to guarantee that people with developmental disabilities have certain rights, including the right to prompt medical care and treatment, and the right to be free from harm, abuse or neglect. This bill recasts those rights as the 'Persons with Developmental Disabilities Bill of Rights.' The bill includes the right to a prompt investigation of any alleged abuse against people with developmental disabilities.

### **SB 1093 (Liu) Chaptered 2014**

This bill requires that regional centers provide independent living skills services to adult consumers, consistent with that consumer's individual program plan (IPP). These are services designed to provide the consumer with functional skills training to acquire or maintain skills to live independently or to achieve greater independence while living in the home of a parent, family member, or other person. It will also require that annual performance objectives target services and supports identified as necessary to meet individual needs, including those that are culturally and linguistically appropriate.

Current law requires the Department and regional centers to annually collaborate to compile data relating to purchase of service (POS) authorization, use, and expenditure by each regional center and further requires that data to include the number and percentage of individuals, categorized by age, race or ethnicity, and disability, who have been determined eligible for regional center services but are not receiving POS funds.

Additionally, this bill requires data reporting that includes - and is categorized by - residence type and further subcategorized by age, race/ethnicity, and primary language. The bill also requires the Department and each regional center to maintain all preceding years' data on its website.

### **Assembly Joint Resolution 36 (Gonzales) 2014**

This resolution urged the United States Congress to phase out the use of the Special Minimum Wage Certificate provision and eventually repeal a section of the 1938 Fair Labor Standards Act. The 1938 Act sets out (in Section 14[c]) the ability for entities that employ people with disabilities to obtain special minimum wage certificates from the United States DOL's Wage and Hour Division, allowing them to pay workers with disabilities less than the (otherwise) legislated minimum wage rate.

### **SB 1176 (Steinberg) 2014**

This bill would have required a health care service plan or health insurer that provides coverage for essential health benefits to monitor the accrual of Out-Of-Pocket (OOP) costs toward the annual OOP limit and specifies mechanisms for monitoring OOP costs under different circumstances such as network versus out-of-network care. It also would have required plans and insurers to reimburse enrollees or those insured that exceed maximum OOP limits and applied to contracts issued amended or renewed on or after January 1 2015.

## CECY and EFC Partnership

California Employment Consortium for Youth and Young Adults with Intellectual and Developmental Disabilities (CECY) is designated as a Project of National Significance and one of eight partnership and employment system change projects funded by the Administration on Intellectual and Developmental Disabilities (AIDD). The EFC and CECY collaborative is a key partnership working together to make integrated, competitive employment (ICE) a reality in California.

### California Data Analysis

The work of the California State Council on Developmental Disabilities (the Council), its Employment First Committee (EFC) and CECY led to the identification of a simple but important analysis, performed with existing data sources, which can help stakeholders better understand employment outcomes. Further coordination between agencies will be required, however. A current agreement between the Department of Developmental Services (DDS) and the Employment Development Department (EDD) has resulted in valuable, high quality data describing the numbers and percentages of working age regional center clients' wages and their average earnings. At the request of the EFC, the Council has asked that shared information between departments be expanded slightly to allow for a deeper analysis, without impacting consumer confidentiality issues and with a relatively small investment of staff time.

### Background on DDS and EDD Agreement

**Distribution of Earnings:** Under the current agreement, DDS supplies EDD with social security numbers (SSN) for all working age regional center clients. EDD then pulls income information associated with these SSNs and returns the data in aggregate form by a) numbers and percentages employed and b) average earnings. The Council has requested that EDD and DDS expand this analysis to include the distribution of annual earnings, in increments of 20%.

**Analysis of Subgroups:** The Council has also requested the Departments expand analysis to include subgroups of regional center clients. This may illustrate employment outcomes associated with, for example, various service/support types, levels of (dis)ability, disability types, geography, and ethnic backgrounds. In this way, EDD can provide DDS with similar aggregate information for every subgroup, inclusive of thousands of people each, and will ensure confidentiality of individual earnings information. The Council is not prescriptive in its request but is encouraging collaboration among the Departments and, with the partnership of CECY and EFC, seeks to identify solutions and approaches that are not labor-intensive and will maximize California's efforts.

## California Employment First Policy

On October 9, 2013, California Governor Jerry Brown signed AB 1041 (Chesbro) into law, which established the regulatory basis for the Employment First Policy. California became the 12<sup>th</sup> state to enact such a law. It is the policy of this state that opportunities for integrated, competitive employment shall be given the highest priority for working age people with developmental disabilities, regardless of the severity of those disabilities. The statute also created the Employment First Committee (EFC) to work with the State Council on Developmental Disabilities (SCDD) to support efforts toward statewide integrated, competitive employment (ICE) for people with developmental disabilities.

### **Employment First Committee Work**

The structure of the EFC includes a diverse group of agencies and people, including self-advocates, providing the opportunity to explore interrelated elements associated with having numerous departments with different worlds sharing a common goal. Quarterly meetings are conducted to review, evaluate and assess the Council and areas related to policies and programs and ensure a continued commitment to providing ICE in local communities and throughout the state.

### **Data and Policy Work**

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

- Furthering the adoption of an Employment First policy (AB 1041 [Chesbro]), by working with the Departments and CECY to identify, analyze, and disseminate data on employment outcomes.
- Coordinating with CECY and recommending the expansion of important data collection between DDS and EDD.

### **Best Practices in Transition**

Another important function of the EFC is to advise the Council. Based on the recommendation of the EFC, the Council focused a portion of its Cycle 35 Program Development Funds on ICE goals for transition age and young adults. A Council grant defines transition age as being between 16 and 30 years of age. This is responsive to the EFC's second priority to 'strengthen youth transition to ICE.'

After reviewing 34 grant proposals, the Council awarded \$360,000 to Jay Nolan Community Services (JNCS), in partnership with Easter Seals of Southern California. The JNCS grant began in February 2013 and is assisting transition age youth with I/DD (in the Los Angeles and San Diego regions) in postsecondary education leading to career advancement. The grantees are developing and using best practices:

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

Consistent with the EFC's third priority to "Promote participation by traditionally underrepresented groups," the grantees are doing significant outreach to communities of color and immigrant populations. The locations of the project, and the cooperation of Los Angeles and San Diego Unified School Districts, make this a promising effort for achieving systems change beyond the scope and duration of the grant cycle. This grant is an example of the collaboration of the EFC and the Council to apply significant resources to further the work of the state in providing integrated competitive employment.

# Employment First Policies and Practices in Other States

## Inclusion

### Washington State

Guidelines are developed by the Washington State Department of Social and Human Services, Division of Developmental Disabilities for counties in Washington State to support the inclusion of people with disabilities into their communities. They address inclusion in the area of education, housing, transportation, employment, and community activities. Guidelines include specific rules and strategies for county board/staff, employers, children's services, infrastructure agencies, and others.

## Supported Employment

### Six Other States and the District of Columbia

Supported employment strategies have been developed by six states: Connecticut, Kansas, Maryland, Oregon, South Carolina, and Vermont as well as the District of Columbia in implementing supported employment for people with disabilities and state systems, they generally address system integration, local service collaboration, transforming existing vocational services, agency staff development, enhancing the outlook of supported employment, benefits counseling, use of outcome-based performance, and reliability issues.

## Interagency Activities and Collaborations

This report introduces other key state entities with responsibilities in the areas of transition and employment:

### Coordination among Key State Committees and Councils

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

### California Committee on Employment of People with Disabilities (CCEPD)

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

CCEPD is comprised of a diverse team of 21 appointed members, an Executive Officer appointed by the governor, and three full-time professional staff from the Department of Rehabilitation. The mission is to achieve an employment rate for people with disabilities in California that is in parity with that of the general population. CCEPD fulfills its charge by:

- (1) Convening stakeholders at state and local levels to acquire timely and relevant input for policy recommendations and action steps;
- (2) Gathering, analyzing, and disseminating data, policy recommendations, and other information;
- (3) Identifying, formulating, and supporting innovative policy solutions to emerging and long-standing policy barriers and challenges; and providing tools to facilitate effective implementation of policy recommendations.

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

**CCEPD has two task-oriented workgroups:**

**Increasing Employer Demand** for qualified workers with disabilities. Areas of focus for the workgroup include: 1) improving the state of California as a model employer of people with disabilities, and 2) partnering with employers in the healthcare industry in California to develop internal policies and initiatives that increase the number of people with disabilities hired, retained, and promoted in that industry.

**Building a Pipeline** of qualified workers with disabilities to fulfill positions. Areas of focus for this work group include: 1) promoting the development of innovative forms of the SSI, SSDI, Cal-WORKS, and other benefit planning systems for new applicants and current recipients with the principal objective of maximizing work and economic independence; addressing the barriers in education and training for students with disabilities and existing health professionals and state employees who acquire disabilities; and 2) supporting the effectiveness, sustainability and replicability of the California Youth Leadership Forum (YLF) for Students with Disabilities, which is part of a proven model for an enhancing the personal, academic, and career potential of young people with disabilities in California.

### **State Independent Living Council (SILC)**

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

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

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

The priorities of the SILC with respect transition are:

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

### **Community of Practice (COP) In Secondary Transition**

The Community of Practice (COP) is located within the Department of Education's Office of Special Education and was formed and funded by the DOE to help improve transition and employment outcomes. This is a voluntary group of educational professionals.

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

## **California Employment Consortium for Youth and Young Adults with Disabilities (CECY)**

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

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

### **CECY Steps to Effective Employment Outcomes:**

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

### **Membership:**

CECY has become a statewide consortium of over 40 members representing:

- Department of Rehabilitation
- Department of Education
- Employment Development Department
- Department of Developmental Services
- California State Council on Developmental Disabilities
- Tarjan Center at UCLA
- Special Education Administrators
- Association of Regional Center Agencies (ARCA)
- Regional Centers (Orange County, Alta, and San Diego)
- Community College Chancellor's Office
- California Committee on Employment of People with Disabilities (CCEPD)

- Disability Rights California (DRC)
- School Districts (Irvine and Whittier)
- California Transition Alliance
- California Committee of Practice – Secondary Transitions
- Youth Advocates

**Work Groups:**

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

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

**Youth Self-Advocacy:**

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

**Best Practices - Documentation and Dissemination:**

There are many challenges in supporting transition age youth with developmental disabilities to get jobs. However, many organizations have learned a great deal about developing methods that have been successful at the local level. CECY seeks to help document and disseminate some of the most promising practices in the state through grants to seven such organizations. The grantees shed light on specific barriers to employment and describe new solutions that can be utilized by programs across the state. These solutions include using hybrid-funding streams, obtaining industry certificates to become more competitive in the job market, creating collaborations to increase job development capacity after funding cuts, and more. Selected programs are from diverse communities across the state:

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

## Next Steps

“The California Department of Rehabilitation (DOR), California Department of Education (CDE), and California Department of Developmental Services (DDS) have entered into a new agreement consistent with the State's "Employment First" policy and other laws to make employment in an integrated setting, at competitive wage, for individuals with Intellectual Disability and Developmental Disabilities (ID/DD) its highest priority.

DOR, CDE, and DDS, in conjunction with Disability Rights California will meet with stakeholders to make recommendations on a plan to identify changes in policies, practices, statutes, or regulations in order to improve integrated, competitive employment outcomes for individuals with ID/DD” ([www.dor.ca.gov](http://www.dor.ca.gov)).

Facilitating the implementation of Employment First Policy in California is an undertaking of critical importance in order to facilitate the dignity and independence of individuals with developmental disabilities with the added result of more people contributing to the California economy. The EFC will continue its focus on employment for transition age youth through its four areas of responsibility established in the Welfare and Institutions Code (WIC) section 4868 (c).

The CECY policy group is developing a white paper on the barriers to employment and policy recommendations to address those barriers. The policy recommendations will focus on:

- Adoption of the Employment First Policy recommended by the Council
- Enhance and coordinate person centered transition planning across departments.
- Funding for employment support providers that incentivize integrated competitive employment, including adequate funding for job development.
- New program models for employment support services

The EFC will explore recommendations for state or federal public benefit policy changes to better enable people receiving public benefits to work. EFC will also explore a ‘Get Out of Jail Free’ card to try to minimize the risk of losing benefits through paperwork errors.

### **Strategies and Best Practices:**

- Review the experience of grantees for implications regarding policy and dissemination. As discussed earlier, Jay Nolan Community Services and Easter Seals of Southern California are working with school districts, regional centers, and DOR to implement a number of state-of-the-art, customized, employment practices to support people with disabilities to seek jobs and succeed in integrated competitive employment.
- Explore vendors’ perspectives on how to improve Supported Employment.

- Hear from Special Education Local Planning Areas (SELPA) and the Department of Education on best practices for supporting students to prepare them for transition from K-12 education to work or post-secondary education.

**Interagency Collaboration:**

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

**Outcome Data:**

The EFC works with the CECY data group to identify existing sources of data that can be used to create a data dashboard to track the state’s success in supporting growth of ICE.

**Employment Data Dashboard (Beta version) for Working-Age Regional Center Clients:**

- 1) Numbers and percentages with earnings
- 2) Average earnings and distribution, such as 20<sup>th</sup> percentile ranges
- 3) Annual earnings presented in relation to the Federal Poverty Level
- 4) Number and percentage in Integrated Competitive Employment
- 5) Number and percentage who worked at least 10 of the last 12 months
- 6) Number and percentage receiving vacation or sick time
- 7) Number and percentage receiving health benefits through their employer
- 8) Number and percentage without a job who want one
- 9) Number and percentage receiving support in their employment

**Employment Data Dashboard (Alpha version):**

The Alpha version would expand data analysis to all working age individuals with I/DD, who are associated with those served by the Departments of Rehabilitation or Education (DoEd). The data must be available on a regular basis for such analysis. It can then be posted on the internet, possibly through the Council website, where it will be accessible by any interested party. The Special Education Division may assist in finding gaps in post-secondary planning through its ability to survey schools and other facilities providing services for students with developmental disabilities. This data will assist the DoEd and the EFC to determine why students are so difficult to track and where students are one year after leaving secondary education. The Special Education Division is also researching ways to provide follow-up on students over a longer period of time.

### **Dissemination:**

- Help people with developmental disabilities and their families, including those in under-represented groups, understand the relationship between work and public benefits. This is responsive to an identified barrier in employment that many people with developmental disabilities face because they are afraid to lose public benefits.
- Explore methods of informing employers of the benefits of employing people with significant disabilities. Coordinate with other efforts, including CCEPD.
- Develop a section of the Council's website to highlight the Council's work on employment: 1) providing plain language materials and videos on the Employment First policy and options for integrated competitive employment, 2) disseminating materials and practices from the Council's program development grants, 3) posting relevant outcome data, and 4) providing access to resources from other sources.

# **APPENDIX A**

## **Statutory Responsibilities of the Employment First Committee**

### **California Welfare and Institutions Code**

#### **Division 4.5. Services for the Developmentally Disabled**

#### **Chapter 14. Employment**

- 4868. (a)** The State Council on Developmental Disabilities shall form a standing Employment First Committee consisting of the following members:
- (1) One designee of each of the members of the state council specified in subparagraphs (B), (C), (D), (F), and (H) of paragraph (2) of subdivision (b) of Section 4521.
  - (2) A member of the consumer advisory committee of the state council.
- (b)** In carrying out the requirements of this section, the committee shall meet and consult, as appropriate, with other state and local agencies and organizations, including, but not limited to, the Employment Development Department, the Association of Regional Center Agencies, one or more supported employment provider organizations, an organized labor organization representing service coordination staff, and one or more consumer family member organizations.
- (c)** The responsibilities of the committee shall include, but need not be limited to, all of the following:
- (1) Identifying the respective roles and responsibilities of state and local agencies in enhancing integrated and gainful employment opportunities for people with developmental disabilities.
  - (2) Identifying strategies, best practices, and incentives for increasing integrated employment and gainful employment opportunities for people with developmental disabilities, including, but not limited to, ways to improve the transition planning process for students 14 years of age or older, and to develop partnerships with, and increase participation by, public and private employers and job developers.
  - (3) Identifying existing sources of employment data and recommending goals for, and approaches to measuring progress in, increasing integrated employment and gainful employment of people with developmental disabilities.

- (4) Recommending legislative, regulatory, and policy changes for increasing the number of individuals with developmental disabilities in integrated employment, self-employment, and microenterprises, and who earn wages at or above minimum wage, including, but not limited to, recommendations for improving transition planning and services for students with developmental disabilities who are 14 years of age or older. This shall include, but shall not be limited to, the development of an Employment First Policy, the intended outcome of which is a significant increase in the number of individuals with developmental disabilities who engage in integrated employment, self-employment, and microenterprises, and in the number of individuals who earn wages at or above minimum wage. This proposed policy shall be in furtherance of the intent of this division that services and supports be available to enable persons with developmental disabilities to approximate the pattern of everyday living available to people without disabilities of the same age and that support their integration into the mainstream life of the community, and that those services and supports result in more independent, productive, and normal lives for the persons served. The proposed Employment First Policy shall not limit service and support options otherwise available to consumers, or the rights of consumers, or, where appropriate, parents, legal guardians, or conservators to make choices in their own lives.
- (d) For purposes of this chapter, "integrated employment" shall have the same definition as "integrated work" as defined in subdivision (o) of Section 4851.
- (e) The committee, by July 1, 2011, and annually thereafter, shall provide a report to the appropriate policy committees of the Legislature and to the Governor describing its work and recommendations. The report due by July 1, 2011, shall include the proposed Employment First Policy described in paragraph (4) of subdivision (c).

## **Responsibilities of the Employment First Committee**

(PLAIN LANGUAGE VERSION)

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

### **Why the EFC was created:**

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

### **What is Integrated Competitive Employment (ICE):**

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

### **Who is a member of the EFC:**

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

Members of the EFC must include a representative from each of the following: Self-Advocacy Advisory Committee of the State Council, Family members and other self-advocates, Department of Developmental Services, Department of Rehabilitation, Department of Education, Employment Development Department, University Centers for Excellence in Developmental Disabilities, Disability Rights California, Regional Center service coordinators, Association of Regional Center Agencies, and a supported employment provider.

### **What the EFC has to do:**

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

- (3) Find good ways to plan for transition aged students (age 14 and above) to go to work after they are finished with high school, or their education beyond high school.
- (4) Find ways to encourage agencies to support people to get good jobs with good pay.
- (5) Develop partnerships with employers and agencies that help people find good jobs with good pay.
- (6) Find out how many people with developmental disabilities are working and how much money they are earning. Each year, measure if the state is getting better at supporting people to get good jobs with good pay.
- (7) Recommend ways the state can improve how they measure progress in helping people get employed.
- (8) Recommend goals for integrated competitive employment for the state to meet.
- (8) Recommend legislation and other ways that the state can do a better job of supporting people to get good jobs with good pay.
- (9) Recommend ways to improve helping transition age students (age 14 and above) go to work after they are finished with high school, or their education beyond high school.
- (10) Recommend an Employment First Policy that will get a lot more people good jobs with good pay, with the supports they need. This will help people with disabilities to be part of their communities, have jobs, and make money, just like other people their age without disabilities. The policy will make sure people can choose the services they want, like they do now under the Lanterman Act.
- (11) Other things the EFC thinks will help.

### **The annual Employment First Report:**

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

## APPENDIX B

### Membership of the Employment First Committee

<b>Anderson, Tony</b>	<a href="#"><u>The Arc of California</u></a>
<b>Boomer, Daniel</b>	<a href="#"><u>California Department of Education</u></a>
<b>Cooley, Lisa</b>	Self-Advocate
<b>Curtright, Denyse</b>	<a href="#"><u>Department of Developmental Services</u></a>
<b>Dutton, Dale</b>	Family Advocate
<b>Hansen, Robin</b>	<a href="#"><u>Center for Excellence in Developmental Disabilities, U.C. DAVIS MIND Institute</u></a>
<b>Hodgkins, Rick</b>	Self-Advocate, <a href="#"><u>Department of Developmental Services Consumer Advisory Committee</u></a>
<b>Lapin, Connie</b>	Family Advocate, <a href="#"><u>Autism Society of Los Angeles</u></a>
<b>Mayer, David</b>	Designee, <a href="#"><u>Employment Development Department (EDD)</u></a>
<b>Moore, Bill</b>	<a href="#"><u>Department of Rehabilitation</u></a>
<b>Mudryk, Andrew</b>	<a href="#"><u>Disability Rights California (DRC)</u></a>
<b>Mulvey, David</b>	<a href="#"><u>Service Employees International Union (SEIU)</u></a>
<b>Pazdral, Liz</b>	<a href="#"><u>California State Independent Living Council (SILC)</u></a>
<b>Petrie, Dennis</b>	<a href="#"><u>Employment Development Department (EDD)</u></a>
<b>Raynor, Olivia</b>	<a href="#"><u>Center for Excellence in Developmental Disabilities, Tarjan Center at UCLA</u></a>
<b>Ruder, Steve</b>	Designee, <a href="#"><u>Center for Excellence in Developmental Disabilities, U.C. DAVIS MIND Institute</u></a>
<b>Sarmento, Debbie</b>	<a href="#"><u>Family Resource Center Network of California (FRCNCA)</u></a>
<b>Taylor, Robert M.</b>	Self-Advocate
<b>Vacancy</b>	<a href="#"><u>California Committee on Employment of People with Disabilities (CCEPD)</u></a>

**Weller, Kecia** Chair, Self-Advocate, [State Council on Developmental Disabilities](#)

**Westling, Amy** [Association of Regional Center Agencies \(ARCA\)](#)

**Wheeler, Barbara** [Center for Excellence in Developmental Disabilities, USC UCEDD](#)

**Yung, Vanda** Family Advocate, [Chinese Parent Advocates for the Disabled \(CPAD\)](#)

## APPENDIX C

### Glossary

**Activity Based Day Services:** See Day Programs

**ADA:** [Americans with Disabilities Act](#)

**APSE:** [Association of People Supporting Employment First](#)

**ARCA:** [Association of Regional Center Agencies](#)

**CDE:** [California Department of Education](#)

**CDER:** [Client Development and Evaluation Report](#)

**CECY:** [California Employment Consortium for Youth](#)

**Community Based Non-Work (CBNW)<sup>1</sup>:** Non-job-related supports focusing on community involvement, such as access to public resources (recreational/educational) or volunteer activities. Community-based non-work includes all services that are located in the community (rather than facility-based) and do not involve paid employment of the participant.

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

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

**Customized Employment:** Customized Employment is based on an individualized determination of the strengths, needs, and interests of the person with a disability and is also designed to meet the specific needs of the employer. It may include employment developed through job carving, self-employment or entrepreneurial initiatives, or other job development or restructuring strategies that result in job responsibilities being customized and individually negotiated to fit the needs of individuals with a disability.

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<sup>1</sup> Institute for Community Inclusion (ICI): Community Based Non-Work Services: Findings from the National Survey of Day and Employment Programs for People with Developmental Disabilities.

[http://www.communityinclusion.org/article.php?article\\_id=162&type=audience&id=8](http://www.communityinclusion.org/article.php?article_id=162&type=audience&id=8)

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

**DDS:** [California Department of Developmental Services](#)

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

**DOJ:** [United States Department of Justice](#)

**DOL:** [California Department of Labor](#)

**DOR:** [California Department of Rehabilitation](#)

**EDD:** [California Employment Development Department](#)

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

**Employment:** Employment is an activity performed by an individual where there is an expectation of wages for services rendered and the services are for the primary benefit of the employer.<sup>2</sup> Alternatively, employment may refer to any income-generating activity, such as self-employment and micro-enterprise.

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

**Group Placement Supported Employment:** See Supported Employment, Group Placement

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<sup>2</sup> Segregated and Exploited, National Disability Rights Network, 2011, A Failure of the Disability Service System to Provide Quality Work <http://www.napas.org/images/Documents/Resources/Publications/Reports/Segregated-and-Exploited.pdf>

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

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

**Individual Placement Supported Employment:** See Supported Employment, Individual Placement.

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

**Integrated Competitive Employment (ICE)<sup>3</sup>:** ICE is work that is compensated at prevailing wages with related health and employment benefits, occurring in a typical work setting, and where the employee with the disability interacts or has the opportunity to interact continuously with co-workers, who may or may not have a disability, and has an opportunity for advancement and mobility. Further, ICE includes all income generation activities, such as owning one's own business.

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

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

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<sup>3</sup> From CPSD Response to Harkin Disability Employment Summit, October 2010

**Intellectual Disability:** An intellectual disability is one characterized by significant limitations in both intellectual functioning (e.g. reasoning, learning, problem solving) and in adaptive behavior, which covers a range of everyday social and practical skills. This disability originates either before the age of 18 (in California) or 22 (by federal standards).

**IPP:** See Individual Program Plan

**Micro-enterprise:** For the purpose of this report, micro-enterprises are small businesses owned by people with developmental disabilities, with accompanying business licenses, taxpayer identification numbers (other than social security numbers), and separate business bank accounts. Microenterprises may be considered competitive employment, integrated employment, and ICE.

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

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

**NCI:** [National Core Indicators](#)

**NCIL:** [National Council on Independent Living](#)

**NGA:** [National Governors Association](#)

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

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

**Regional Center:** [Regional Centers](#) are private nonprofit corporations that contract with the Department of Developmental Services (DDS) to provide or coordinate services and supports for people with developmental disabilities. The network of 21 regional centers spreads throughout California to provide local resources to find, access and/or fund the many services necessary for people with I/DD and their families. There are 21 regional centers with more than 40 offices located throughout the state.

**SCDD:** [State Council on Developmental Disabilities](#); the Council.

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

**SILC:** [State Independent Living Council](#)

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

**SSA:** [Social Security Administration](#)

**SSI:** [Supplemental Security Income](#)

**SSN:** [Social Security Number](#)

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

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

**Supported Employment:** Supported employment provides paid work opportunities in the community, using group or individual placements. These services are aimed at finding competitive work in an integrated, community work setting for people with disabilities who need ongoing supports to learn and perform work.

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

**Supported Employment, Individual Placement:** Individual placements consist of job placement in community business settings. A job coach meets regularly with the individual to provide

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

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

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

**WIC:** [Welfare and Institutions Code](#)

**WID:** [World Institute on Disability](#)

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

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

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