The Changing Landscape of Employment Services and Supports

Paving the Way to the Future

2017 Conference
Relevant Research Based Data

Predictors of Post-School Success
## In-School Predictors by Post-School Outcome Area

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<th>Predictors</th>
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Changes and Improving Outcomes

Recent Driving Forces in Prioritizing Employment/Post Secondary Education & Training
Catalysts for Change

• Federal rulings
  • ADA/Olmstead settlements
  • Department of Justice settlements
  • Affordable Care Act/Medicaid (AHCCCS) HCBS regulations
  • Workforce Innovation and Opportunity Act of 2014

• National priorities
  • National Governors’ Association “Blue Print for Governors”
  • Office of Disability Employment Policy/Department of Labor: Employment First
  • Youth Employment Demonstration Projects (PROMISE/ASPIRE)
  • The ABLE Act
Overview of Employment First

Framework of Principles to assist with state agency employment system change

- Encompasses the belief that employment should be the primary day activity for all working age adults, including adults with disabilities
- More than employment only
- Promotes informed choice
- Believes that with the right supports & services in place will produce better outcomes
- Supports community integration for all
- Income beyond poverty level
- Promotes quality of life
- Message aligns with intentions and expectations of WIOA and HCBS Regulations
Implementing Employment First Strategic Plan

• Cross-stakeholders sub-committee collaborative work:
  • Agency Leadership
  • Communications
  • System Transformation
  • Employer/Community Engagement
  • Youth and Young Adult Efforts
Home and Community Based Services (HCBS)
Overview HCBS Rules

Rules mandate certain requirements for residential and non-residential settings where AHCCCS (Medicaid) members receive long term services and supports (ALTCS). Settings must:

• Be integrated in and support full access to the greater community;
• Be selected by the individual from among setting options;
• Ensure individual rights of privacy, dignity and respect, and freedom from coercion and restraint;
• Optimize autonomy and independence in making life choices; &
• Facilitate choice regarding services and who provides them

Purpose is to ensure that individuals receiving services are integrated into their communities & have full access to the benefits of community living to the same degree as individuals not receiving ALTCS
The Work Ahead

• All states must come into compliance within a timeframe set forth by CMS.
• Residential and Non-Residential settings must come into compliance in order for Medicaid to fund services in those settings.
• AHCCCS submitted a Systemic Assessment and Transition Plan to CMS in October 2015. The plan was created in collaboration with stakeholders and input from the community.
  • In August 2016, AHCCCS received the first input from CMS on the plan. Currently AHCCCS is working with CMS to update the plan based upon recommendations.
• AHCCCS will create multi-stakeholder workgroups (members, families, providers, healthplans, etc.) for each residential and non-residential setting to advise on the implementation of the transition plan.
Workforce Innovation and Opportunity Act (WIOA)
WIOA Vision and Goals

• The overarching vision is to have a workforce system that is quality-focused, employer-driven, customer-centered and tailored to the needs of the regional economies.

• Increase access and opportunities to engage in employment, education, training, and services with an emphasis on those with barriers to employment.

• Aligning workforce development, education, and economic development programs with regional economic development strategies to meet the needs of the local and regional employers.

• Connecting individuals in need with a full range of services available to their communities.
WIOA Impact on RSA/VR Transition Services

- Increase emphasis on provision of transition services to youth
- 15% budget set aside for Pre-Employment Transition Services for In-School Youth and graduates attending post-secondary training. This includes providing services to “potentially eligible” youth who have not been determined eligible for VR
- 90 Day IPE Implementation
- Allows use of general job goals for Individualized Plans for Employment (IPE)
- Stronger relationship with Division of Developmental Disabilities
- Up to 4 years of Supported Employment (Title 19/ALTCS and Non-Title 19/ALTCS) for Pre-employment transition services population
- 50% Supported Employment budget set aside for youth
- Limitations on subminimum wage (Section 511)
- Competitive integrated employment defined, Customized employment defined
Pre-Employment Transition Services: Overview

These services:

• Must be *made available* Statewide to all students with disabilities *in need* of such services, regardless of whether a student has applied for VR services;

• May begin once a student requests or is recommended for one or more pre-employment transition services and documentation of a disability is provided to the VR agency;

• Assist students with identifying career interests to be further explored through additional VR services, including transition services;

• Must be provided or arranged in collaboration with LEAs; and

• Are the only activities that can be paid for with the funds reserved (15%)
Pre-Employment Transition Services: Who can Receive?

• Pre-ETS are provided to “students with disabilities”, defined as…
  • Students in an educational program (i.e. HS Public/Charter, HE, juvenile justice); 14-22 years old; eligible for and receiving special education or related services under IDEA; OR is an individual with a disability for purposes of section 504 of the Act;
  • Who are…
    • Eligible for VR services; or
    • Potentially eligible for VR services (i.e. all students with disabilities, including those who have not applied or been determined eligible for VR services).
Pre-Employment Transition Services: Required Activities

5 Required Services, which can be provided in group setting or on an individual basis:

- Job exploration counseling: Provided in Classroom/School or in Community Setting
- Work based learning experiences; may include in-school, after school or community based opportunities
  - Work-based learning experiences must be provided in an integrated setting in the community to the maximum extent possible.
  - VR agencies are to exhaust all opportunities for work-based learning experiences in integrated settings before placing an individual in a non-integrated setting.
Pre-Employment Transition Services: Required Activities (Cont.)

5 Required Services, which can be provided in group setting or on an individual basis:

- Counseling on opportunities for enrollment in comprehensive transition or postsecondary educational program at institutions of higher education
- Workplace readiness training to develop social skills and independent living skills
  - E.g. Communication & interpersonal skills, financial literacy, “Soft” Skills
- Instruction in self-advocacy
  - E.g. Learn about rights/responsibilities, how to request accommodations
Overview of WIOA Section 511: Subminimum Wage Limitations

• Section 511 prohibits an “entity” that holds a special wage certificate under section 14(c) of the FLSA from compensating an individual with a disability at a subminimum wage unless certain conditions are met.
  
  • An “entity” is an employer, or a contractor or subcontractor of that employer, that holds a special wage certificate described in section 14(c) of the Fair Labor Standards Act of 1938 (FLSA).
  
  • “Special wage certificate” means a certificate issued to an employer under section 14(c) of the FLSA that authorizes payment of subminimum wages (i.e., wages less than the statutory minimum wage).

• Focuses on the payment of subminimum wage, not the nature of the work setting*

*Typical work settings that pay subminimum wage are called: Center Based Employment, Sheltered Workshops, Enclaves and/or Group Supported Employment
Overview of WIOA Section 511: Subminimum Wage Limitations (Cont.)

Section 511 DOES:

- Prohibits schools to contract or have other arrangements with holders of special wage certificates/14(c) in order to pay a youth with a disability subminimum wage
- Requires VR agencies and LEAs to document the provision of the requisite services
- Requires individuals of any age to satisfy certain service-related requirements in order to continue work at subminimum wage
- Before an “entity” may begin compensating a youth (24 or under) with a disability at subminimum wage, the youth must complete certain service-related activities/requirements and produce documentation showing completion
Overview of WIOA Section 511: Subminimum Wage Limitations (Cont.)

Section 511 DOES NOT:

• Change the purpose of the Rehabilitation Act;
• Promote subminimum wage employment;
• Eliminate sheltered workshops; or
• Eliminate subminimum wage and section 14(c) of the FLSA;
• Prohibit an SEA or LEA from contracting with an entity that holds a special wage certificate if the youth are paid at or above the minimum wage or if the purpose is for something other than the work at subminimum wage, such as assessments and pre-employment transition services.
WIOA Section 511: Requirements

Individuals age 24 or younger may not begin work paying subminimum wage (less than Federal or State minimum wage) unless the following actions have been completed:

1) Transition services under the Individuals with Disabilities Act (IDEA) and/or pre-employment transition services under WIOA were completed;

2) Vocational rehabilitation (VR):
   a. the youth applied for VR services and was found ineligible OR
   b. the youth applied for VR services and was found eligible AND
      i. had an individual plan for employment (IPE) AND
      ii. worked toward an IPE employment outcome for a reasonable period without success; AND
      iii. the VR case was closed;

3) Career counseling, including information and referrals to Federal and State programs and other resources in the individual's geographic area.
All people currently working in jobs that pay less than minimum wage (less than Federal or State minimum wage) must:

• Receive career counseling and information and referral services provided in a way that prioritizes independent decision-making and informed choice
  • Currently VR staff is providing the above to these individuals
• Information on self-advocacy, self-determination and peer mentoring
  • Currently the agency providing services to these individuals are informing them of the resources for this requirement
  • Employment First is developing a “checklist” to empower and assist the individual when seeking these services/resource

All of the above services must be provided annually to individuals working in subminimum wage employment
WIOA Impact on the Division of Developmental Disabilities (DDD) Employment Services
Division Services

• DDD offers a wide range of Home and Community Based Services (HCBS) available to eligible individuals.

• All services are dependent on eligibility, documented assessed need and availability of funding.

• Services cannot be provided by the Division until the individual’s plan (IFSP, ISP, PCP) documents the need and desired outcomes.

• **Specific DDD Services affected by WIOA/Section 511:** ONLY employment services that pay subminimum wage (i.e. Center based employment and/or Group Supported Employment).

• Employment Supports and Services help people gain skills and knowledge to get a job and stay employed.

*Contact the individual’s DDD Support Coordinator for individual planning and more information*
Setting High Expectations

The most powerful force in changing transition outcomes for young people with significant disabilities is not ultimately found in the transition plans we craft, the educational services we offer, the instruction we provide, the systems we build, but rather in the expectations and aspirations individual parents hold for their sons and daughters.

What Matters Most: Research on Elevating Parent Expectations (Erik Carter)
How Families Can Support

- Set higher expectations for your child
- Start transition planning EARLY
- Talk about employment, education and independent living with your child
- Know the transition partners who can help; build relationships and collaborate
- Understand the aspects of “career development”
- Investigate and engage in resource options/mapping in community
- Educate others
What Educators Can Do

- **START TRANSITION PLANNING AS EARLY AS POSSIBLE**
- Help students connect with local One Stops for summer youth employment programs and vocational training programs
- Learn about community resources/programs
- Assist students in obtaining part-time or volunteer jobs in the community
- Invite VR staff to participate in transition planning for students (Ages 14-22)
- Invite VR to do student Pre-ETS workshops in your schools
- Connect with your local VR office: 1-800-563-1221 or visit [https://des.az.gov/services/employments/Arizona-rehabilitation-services](https://des.az.gov/services/employments/Arizona-rehabilitation-services) (Click on office locations)
What Educators Can Do

Partner with Agencies that Provide Services to Youth:

- Collaborate with VR and/or Pre-ETS providers to integrate the 5 required services into your classrooms and communities.
- Connect eligible students to DDD Transition to Employment Services (TTE) and other employment related services; summer work, career prep readiness:
  - TTE: A service that provides a DDD member with individualized instruction, training, and supports to promote skill development for integrated and competitive employment
- Inform and connect students to Independent Living Centers and other advocacy agencies that can provide:
  - Training in self-advocacy, self-determination, independent living skills, youth leadership skills (e.g. AZ Youth Leadership Forum)
- Make students and families aware of what Raising Special Kids (AZ Parent Information and Training Center) can offer:
  - Workshops on variety of topics (e.g. Getting and keeping your first job, Guardianship)
  - Young Adult Advisory opportunity (partnership with OCSHCN)
What Educators Can Do

• Know the employment supports and services available to students
• Promote and facilitate agency collaboration at the IEP team table and hold transition partners accountable.
• Encourage every student and their family to plan for employment
• Provide diverse work experiences for students as early as possible
• Connect and support families as they navigate the next phase of their children's lives after high school

Assure MPSG are written with least restrictive environment in mind
What Educators Can Do

• Understand and utilize Person-Centered Plans and Principles
• Utilize Student-Led IEP models
• Assure all assistive technology has been considered to assist in leveling playing field
• Consider any vocational/career and technical education options
• Integrate DB101 into your curriculum/classroom activities
• Investigate Project SEARCH and other employment related program options for eligible youth

Empower and Connect, don’t do all the work yourself!
How Providers are Assisting

- Educating and working with DDD staff, consumers and families on the benefits of employment and the resources to support employment, including ABLE ACT accounts
- Supporting, guiding and assisting consumers to make informed decisions/choices regarding employment options
- Engaging in more employment related services, to include: **self-employment, customized employment, providing the DDD funded Transition to Employment (TTE) curriculum**
  - In development, offer/provide Pre-ETS and Career Prep Readiness services
- Being aware of resources and options that help consumers to understand the benefits of being employed:
  - Ticket-to-work, PASS plans, DB101, AHCCCS Freedom to Work
How Providers are Assisting

• Engaged in committee work to help system and policy change

• Working with all involved agencies to move WIOA & CMS/HCBS forward in a meaningful way for people who have disabilities
  • Looking to create additional partnerships with schools to provide employment related services to youth and young adults

• Engaging more employers:
  • to consider a more diversified work force
  • to create opportunities (i.e. job shadows, internships, mentoring, work-based learning opportunities)
  • to build partnerships
Building Capacity for Providers to Increase Competitive Integrated Employment Outcomes

- Researching and implementing evidence-based and best practices
- Professional Development, Training & Technical Assistance for staff
  - Customized & Supported Employment, Discovery, Person Centered Planning
- Utilizing the Providers Association to support their needs
- Beginning to discuss & make fundamental changes to increase CIE outcomes
  - Provider and System Transformation: Funding/Incentive employment, Credentialing, seamless transition from one agency to another (e.g. DD/VR/BH).
Agency Collaborations

- AZ Employment First Committees and sub-committees
- Data Sharing Agreement between ADE/RSA
- Pre-employment transition services workshops for students are available
  - Provided by VR Personnel at this time. Contact your local VR office.
  - Pre-ETS Solicitation went out in June 2017, other providers to be identified
- Stakeholders developed handouts on WIOA/Section 511
  - Joint Guidance Document for Professionals to be released soon!
- Stakeholders updated the Interagency Service Agreement (ISA) between ADE/VR/DDD on transition to include WIOA & Employment First Principles; to be released soon!
- Stakeholders updating professional development for Educators
- Engaged with our National TA Centers to provide support to increase competitive integrated employment outcomes: NTACT, WINTAC, Y-TAC, SELN
Resources

Employment First:
www.Azemploymentfirst.org
ODEP Employment First

CMS/HCBS (AHCCCS):
www.azahcccs.gov/hcbs
HCBSadvocacy.org
http://www.medicaid.gov/HCBS

WIOA & TA Centers:
www.doleta.gov/WIOA
http://www.wintac.org/
http://iel.org/vryouth-tac

NTACT: Competitive Integrated Employment Toolkit
http://transitionta.org/cietoolkit
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