



# **COUNCILS ON DEVELOPMENTAL DISABILITIES**

## ***Topical Report:* ABLE and Employment**

***October 2019***

# INTRODUCTION

## BACKGROUND

State Councils on Developmental Disabilities (DD Councils) were established through, and operate under the provisions of, the Developmental Disabilities Assistance and Bill of Rights Act of 2000 (DD Act).<sup>1</sup> DD Councils<sup>2</sup> work to advance the full inclusion of people with intellectual and developmental disabilities (I/DD) through advocacy, capacity building, and systems change activities.<sup>3</sup>

With many competing issues demanding attention, DD Councils develop five-year state plans that serve as a roadmap for achieving progress and outcomes on the issues each Council prioritizes. The state plans are informed by a comprehensive review and analysis and extensive stakeholder input, and are driven by the specific needs and circumstances of that state. The issues addressed and the strategies and activities undertaken are intended to bring about lasting positive change and are influenced by many factors. These plans are dynamic, allowing Councils to be responsive to emerging issues.

This report highlights the work and accomplishments of DD Councils with regard to the Achieving a Better Life Experience Act (ABLE Act)<sup>4</sup> and employment, based primarily on their 2018 Program Progress Reports.<sup>5</sup> While this is a thorough overview, noting all key strategies and activities as well as a selection of examples for illustrative purposes, it is not a detailed analysis.<sup>6</sup> The report is intended to provide information to DD Councils, people with I/DD and their families, and others to better understand the work of the DD Council network and to use that information to further efforts on shared priorities.

## DD COUNCILS

DD Councils are unique among the DD Act programs in that their membership<sup>7</sup> firmly establishes people with I/DD and family members as leaders and active partners with state officials, community organizations, University Centers for Excellence in Developmental Disabilities (UCEDDs), and Protections and Advocacy Systems (P & As).

DD Councils focus on issues across the lifespan, enlisting robust, inter-related strategies and activities to achieve positive change. Councils:

- ❖ Stay informed about federal, state, and local policy initiatives, services, and resources and inform others;
- ❖ Convene people with I/DD and their families and other allies and equip and support them to affect change;
- ❖ Invest in model practices and policies that directly affect people with developmental disabilities and their families;
- ❖ Develop resources that help private and public entities like schools and businesses include and support people with I/DD; and

### DD Act

“...assure that individuals with developmental disabilities and their families participate in the design of and have access to needed community services, individualized supports, and other forms of assistance that promote self-determination, independence, productivity, and integration and inclusion in all facets of community life.”

- ❖ Advocate for equality and access in all aspects of community life.

These contributions are further defined throughout the report. They are evident in the daily work of DD Councils and reflect the spirit and intent of the DD Act. The work of Councils supports and enhances initiatives of the Administration on Community Living.

It is evident from a review of the breadth of DD Council activities in the areas of ABLÉ and employment that they have invested substantial time, effort, and commitment in achieving meaningful progress and outcomes. Approaches and the degree of attention vary by state as Councils confront a multitude of issues that people with I/DD and their families have identified as important. The DD Councils are crucial partners in expanding access to ABLÉ savings accounts and improving ABLÉ program performance, and increasing the number of people with I/DD who are employed and enjoy the many benefits of having a job. Important, impactful work is being undertaken by DD Councils throughout the nation.

After 40 years of working on issues across the lifespan, DD Councils know that each step – whether incremental or transformative – leads to more people with I/DD expanding knowledge and skills, accessing opportunities that increase community inclusion and engagement, and making the positive change envisioned by the DD Act.

## ABLE: Achieving a Better Life Experience

### BACKGROUND

ABLE accounts are tax-advantaged savings accounts that allow eligible individuals with disabilities<sup>8</sup> to save for disability-related expenses without jeopardizing essential public benefits like Supplemental Security Income and Medicaid. They are intended to supplement, not supplant, public benefits, private insurance, employment income, and other sources of support.



Qualified disability-related expenses are intended to maintain or improve the health, independence, or quality of life of the individual. This includes things like basic living expenses, education, housing, transportation, employment training and support, assistive technology, personal support services, and health care expenses. Contributions to an account can be made by the person with a disability, family, friends, and others.

Congress passed the ABLÉ Act in 2014, providing states the opportunity to establish ABLÉ programs. It is through these state ABLÉ programs that eligible individuals with disabilities open their ABLÉ accounts. Programs are administered by state Treasurer's offices, College Savings Plans, and other state entities.

According to the ABLÉ National Resource Center, as of September 1, 2019, 42 states and the District of Columbia had active ABLÉ programs, 5 states had programs enacted by law that were in development,<sup>9</sup> and 3 states do not have an ABLÉ program established or in development but support residents to access other states' programs.<sup>10</sup> No U.S. territory has an ABLÉ program but eligible individuals may open an account in a state that accepts out of state participants.

As of June 2019, there were 45,928 ABLÉ accounts nationwide, with an average account balance of \$5,656.<sup>11</sup> While ABLÉ accounts grew by almost 17% and the money saved grew nearly 19% in the final quarter of 2018,<sup>12</sup> the National State Treasurer's Association (NAST) estimates that the 450,000 ABLÉ accounts will be needed by June

2021 in order to achieve minimal sustainability of ABLÉ.<sup>13</sup> An estimated 8 million Americans are eligible under current rules.<sup>14</sup> Since issuing its report, NAST released a statement clarifying that ABLÉ programs are “not in jeopardy.”<sup>15</sup> However, concerns remain that without substantial growth, at a minimum, some programs may have to increase fees.

In short, ABLÉ accounts contribute to a person’s self-reliance and quality of life and provide another useful tool for maximizing independence and community participation.

## WHAT DD COUNCILS ACCOMPLISHED

In the 5 states that have ABLÉ programs under development, three DD Councils reported ABLÉ related activities. In the 42 states with active ABLÉ programs, 16 Councils reported ABLÉ related activities. These 19 Councils played an important role helping to establish their state’s ABLÉ program and engaging in expansive education and outreach efforts. They collaborated with their ABLÉ administering entity to achieve program improvements and growth in the number of account holders, which will support program viability.

DD Councils are well-positioned to act in support of states’ ABLÉ efforts, tapping extensive knowledge of I/DD interests and a deep connection to the I/DD community. Council advocacy, capacity building, and systems change activities included:

### Program Administration

- ❖ **Federal level advocacy:** Staying abreast of changes to the ABLÉ Act and commenting on the impact of proposed amendments.
- ❖ **State level advisory role:** Coordinating and collaborating with the Treasurer’s office and other state entities administering ABLÉ programs to ensure program effectiveness and responsiveness. This included sitting on the ABLÉ board or advisory group and providing advice and assistance in less formal ways to ensure ease of use, effective outreach, and overall program success.
- ❖ **Statute, regulation, and policy improvements:** DD Councils successfully advocated for changes that will result in more people utilizing ABLÉ accounts. Examples include procedural changes allowing individuals under public guardianship to access the program and removal of the Medicaid payback<sup>16</sup> provision that families have identified as a significant deterrent to contributing funds to their children’s accounts. The National Association of State Treasurers identified removal of this provision at the state level as “key to achieving ABLÉ sustainability,”<sup>17</sup> which will lead more Councils to confront this barrier.
- ❖ **Inter-agency information sharing:** The TN DD Council used an established cross-departmental forum on employment as a conduit for connecting the ABLÉ program with other state agencies for information sharing and partnership opportunities.

### Council Leadership Brings Results

After seeing no movement by the state to implement an ABLÉ program three years after enabling legislation passed, the HI Council initiated action that led to planning and program development. The Council has been hands-on, working with the administering agency three days per week to design the program and address challenges by bringing in information and ideas from other states that was accessed through the DD Council network.

- ❖ **Program management and administration:** The AK Council took on the role of being the main point of contact for all things related to ABLÉ in the state. The plan is for the Council to also assume administration of the program.

## Program Reach and Viability

DD Councils were active upon passage of the ABLÉ Act to ensure people with I/DD, families, and the people that support them were informed of this new opportunity and its benefits. These efforts intensified as the National Council on Disability<sup>18</sup> noted that “we know that some families have been given incorrect or confusing information...”<sup>19</sup> ABLÉ administrators sought help getting reliable information out because the rules are nuanced and people were worried about jeopardizing their benefits.<sup>20</sup> In response, Councils enlisted their expansive networks and served as trusted sources of information.

- ❖ **Education and outreach:**

To increase awareness and understanding of ABLÉ programs, and to accelerate the number of people who are benefitting, DD Councils targeted people with developmental disabilities and their families, service providers,<sup>21</sup> advocates, and community members. Councils:

- ✓ Produced and widely distributed easy to understand materials like brochures, posters, and other educational materials;
- ✓ Provided, and supported the ABLÉ programs to provide, trainings at stand-alone events (e.g., information sessions and lunch & learns) and as components of broader events (e.g., conferences, job fairs, and disability awareness events);
- ✓ Made information widely available statewide through the Council’s social media, website, webinars, and training videos;
- ✓ Incorporated ABLÉ information in guides that are widely distributed to people with I/DD and their families on related topics such as school transition, financial planning, and futures planning;
- ✓ Collected ABLÉ success stories to inform policymakers, people with I/DD, and families; and
- ✓ Became ABLÉ Ambassadors, trained volunteers that educate people on ABLÉ accounts.

### Cultural Competency to Ensure Equal Access

The ID Council utilized cultural brokers to reach Spanish-speaking and bi-lingual individuals to help them obtain access to information that provides an equal opportunity to benefit from ABLÉ.

- ❖ **Support to others to have an impact:** Self-advocacy groups supported by DD Councils and Communities of Practice for Supporting Families that are co-led by Councils provided information and training on ABLÉ.

- ❖ **Focusing on under-served groups:** DD Council’s enlisted a variety of strategies to reach a diverse group of individuals with I/DD and their families, including those typically underserved. Examples include purposeful outreach to rural areas and non-English speakers, translation of materials into multiple languages, and attending community events hosted by other organizations for distinct minority groups.

## Competitive Integrated Employment

### BACKGROUND

#### Unemployment and Underemployment

The rate of competitive integrated employment for working age adults with disabilities is far lower than it is for workers without disabilities,<sup>22</sup> even with supportive legislation in place (e.g., the Individuals with Disabilities Education Act, the Rehabilitation Act as amended by the Workforce Innovation and Opportunity Act, and the Americans with Disabilities Act). Furthermore, about twice as many workers with disabilities only work part time.<sup>23</sup> And unemployment and underemployment is worse for people with I/DD, who can have more significant disabilities and more extensive support needs. People with I/DD are still more likely to work in sheltered or in segregated entry-level positions,<sup>24</sup> earning lower wages, and working fewer hours than their peers without disabilities.<sup>25</sup>



Having a job is important for many reasons, not least of which is the finding that employment is associated with greater life satisfaction.<sup>26</sup> Income brings greater independence, choices, and opportunities as people with I/DD can better afford housing, transportation, and social/recreation activities. But it is not just about the money. A job can also offer social connections, respect, and pride as a contributing member of society.

#### Transition from School to Work

Research indicates, and experience confirms, that students with I/DD do not achieve transition outcomes at the same level as students without disabilities.<sup>27</sup>

The Office of Disability Employment Policy (ODEP)<sup>28</sup> and the National Collaborative on Workforce and Disability for Youth (NCWD/Youth)<sup>29</sup> identified *Guideposts for Success*,<sup>30</sup> five research-based elements seen as essential for all youth, including youth with disabilities, to effectively transition into postsecondary education and employment. They include: 1) school-based preparatory experiences, 2) career preparation and work-based learning experiences, 3) youth development and leadership, 4) connecting activities (to access needed services, activities, and supports), and 5) family involvement and supports.

DD Councils are familiar with these needs and, as detailed later, have directed substantial advocacy and resources to improving school-based preparation, work-based learning, and access to needed services. Youth development and leadership is not included in this report, but many Councils support the Youth Leadership Forum and other leadership development activities. Likewise, Councils engage in many activities related to family support, like the Community of Practices for Supporting Families, but those are not delineated here because they are not employment-specific.

Similarly, the Federal Partners in Transition,<sup>31</sup> a workgroup with representatives of several federal agencies, including the Departments of Education, Health and Human Services, and Labor, and the Social Security Administration, developed the *2020 Federal Youth Transition Plan: A Federal Interagency Strategy*.<sup>32</sup> The plan outlines how the partner agencies will work to improve outcomes for youth with disabilities by 2020. The goal is for students to: 1) have access to integrated work-based experiences in high school, 2) develop self-

determination and engage in self-directed individualized planning, 3) be connected to programs, services, activities, information, and supports, 4) develop leadership and advocacy skills needed to exercise informed decision-making and personal and community leadership, and 5) have involvement from families and other caring adults with high expectations to support them in achieving their goals. Again, DD Councils address many of these priorities.

In addition, the Administration on Community Living has funded *Partnerships in Integrated Employment System Change Grants (PIE)*<sup>33</sup> to enhance collaboration across state systems with the goal of improving employment outcomes for youth and young adults with I/DD. DD Councils are among the partners.

## Employment First

Employment First<sup>34</sup> is a national movement centered on the premise that competitive integrated employment should be the first and preferred option for all people with disabilities. Embracing this as a priority, ODEP initiated the *Employment First State Leadership Mentoring Program (EFSLMP)*,<sup>35</sup> supporting multi-disciplinary state teams to implement the Employment First approach through policy and funding alignment, provider transformation, capacity building, employer engagement, and school-to-work transition to increase CIE options for people with the most significant disabilities. Fifteen DD Councils have functioned as key partners in their state's EFSLMP work, helping to achieve outcomes on this national initiative.

In addition, nearly every state – with the assistance of their DD Councils as outlined in this report – has some type of effort focused on Employment First: 10 have legislation, 17 have an Executive Order, 9 have legislation and an Executive Order, and 13 are engaged in other activities.<sup>36</sup>

## HCBS Settings Final Rule

The Home and Community Based Services (HCBS) final rule<sup>37</sup> establishes requirements for the qualities of settings that are eligible for federal Medicaid funds to pay for home and community-based services. The rule reflects the Centers for Medicare and Medicaid Services' (CMS) intent to ensure that individuals with disabilities have full access to the benefits of community living and are able to receive services in the most integrated setting.

The HCBS settings rule has provided significant impetus for movement from segregated, facility-based settings to more community based activities and employment. Much work remains. DD Councils have served on their HCBS rule state transition teams, which have focused on the development and implementation of plans for compliance. Councils have also been instrumental in helping people with I/DD and their families understand the implications of the rule and their state's actions to comply.

## DD Councils Responded

In 2018, 50 DD Councils focused on increasing the number of people with I/DD who have competitive integrated employment (CIE) through a wide range of advocacy, capacity building and systems change activities intended to have substantial and lasting impact. Through many activities and collaborations, DD Councils confronted attitudinal, political, funding, capacity, and other challenges. Councils identified barriers, implemented strategies, and developed new ideas and approaches to improve employment outcomes. Many efforts furthered momentum on federal policy priorities at the state level.



This work included regulatory, statutory and public policy advocacy; Council-run and supported initiatives; engagement and support of self-advocacy and grassroots movements to ensure active engagement of people with I/DD and their family members; education and training; and resource development.

Councils facilitated strategic collaborations with people with I/DD and family members, state agencies, UCEDDs and P & As, Aging and Disability Resource Centers, Business Leadership Networks (now named Disability: IN),<sup>38</sup> elected officials, service providers, and advocacy organizations. They also sought partners outside the disability community like local governments, the Chamber of Commerce and Small Business Administration, school systems, and institutions of higher education. Multi-pronged strategies ranged from state-level policy changes to on-the ground implementation. Councils invested significant staff and fiscal resources, coordinating with and supplementing efforts funded through other sources.

## WHAT DD COUNCILS ACCOMPLISHED

Progress was incremental, significant, and at times transformational – helping to raise expectations, create and improve policies and practices, improve how services and supports are provided, and increase knowledge and skills. Councils were uniquely equipped with resources and connections to stimulate change.

### **Systemic change work by DD Councils in collaboration with multiple partners took many forms:**

- ❖ Serving on advisory and decision-making committees/task forces to address a wide array of employment issues, barriers and opportunities. Many DD Councils served on Employment First leadership teams and others on State Rehabilitation Councils. Issues addressed were diverse and consequential like phasing out subminimum wage, identifying financial incentives for businesses, defining systems of accountability, designing training and certification in customized employment, and establishing policy parameters to be an Employment First state.
- ❖ Advising and advocating for change with state policymakers independent of the formal bodies noted above, based on established relationships and informed by Council-supported initiatives that have implemented successful practices.
- ❖ Participating on advisory bodies that are not disability focused. For example, the CA Council was named to the Interagency Advisory Committee on Apprenticeships.
- ❖ Facilitating communication and collaboration among state agencies and other employment partners. The TN Council facilitates the Employment Round Table with the purpose of introducing best practices to multiple state agencies administering employment services and ensuring they coordinate efforts.
- ❖ Submitting written comments and recommendations on policies, regulations, and waiver applications under consideration.
- ❖ Working with governments to become a model employer, per the National Conference on State Legislator's *State as Model Employer* initiative.<sup>39</sup>

### **Implementing Federal Policy at the State Level**

The WV Council created and facilitates an Employment First Workgroup to develop recommendations for incorporating federal employment directives into state programs and services, as well as strategies for creating financial incentives for providers and businesses. Regional and national experts provided technical assistance on becoming an Employment First state.



- ❖ Partnering with the Disability: IN<sup>40</sup> in multiple ways, including serving on their community advisory council.
- ❖ Providing information and recommendations to federal agencies and national disability advocacy organizations regarding what is and is not working to support CIE to support their work.
- ❖ Developing policy briefs, analyses, and reports with recommendations for change. For example, the KS Council commissioned an extensive report, *Roadmap to Employment*, and is advocating for implementation of its substantial systemic change recommendations.
- ❖ Supporting the expansion and sustainability of activities begun under the ODEP Employment First State Leadership Mentoring Program grants.

### Leading Implementation of Employment First to Achieve Results

The CO Council is leading the implementation of the state’s Employment First legislation, chairing two legislatively-defined controlling bodies: the Employment First Advisory Partnership and the Employment First Committee of the State Rehabilitation Council. An *Employment First Strategic Plan* was developed and submitted to the legislature and widespread impact was achieved through passage of a bill implementing training and certification standards for job coaches, data tracking requirements for I/DD services, and inclusion of Discovery services as a covered VR service. This coordinated advocacy effort led to the allocation of state funds to establish and operate an Office of Employment First for three years.

**Legislative and regulatory activities led to decisions by policymakers that advanced CIE goals. Councils served as trusted advisors to the legislature – one aspect of their responsibility to inform policymakers, as delineated in the DD Act.<sup>41</sup> Examples include, but are not limited to:**

- ❖ DD Councils helped pass Employment First legislation and implement its provisions.
- ❖ DD Councils helped lead efforts to repeal sub-minimum wage provisions through regulatory and statutory changes. At least four states have eliminated sub-minimum wages.<sup>42</sup> In 2019 alone, 48 pieces of legislation regarding sub-minimum wages were introduced at the state level.<sup>43</sup> Continued Council advocacy, education, and awareness activities will be essential to passing legislation in more states.
- ❖ The FL Council helped secure passage of a bill that provides workers’ compensation coverage through the state for youth and adults participating in VR<sup>44</sup> work experience activities in the private sector. This is expected to greatly enhance career work experiences that often culminate in paid employment.

### Advocating for Access and Opportunities

The VA DDC educated and advocated for best practices in employment supports with legislators, which was instrumental in helping stop a bill that would have supported sheltered workshops through a procurement preference at a time when national priorities – including Employment First and the HCBS settings rule – envision stronger competitive integrated employment outcomes.

- ❖ The NM Council advocated for legislative support of business incentives and expansion of inclusive internships.

### Expanding Employment Outcomes

The FL Council's Employment First and advocacy efforts contributed to the continuation of a \$750,000 legislative appropriation to provide services to people with I/DD on the state's waiting list. As a result, 131 people became employed, 22 secured internships, and 288 maintained their employment with needed ongoing support services. These outcomes were not achieved through advocacy alone – the Council and its partners also played a significant role in assisting the state to define needed employment supports and services and build essential key partnerships necessary for success.

**DD Council initiatives supported new and innovative approaches to address barriers and bring about change. Councils were strategic in what they supported and projects complemented policy and advocacy work to advance progress on employment-related goals. This work focused on, among other things:**

- ❖ **Providing first-hand learning experiences for legislators:** DD Councils sponsored *Take Your Legislator to Work* initiatives. Legislators visit their constituents with disabilities at work where they see the benefits of CIE for the employee, employer, and community.
- ❖ **Organizational transformation:** Tailored to each service provider's unique needs, DD Council's funded technical assistance, mentoring, coaching, and other individualized supports to help them transition from day programs and facility work to CIE services. This included, among others, the LA Council's supported employment provider capacity building project, GA Council's *Advancing Employment TA Center* project, and a MI Council project that provided rate restructuring technical assistance to provider networks and other support from subject matter experts.

### Replicable Models

State and local governments are large employers so the AZ Council provided a grant to the City of Tempe for the *Building Employment Supports & Training (BEST)* program to create a municipality model for replication. Among other things, BEST has addressed barriers, changed hiring policy to facilitate inclusion, and helped facilitate Tempe to become Arizona's first Employment First city.

### Systems Re-Design = Lasting Impact

The MD Council helps service providers statewide improve employment outcomes by transforming how employment supports are delivered. Subject matter experts provide customized technical assistance through the Council's *Transforming & Improving Practices* initiative. Ongoing peer-to-peer mentoring is also provided to ensure continued and sustained improvements. As a result, to date 113 people with I/DD gained employment and 6 agencies have or plan to end facility-based work. Almost 300 people are now engaged in meaningful activities in the community instead of segregated settings during the day when not working.

- ❖ **Transitioning from sheltered workshops:** Activities were aimed at supporting people to transition from sheltered employment in ways that can be replicated. This included the SC Council’s *Employment Barrier Removal Project*, which provides person-centered planning and support to move from sheltered employment into increasingly more independent and community-centered sustainable employment. The project works with employers to identify and address barriers to hiring.
- ❖ **Expanding work experience & preparation opportunities:** The National Collaborative on Workforce and Disability for Youth reported that “career preparation and work-based learning experiences are essential in order for youth to form and develop aspirations and to make informed choices about careers.” Accordingly, DD Councils supported a variety of models, like Project SEARCH, that incorporate training, skill development, and work experience to enable success in long term employment. Activities include internships, apprenticeships, and career mentorships. For example, the NC Council’s *Inroads to Employment* initiative is developing paid apprenticeships in high demand sectors like health care, technology, and business that include natural supports from supervisors and co-workers. The initiative is also establishing a pilot program to train business leaders to provide career mentoring, and then matching them to college students with I/DD based on career goals.

**Data Point: Employment Outcomes**

In 2017-2018, the most recent data, 67.1% of Project SEARCH graduates were employed in an integrated setting.

Source: PS Outcome Summary; <https://tinyurl.com/y6g49lqj>

**Data Point: Predictors of Employment for Students with I/DD**

Research has identified transition practices that increase the likelihood of a student with I/DD obtaining competitive employment after exiting special education. They include, among other things:

Paid work experience, which more than doubles the likelihood of obtaining employment, and

Vocational skills instruction, including education/training, internships, apprenticeships, and work experience.

Source: Southward, et al. (2017). Research literature review; <https://tinyurl.com/yvv9tdku>

- ❖ **Increasing access to more types of jobs:** The NY Council has focused on middle skill jobs, which require more education and training than a high school diploma but less than a four-year college degree. Middle skill jobs go unfilled as demand exceeds available skilled workers.<sup>45</sup> The Council established linkages and planning between community colleges, business representatives, manufacturers, and the DD community to explore training programs and other strategies. Similarly, the AR Council invested in a project training individuals with I/DD to become direct service professionals.

- ❖ **Establishing standards:** The CT Council supported advisors to assist VR in the creation of service definitions and standards for customized employment that work within the state system.

- ❖ **Building skills:** With job coaches playing a pivotal role, the AK Council is piloting a virtual job coach model, which is designed to be a resource that employees with a disability share with their supervisor and co-workers so they can learn how to best support the employee in their job.

- ❖ **Testing new service models to achieve outcomes:** The OK Council is working with a large coalition on a potential Pay for Success employment program, whereby payment is made for specific outcomes achieved within a given timeframe.

- ❖ **Supporting post-secondary education (PSE) as preparation for employment:** DD Councils supported the development and expansion of PSE programs for people with I/DD that help improve employment outcomes.<sup>46</sup>

- ❖ **Funding research that leads to positive change:** The California

Council invested in the nation’s first field testing of the Discovery Fidelity Scale<sup>47</sup> with a focus on customized employment. It validated that customized employment achieves better outcomes and that Discovery with fidelity should guide that process. The project also delivered a replication guide for customized employment and a community of practice – both of which are available nationwide.

### **Data Point: Effect of PSE on Employment, Income, and SSI**

An analysis of six years of data found that people with I/DD who had post-secondary education (PSE) were more than twice as likely to be employed as their counterparts who did not have PSE. They earned \$406 more per month and required \$77 less per month in SSI benefits.

Source: Think College; <https://tinyurl.com/yxdm56g7>

## **Innovative Approaches**

The WI Council’s *Partners with Business* initiative is an evidence-based coaching model that supports businesses to provide natural supports to co-workers with disabilities so that the need for traditional job coaches is greatly reduced. This is especially useful in rural areas where transportation is a barrier and in small businesses where an outside job coach can be intrusive.

Results include improved employment outcomes, more hours worked, and less reliance on public programs compared to the traditional service model: the number of hours people with I/DD worked increased by 32% and providers spent 48% fewer Medicaid dollars.

**Other activities undertaken by DD Councils and grantees also increased knowledge and skills, built capacity, and stimulated new ideas and strategies. These activities can be categorized as:**

- ❖ ***Raising awareness and expectations to influence perceptions of employing people with I/DD and spur change. A few notable approaches include:***
  - ✓ Through a partnership with the VR agency and Disability: IN North Carolina, the NC Council’s *Everybody Works NC* initiative increases awareness of the untapped pool of talent in the disability community and helps create more jobs and job oriented educational opportunities.
  - ✓ The NH Council hosts an annual Statewide Employment Leadership Awards event recognizing businesses that demonstrate exceptional leadership, innovation and/or a commitment to adopting hiring practices that improve employment opportunities for workers with disabilities. Winners were prominently featured in *NH Business Magazine*, which reaches 50,000 business people.
  - ✓ The IA Council screened the documentary *Bottom Dollars*<sup>48</sup> to increase awareness about wage equality and employment for people with disabilities.

❖ **Developing and disseminating information and resources for people with I/DD, their families, schools, service providers, employers, and others. Activities included:**

- ✓ Conferences, summits, transition fairs, community conversations, and other events to engage stakeholders for input, learning, and networking.
- ✓ Print and digital materials, videos, webinars, and other tools designed for specific audiences. DD Councils developed employment-specific resources and also incorporated employment information within other publications on broader topics. Examples are the OR Council's *Planning My Way to Work* transition guide and the MS Council's job coach training manual.
- ✓ Informational and educational campaigns via social media, with DD Councils taking advantage of National Disability Employment Awareness Month.

**Educating Stakeholders**

The TX Council hosts monthly Policy Academies featuring presentations from experts on important disability-related topics like CIE.

State agencies and other organizations integrated information and resources developed by DD Councils and their grantees into their own trainings, thereby expanding the impact.

**Equipping Schools to Prepare Youth for Employment**

The NE Council provided Project Discovery kits to rural high schools to help students with I/DD gain skills that can be transferred into the workplace. Providing students the opportunity to develop a variety of employment skills is critical in an area of the state that has fewer employment options. Nebraska VR picked up the funding after one year. After using this resource, the number of students receiving work-based learning experiences doubled and the number of students working in the community tripled.

❖ **Supporting training and certification to increase knowledge and skills, and improve service quality and outcomes. Direct training and train-the-trainer approaches were enlisted. Audiences included transitioning youth and adults with I/DD, family members, school personnel, service providers, state agency staff, and employers. These initiatives illustrate the diversity of the topics and audiences and represent some, but not all, of the work:**

- ✓ The KY Council collaborated with the Chamber of Commerce to educate business leaders, conduct a statewide survey with the Society of Human Resource Managers on employment attitudes, and plan a workforce engagement summit for business leaders.
- ✓ The TN Council leads a workgroup that is providing training and resources to American Job Centers about serving people with disabilities.
- ✓ The MA Council provided funding to the statewide self-advocacy group to teach a class to students enrolled in the Council's Independence College

**Community Partnerships**

The RI Council collaborated with the Small Business Administration, Center for Women in Enterprise, and Veterans Business Outreach Center on trainings and connected budding entrepreneurs with experts in the business community.

program. The class utilizes lectures, videos, and interactive activities to prepared students to begin their job search.

- ✓ DD Councils supported competency-based training and certification of employment specialists within service provider organizations and VR agencies, using nationally recognized standards like ACRE and Marc Gold & Associates. Certification improves the likelihood that employment professional have the competencies necessary to provide effective employment supports.
- ✓ DD Council projects also prepared teachers to implement best practices in preparing students to transition into CIE.
- ❖ ***Facilitating and supporting forums and learning communities where provider networks identify transformation barriers and potential solutions and use this information to make improvements.***
- ❖ ***Hosting employer engagement events like job/career fairs that helped people with I/DD find jobs.***
- ❖ ***Engaging grassroots efforts in local communities to educate about CIE and advocate for system improvements and the expansion of employment supports.***

## Focus on unserved/underserved groups

Many DD Councils in the country included a specialized focus on young adults transitioning from school to work as a pivotal opportunity to establish expectations, develop effective planning, and improve systems of support that lead to competitive integrated employment.

Councils also focused specifically on underserved groups like people with I/DD in rural areas and people who may be unserved/underserved due to race, ethnicity or socioeconomic status. Others gave special attention to the barriers faced by people with significant support needs and employment for people with I/DD and mental health needs. Finally, supported decision-making received attention because it can increase access to employment.

### **Helping Students be Job Ready**

Recognizing that work experience before exiting secondary education is one of the strongest indicators of finding competitive integrated employment, the SC Council supported five high school-based projects that increased employability skills and experiences for 128 students with I/DD by implementing evidence-based practices in employment discovery, attainment, and retention. 79% of the students surveyed reported actively advocating for themselves in an employment setting or within a service delivery system. Long-term impact includes increasing the number of certificate-track students receiving community-based employment experiences and increasing collaboration among high schools, state agencies, and employers.

## CONCLUDING REMARKS

Systems change takes time and with innumerable challenges there is no single or simple answer for creating more opportunities for competitive integrated employment. Rather DD Councils customize their approaches to achieve progress based on the particular needs and circumstances of their states.

The policies and practices, model approaches, and resources that Councils create or improve continue to pay dividends: legislation continues to have an impact, new trainings and resources continue to be used, school personnel and employment specialists use new knowledge and skills to get more people jobs, states continue to improve compliance with the HCBS settings rule, the impact of ACL and ODEP initiatives expands, and promising ideas that were tested and proven effective are sustained and replicated.

As a result, people with I/DD will continue to enter the workforce with needed supports and services. Related outcomes are also realized in terms of parents being able to work rather than staying home to provide support and more people with I/DD becoming tax payers and less reliant on public benefits.

As with any issue that has the potential to improve the lives of people with I/DD, there is always more work to be done – to do things even better, to reach even more people, to sustain efforts and results. With all activities DD Councils need to continue to strive to have their work reach and benefit all of their constituents, considering the racial, cultural, ethnic, and social-economic make-up of their states, as well as other diversity issues that may impact equal access to information, supports and opportunities.

DD Councils often learn from each other so the activities and initiatives noted in this report can serve as a jumping off point for discussions about lessons learned, unique partnerships, successful efforts, and promising outcomes. One state's successful initiative might be replicated with or without modifications or simply spark a different idea for another state that brings even more results.

## APPENDIX

### GUIDING QUESTIONS FOR DD COUNCIL PLANNING

**The following questions can be useful when prioritizing issues and considering what additional strategies and activities to undertake with regard to ABLÉ and employment, as well as other issues.**

- ➔ Are there individuals or organizations among the Council's typical collaborators that we haven't engaged that have knowledge, skills, connections, influence, and/or power that could help advance a particular goal? Have we learned about other Councils' successful partnerships that might translate to our state?
- ➔ Are there individuals or organizations outside the disability community that the Council hasn't engaged that have knowledge, skills, connections, influence, and/or power that could help advance a particular goal? Have we learned about other Councils' unique partnerships that might be explored in our state?



- ➔ Does the Council need more information on an issue from diverse perspectives, especially from people with I/DD and family members throughout the state?
- ➔ Are Council-run and grantee-run activities benefitting a diverse constituency? Do we know enough? Who can help us become informed and reach underserved culturally diverse communities?
- ➔ Has the Council thoroughly assessed lessons learned from Council and grantee activities and used that to inform next steps?
- ➔ Does the Council have adequate staff or fiscal resources to successfully implement what is being considered or proposed?
- ➔ Is the Council the right organization to implement a particular idea or activity or should another organization be identified and/or supported to do so?
- ➔ What is the potential impact of what the Council is considering or proposing? Will enough people benefit to make it worthwhile?
- ➔ Does the approach the Council is considering (or a grantee is proposing) have potential for replication, if replication is a desired outcome?
- ➔ If the Council pilots a new approach, develops training, or engages in another significant new project, are there organizations that have the interest and resources to sustain the effort if it proves successful?

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<sup>1</sup> Public Law 106–402. The DD Act was originally enacted in 1963, DD Councils were added in 1970, and the Act was last amended in 2000. For more detail: [tinyurl.com/y6loak4g](https://tinyurl.com/y6loak4g)

<sup>2</sup> There are 56 DD Councils, one in each state and territory. For contact information: [nacdd.org/councils](https://nacdd.org/councils)

<sup>3</sup> *Capacity building activities*: activities like training and technical assistance that improve the ability of individuals with I/DD, families, supports, services and systems to promote, support and enhance self-determination, independence, productivity and inclusion in community life. *Systemic change activities*: sustainable, transferable and replicable change in some aspect of service or support availability, design or delivery that promotes positive or meaningful outcomes for individuals with I/DD and their families. DD Act Final Rule: [tinyurl.com/yyjmxutw](https://tinyurl.com/yyjmxutw) (pg. 50 and 58, respectively)

<sup>4</sup> S.313/H.R.64; For more information: [tinyurl.com/ovlnvg4](https://tinyurl.com/ovlnvg4)

<sup>5</sup> The required annual federal report DD Councils submit to the Administration on Disability/Office of Intellectual and Developmental Disabilities.

<sup>6</sup> It was not possible within the parameters of this report to include examples of the work of every DD Council. A Council not being named does not in any way infer that substantial and important work wasn't completed. The PPRs provide detail.

<sup>7</sup> The DD Act requires that people with I/DD and family members comprise at least 60% of DD Council membership.

<sup>8</sup> Individuals with significant disabilities with an age of onset of disability before turning 26 years of age; see the ABLE National Resource Center at [ablidnrc.org](https://ablidnrc.org) for more details.

<sup>9</sup> Connecticut, Hawaii, Maine, Utah, and Wisconsin

<sup>10</sup> Idaho, North Dakota, and South Dakota

<sup>11</sup> NAST September 2019 ABLE summary. For more information: <https://tinyurl.com/y4ky2sex>

<sup>12</sup> SSA Blog posted on 7/11/2019, Morris, Michael, National Disability Institute

<sup>13</sup> National Council on Disability's "Letter of Support for Introduction of ABLE Age Adjustment Act" submitted to Congress April 1, 2019. For more information: <https://tinyurl.com/y57uts2w>

<sup>14</sup> National Disability Institute

<sup>15</sup> <https://nast.org/nast-statement-on-able-plans/>

- <sup>16</sup> Medicaid payback provisions allow states to seek payment from an individual’s ABLE account upon their death for the cost of Medicaid services provided to that person while the account was open. At least nine states (AR, CA, FL, KS, IL, MD, OR, PA & WV) have passed legislation removing this provision; <https://tinyurl.com/y4f6o5uh>.
- <sup>17</sup> 2018 sustainability report by the ABLE Committee of the National Association of State Treasurers (NAST). For more information: <https://tinyurl.com/y2gwd5u3>
- <sup>18</sup> NCD is an independent federal agency with the mission to advise the President, Congress and other federal agencies on disability policy issues.
- <sup>19</sup> NCD letter to SSA, HUD and other federal agencies shared publicly: <https://tinyurl.com/y28ftdao>
- <sup>20</sup> Savings Accounts for Disabled Americans Catch On, but Slowly. New York Times, June 2017. For more information: <https://tinyurl.com/y55fhmpg>
- <sup>21</sup> Terminology used to refer to organizations that provide employment supports and services to people with I/DD varies by state. For the purposes of this report, “service provider” is used.
- <sup>22</sup> The Bureau of Labor Statistics reported that in 2018, 30.4% of working age adults (age 16-64) with a disability were employed compared to 74% of adults without a disability. Furthermore, 31% of workers with a disability usually worked part time, compared with 17% percent of those without a disability. (*Persons with a Disability: Labor Force Characteristics Summary*; Feb 26, 2019). For more information: [tinyurl.com/yandhsu6](https://tinyurl.com/yandhsu6)
- <sup>23</sup> Ibid
- <sup>24</sup> Simonsen, M. L., & Neubert, D. A. (2013). Transitioning youth with intellectual and other developmental disabilities: Predicting community employment outcomes. *Career Development and Transition for Exceptional Individuals*, 36, 188 –198.
- <sup>25</sup> Carter, E. W., Austin, D., & Trainor, A. A. (2012). Predictors of postschool employment outcomes for young adults with severe disabilities. *Journal of Disability Policy Studies*, 23, 50–63.
- <sup>26</sup> Stephens, D. L., Collins, M. D., & Dodder, R. A. (2005). A longitudinal study of employment and skill acquisition among individuals with developmental disabilities. *Research in Developmental Disabilities*, 26, 469–486.
- <sup>27</sup> Wehman, P., Chan, F., Ditchman, N., & Kang, H., (2014). Effect of supported employment on vocational rehabilitation outcomes of transition-age youth with intellectual and developmental disabilities: A case control study. *Intellectual and Developmental Disabilities*, 52, 296–310.
- <sup>28</sup> The Office of Disability Employment Policy is the only non-regulatory federal agency that promotes policies and coordinates with employers and all levels of government to increase workplace success for people with disabilities. ODEP focuses policy development and technical assistance resources.
- <sup>29</sup> NCWD/Youth provides technical assistance, training, and information to the workforce development system, youth programs, current and former DOL grantees, and other federal grantees that serve youth.
- <sup>30</sup> <https://tinyurl.com/y648yg9p>
- <sup>31</sup> <https://tinyurl.com/y2gmzcvw>
- <sup>32</sup> <https://tinyurl.com/y634useg>
- <sup>33</sup> <https://www.yestoemployment.org/pie-states/>
- <sup>34</sup> Employment First is a national movement to deliver meaningful employment, fair wages, and career advancement for people with disabilities: <https://apse.org/employment-first>
- <sup>35</sup> <https://tinyurl.com/y2ry3ccc>
- <sup>36</sup> <https://apse.org/employment-first-map/>
- <sup>37</sup> <https://tinyurl.com/yymelgr>; <https://tinyurl.com/yxmvkyrx>; and <https://hcbadvocacy.org/>
- <sup>38</sup> A leading nonprofit resource for business disability inclusion worldwide
- <sup>39</sup> <https://tinyurl.com/y4kgz9f>
- <sup>40</sup> Formerly the Business Leadership Network
- <sup>41</sup> Sec. 125(c)(5)A(J)
- <sup>42</sup> National Association of State Legislatures, <https://tinyurl.com/y4e5b57n>
- <sup>43</sup> Ibid
- <sup>44</sup> Vocational Rehabilitation agency
- <sup>45</sup> Harvard Business School, <https://tinyurl.com/y2ng934c>
- <sup>46</sup> <https://tinyurl.com/yxdm56g7>
- <sup>47</sup> The Discovery Fidelity Scale consists of recommended practices to encourage Discovery implementation in a thorough and consistent manner to achieve better employment outcomes.
- <sup>48</sup> “Bottom Dollars” is an hour-long documentary that describes itself as exposing “the exploitation of people with disabilities”

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## AUTHOR

This report was prepared by Brian Cox. Brian served as the Executive Director of the Maryland Developmental Disabilities Council from 2000-2019. His 38 year career in the field of developmental disabilities included living with and supporting people with I/DD who had left institutions, service coordination, program management, public policy and legislative advocacy, and executive leadership. He has served on state and national boards, advisory committees, and commissions focused on I/DD issues across the lifespan.

## CONTRIBUTOR

Sheryl Matney, Director, Technical Assistance for the Information & Technical Assistance Center for Councils on Developmental Disabilities contributed to the direction and content of this report.

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