

Employment First Committee

2018 Annual Report

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INTRODUCTION

In 2013, the State of California adopted an Employment First Policy that makes it the highest priority of the State to ensure that it provides opportunities for Competitive Integrated Employment (CIE) for all people with developmental disabilities. People without disabilities in the workforce are, as a default, presumed to be employed in CIE. CIE has been described as “Real Work for Real Pay in the Real World.” CIE is defined as working for pay, at minimum wage or above, in the community with people with and without disabilities with the same benefits. For any person, a real job for real pay in the community facilitates social and economic empowerment. Many people with disabilities want careers with potential for promotion and growth, not just jobs.



In 2018, California continued to see minimal growth in the labor force participation rate and employment rate for persons with developmental disabilities despite continued economic growth. It is incumbent that California continue to ensure that policy and programmatic barriers to CIE are removed and that the funding is available to build capacity and implement systemic change. The State Council on Developmental Disabilities (SCDD or the Council) Employment First Committee (EFC) identifies best practices and recommends legislative, regulatory, and policy changes for increasing

the number of individuals with developmental disabilities in CIE, self-employment, and microenterprises.

The current goals of the EFC include improving data to understand trends in CIE, creating financial incentives for CIE, transitioning the



system from segregated programs and subminimum wage to CIE¹, supporting individuals with developmental disabilities and their families to better understand CIE, improving benefits planning, ensuring qualified providers for persons with developmental disabilities and their families, and evaluating implementation of the Employment First Policy. The EFC respectfully submits the 2018 report.

EMPLOYMENT DATA TRENDS

California has seen minimal growth in the labor force participation rate and employment rate for persons with disabilities. The labor force participation rate is the percentage of people who are in the labor force, while the employment rate measures the percentage within the labor force that currently has a job. People with disabilities are much more likely to be not in the labor market, unemployed or under-employed than people without disabilities. The American Community Survey reports that in 2017, only 8.0 percent of people with disabilities were actively looking for work compared to 18.0 percent of working age people without disabilities.² The American Community Survey also reports that in 2017, the employment rate of working-age people (ages 21 to 64) with disabilities living in the community in California was 36.8 percent compared to 77.3 percent of working-aged people without disabilities living in the community.³ In 2016, the Department of Developmental Services (DDS) reports that 14.2 percent [4] of people with developmental disabilities who are receiving services through the Regional Centers are working.⁴

Supported Employment (SE) services through the Department of Rehabilitation (DOR) and the Regional Centers can be provided either through the community rehabilitation programs (CRP) or the Habilitation Services Program (HSP). SE services are aimed at finding competitive work in a community for persons with significant disabilities who need ongoing support services to learn and perform the job. SE placements can be individual placements (5,064 placements in 2016-2017), or group placements known as enclaves or work crews (5,839 placements in

1 The Fair Labor Standards Act of 1938 allows people with disabilities to be paid sub-minimum wages.

2 Erickson, W., Lee, C., & von Schrader, S. (2019). 2017 Disability Status Report: United States. Ithaca, NY: Cornell University Yang-Tan Institute on Employment and Disability (YTI) at http://www.disabilitystatistics.org/StatusReports/2017-PDF/2017-StatusReport_US.pdf

3 Erickson, W., Lee, C., & von Schrader, S. (2019). 2017 Disability Status Report: United States. Ithaca, NY: Cornell University Yang-Tan Institute on Employment and Disability (YTI) at http://www.disabilitystatistics.org/StatusReports/2017-PDF/2017-StatusReport_US.pdf

4 Based on data from the Employment Development Uninsurance reporting in 2016.



2016-2017). Work Activity programs employed 7,838 people in 2016-17. The average monthly Regional Center clients' wages have continued to steadily increase over time, and in 2017 were at \$725.⁵

It is anticipated that California will have more nuanced data to better understand the barriers to CIE next year as the result of two bills, AB 1696 (2017) and SB 1274 (2018) sponsored by the Council (more information on these bills is in the section on Legislative Efforts).

POLICY CHANGES IMPACTING IMPLEMENTATION OF CIE IN CALIFORNIA

The ongoing implementation of policy changes at the state and federal level are hopefully driving California to realize improved employment outcomes.

- In 2013, California adopted its Employment First Policy. The policy states that regardless of severity of the disability, the priority of the state of California is CIE.
- In 2013, the Self-Determination Program (SDP) was created. The SDP launched in the fall of 2018 and is in the first year of a three year phase process for 2500 people with developmental disabilities. After the phase in process, the SDP will be open to anyone receiving Regional Center services. SDP will provide people with developmental disabilities receiving Regional Center services the option to choose their service providers.
- In 2014, the Centers for Medicaid and Medicare Services (CMS) published a final Settings Rule for Home and Community Based Services (HCBS). California received initial approval for its plan in 2018 and is working towards final approval. The Rule states that residential and non-residential programs must provide services in the most integrated setting by March 2022.
- In 2014, the Workforce Innovation and Opportunity Act (WIOA) was passed. WIOA creates a presumption of employability in CIE by the federal government. WIOA establishes strict requirements that must be met for individuals under age 25 before they can enter subminimum wage employment using federal funds. WIOA also focuses on ensuring youth in transition from school to employment or post-secondary

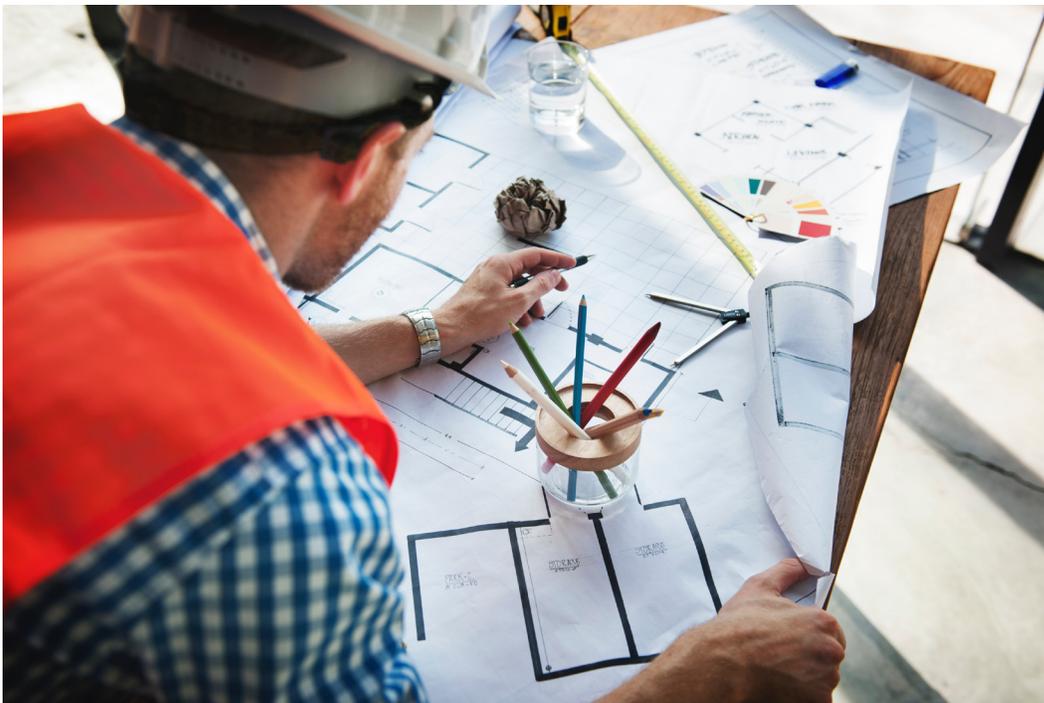
⁵ Based on quarterly wage data from the Employment Development Uninsurance reporting in 2016. The number of hours worked and hourly wage is unknown.



education are provided pre-employment transition services to obtain or retain a position in CIE. WIOA also works to ensure that adults receive information about options to become employed in CIE.

- In 2014, the Achieving a Better Life Experience (ABLE) Act was passed. California launched its program in 2018. ABLE allows people with disabilities under the age of 26 and their families to set up a special savings account to pay for disability-related expenses. The funds in an ABLE account are not to be taxed and account funds are not generally considered for the Supplemental Security Income (SSI) program, Medicaid, and other federal means-tested benefits.
- In 2017, the Department of Education (CDE), Department of Developmental Services (DDS), and Department of Rehabilitation (DOR) issued the California Competitive Integrated Employment (CIE) Blueprint for Change (Blueprint). The Blueprint is providing a roadmap on how best to implement CIE. The Blueprint is now in its third year of implementation.

Taken together, the federal and state policy changes are very promising for improving employment outcomes for Californians with developmental disabilities.



PROGRESS IN 2018: CALIFORNIA COMPETITIVE INTEGRATED EMPLOYMENT (CIE): BLUEPRINT FOR CHANGE

The Blueprint is a proactive interagency plan between CDE, DOR, and DDS to jointly identify ways to increase CIE opportunities for individuals with developmental disabilities over a five-year period using existing resources. In April 2019, the first CIE Annual Report was made available highlighting the work in the first year of implementation.⁶ The report highlights state and local collaborative efforts and pathways to CIE that are making a difference in the lives of individuals with developmental disabilities and their families. Some key accomplishments during the first year of implementation that are highlighted in the report include:

- The number of individuals with developmental disabilities working in CIE increased from 780 to 1,152.
- The development of and dissemination of CIE Blueprint Written Guidance and Local Partnership Agreement (LPA) Template. (An LPA identifies how LEAs, CDE, DOR, Regional Centers and other stakeholders will work together to streamline service delivery and engage their communities to increase opportunities for CIE.)
- Development of 13 new LPAs between LEAs, DOR districts and Regional Centers.
- The leveraging of the Senate Bill (SB) 644 Limited Examination and Appointment Program (LEAP) Internship Program resulting in five individuals with developmental disabilities hired as full-time permanent state employees.
- An increased utilization of work opportunities including the following:
 - 25,313 students participated in paid work experience and unpaid community-based vocational education with CDE WorkAbility I (WAI).
 - 29 individuals participated in On-the-Job Training (OJT) through DOR.
 - 647 individuals participated in a DDS Paid Internship Program (PIP).

6 <https://www.chhs.ca.gov/home/cie/>



- Exploration of a customized employment model with sequenced funding structures.
- The development of an interactive Employment Resources Map.
- The providing of career counseling and information and referral (CC&IR) services through DOR to 14,008 individuals working at subminimum wage to encourage CIE.
- The hiring of dedicated regional center Employment Specialists, funded through DDS, to act as subject matter experts on employment.

The Report serves as a baseline for monitoring progress of implementation of the Blueprint in subsequent years. Each subsequent year during the five-year implementation effort, the annual Report will build upon the successes of the previous year and demonstrate the achievements and potential barriers.

LOCAL, STATE AND NATIONAL IMPLEMENTATION OF THE EMPLOYMENT FIRST POLICY

The Council is investing in improving individuals and systems capacity for CIE at the local, state and national levels through work in SCDD's Regional Offices and as a grant-maker to other community-based organizations. In Fiscal Year 2018, SCDD engaged in more than 150 trainings and activities across California designed to promote CIE which reached more than 5,200 individuals with developmental disabilities, families, employers, providers, and other stakeholders. SCDD's Regional Offices will continue to take a lead role in educating stakeholders about the Employment First Policy and opportunities for CIE in 2019-2020.

SCDD invested in a grant to Hope Services' Project SEARCH. Project SEARCH is an ongoing project that with collaborators, such as Kaiser Permanente, provides a unique, business-led, one-year-long school-to-work internship program that takes place entirely at the workplace. The goal of Project SEARCH is for interns to obtain part-time to full-time employment after the internship. Project SEARCH is a nationally recognized internship program with a success rate higher than other programs in placement into CIE. SCDD also awarded a grant to Easterseals Southern California to provide comprehensive training on customized employment and validate the use of the Discovery Fidelity Scale (DFS). The project validated the Discovery model, a system for assessing employment preferences and skills, trained professionals to



administer it effectively in field-based settings, and matched candidates with customized employment opportunities.

SCDD's San Diego-Imperial Regional Office assisted in planning the 19th Annual "Jobtoberfest." Employers were recruited and came prepared to discuss potential jobs and how to apply with 1200 jobseekers with disabilities. The event coincided with the annual meeting of the Executive Directors from all of the Councils across the country that was hosted by SCDD. Julie Hocker, ACL's Commissioner for the Administration on Intellectual and Developmental Disabilities in the Administration on Community Living in the U.S. Department of Health and Human Services, met with some of California's most prominent disability advocates to discuss ways to find or retain employment. SCDD's Central Coast Regional Office discussed collaborating with Goodwill Industries of Santa Clara to promote Goodwill's Expandability program. This program assists men and women with autism to find high level technology jobs in the industry to obtain sustainable CIE.

LEGISLATIVE EFFORTS IN EMPLOYMENT FOR 2018-2019

In both the 2018 and 2019 California legislative sessions, the Council sponsored two bills to eliminate barriers to CIE.

SB 1274 (McGuire 2018) built on the prior data sharing bill sponsored by the Council, AB 1696 (which included SB 433). SB 433 required the Employment Development Department (EDD) to share data with the DDS regarding the wages of persons with developmental disabilities in CIE. The bill was needed to be able to examine trends in CIE based on geography, disability, race, ethnicity, or age. SB 1274 authorized data sharing between the Department of Social Services (DSS) and the DDS to further the understanding of how public benefits are impacted when a person with a developmental disability is employed in CIE. DSS will share eligibility and enrollment data for the CalWORKS and CalFresh programs with DDS. Both bills are currently in the process of being implemented by DDS. Given delays in data sharing amongst agencies, EFC will further discuss measurements once the data is available from DDS.

AB 1019 and AB 1169 are pending in the chamber of introduction as of the writing of this report. If signed into law, AB 1019 will amend the California Labor Code to expand membership of the Division of Apprenticeship Standards' Interagency Advisory Committee on Apprenticeship (IACA) to include the Director of the California Department of Rehabilitation and the Executive Director of the Council. The IACA was created by AB 235 in 2018 but had no representation from the disability community. AB 1019



will also mandate the creation of a subcommittee to address enhancing opportunities for apprenticeships for people with disabilities. Ensuring that representatives from the disability community are present on the IACA will provide opportunities to advocate for the creation or tailoring of apprenticeship programs for persons with disabilities.

If signed into law, AB 1169 will amend the Tax Code to create an additional tax credit, modeled on the federal Work Opportunity Tax Credit, up to \$6,000 for certain businesses in California who hire qualified individuals with disabilities. This new state tax credit would increase the incentive to businesses who employ people with disabilities who are recipients of Supplemental Security Income, Social Security Disability Insurance or are referrals from DOR. The credit would be against the net tax paid by an employer in California. The credit would be for 40 percent of the qualified wages, up to \$6,000 per employee during the first year of employment.

In 2018, AB 2171 ('One Person, One Goal') was introduced to build upon the Blueprint and California's progress in increasing opportunities for CIE. AB 2171 would have advanced coordination efforts between CDE, DOR and DDS, so one person would experience the system working in unison toward the one goal of CIE in regard to data sharing and service delivery planning. The bill died, but the Council continues to work for the intention of 'One Person, One Goal' through EFC and with other stakeholders.

EFC'S PRIORITIES IN 2019-2020

In August 2018, the EFC completed a strategic planning process for its priorities for 2019-2020. The goals of the EFC are being advanced through the work of SCDD's Regional Offices in the SCDD work plan for 2019. The identified priorities include:

- Increasing CIE vendor capacity and business models;
- Convening individual and family advocates for discussions on how to carry out CIE; and
- Requiring LPAs to better disseminate information on stakeholder collaboration.



NEXT STEPS FOR EMPLOYMENT FIRST IN CALIFORNIA

Much of California's efforts to increase CIE in the coming years will result from implementation of the Blueprint. The EFC can play an advisory role in the implementation of the Blueprint and tracking of outcomes, but it also can and should endeavor to advance CIE on parallel fronts. This includes making policy recommendations and working to implement them. The work of the EFC began before the Blueprint was created and will continue past the Blueprint's 5-year implementation timeline.



Aside from the Blueprint, the EFC provides a forum for a unique group of state agencies and organizations to explore other mechanisms that can be used to guide the system to fully support CIE, and to advocate for system transformation. The EFC's quarterly meetings provide an opportunity to review, evaluate and assist in areas related to policies and programs committed to promoting CIE. The EFC provides an opportunity to address the unique barriers faced by individuals with complex support needs, and who typically experience the poorest transition and employment outcomes.

The EFC recommends that California undertake the following policy changes and activities to remove barriers to CIE and create a system that more fully supports CIE:

- DDS should continue to invest in the collection and reporting of all individual outcome data from different systems necessary to understand the factors that impact whether a person enters or retains



- CIE. DDS and the State Council should publicly report aggregate data on the Data Dashboard in a consumer friendly and accessible format so that the impact of CIE can be assessed and people with developmental disabilities and their families can make informed data-driven decisions about choosing the best pathway to CIE.
- CDE, DOR, DDS and the Council should work collaboratively to launch a statewide multi-media public service campaign in traditional and social media with the goal of reducing the stigma to hiring individuals with developmental disabilities. The campaign should highlight the impact and benefits to businesses when they hire a person with a developmental disability, and highlight the accomplishments of people with developmental disabilities in CIE.
 - CDE, DOR and DDS should work to expand opportunities for work experience, work-based learning, career-exploration, and internship opportunities for students with developmental disabilities by increasing outreach to local businesses through partnerships with the Chamber of Commerce.
 - CDE, DOR and DDS should continue their efforts to collaboratively work to streamline information sharing and service delivery planning to ensure that individuals with developmental disabilities, including those from ethnically and linguistically diverse communities, experience a service delivery system that allows for unified planning and data sharing across agencies.
 - The State Legislature should allocate funding to create a pathway for career advancement and credentialing that provides professional development for organization leaders, program managers, and staff responsible for delivering services to support CIE. Pay should be compensated at a rate that reflects professionals' level of responsibility and expected competence in delivering services that support CIE.
 - The State should develop state standards or adopt national standards of professional competence in providing services to support CIE so performance can be developed, supported and measured.
 - The State Legislature should expand opportunities for post-secondary education for students with developmental disabilities by working with and funding inclusive living college programs.
 - The State Legislature should provide funding to promote the creation and enhancement of new and innovative projects that support CIE and facilitate systems transformation away from sheltered employment



and other segregated day services, to make way for an end to sub-minimum wage and segregated employment under 14(c) of the Fair Labor Standards Act.

- The State Legislature should provide funding for systems transformation away from sheltered employment and/or segregated employment under 14(c) into CIE. This should include funding for training and technical assistance from organizations that have successfully transitioned programs to provide expertise to assist those in the process of transitioning.
- The State Council, CDE, DOR and DDS should explore opportunities to work in partnership to develop programs that build students' self-advocacy and self-determination skills including how to make informed financial decisions. The State Council, CDE, DOR and DDS should explore opportunities to work in partnership to create and fund a program for self-advocates employed in CIE to mentor students and their families about possible career opportunities in CIE.
- The State Legislature should pass legislation to create an incentive for employers who demonstrate a commitment to CIE by incorporating transportation solutions and supports into their business practices. The Department of Transportation should work with stakeholders to identify and disseminate information on any existing opportunities to incentivize transportation to employment.



APPENDIX 1: EFC MEMBERSHIP FOR 2018

Wesley Witherspoon, Chairperson, Self-Advocate at-Large (*Served: May 2018 to Present*)

Jenny Yang, Chairperson, Self-Advocate at-large (*Served: January 2018 to May 2018*)

Michael Clay, Department of Developmental Services (DDS) (*Served: January 2018 to Present*)

Elena Gomez, Department of Rehabilitation (DOR) (*Served: January 2018 to May 2018*)

Cindy Chiu, DOR (*Served: June 2018 to Present*)

Barbara Boyd, California Department of Education (CDE) (*Served: June 2018 to Present*)

Sarah Isaacs, Disability Rights California (DRC) (*Served: January 2018 to Present*)

Olivia Raynor, UCEDD, Tarjan Center at University of California, Los Angeles (*Served: January 2018 to Present*)

Steve Ruder, UCEDD, University of California, Davis Medical Investigation of Neurodevelopmental Disorders (M. I. N. D. Institute) (*Served: January 2018 to Present*)

Larry Yin, UCEDD, University of Southern California (*Served: June 2018 to Present*)

Barbara Wheeler, UCEDD, University of Southern California (*Served: January 2018 to May 2018*)



APPENDIX 2: 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 CIE.

What is Competitive Integrated Employment (CIE):

It means good jobs with good pay (minimum wage or above). Jobs in the general 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:

The EFC includes representatives from departments of government and other organizations that help people with developmental disabilities get good jobs.

What the EFC has to do:

1. Describe how the state government departments will 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 CIE for the state to meet.
9. Recommend legislation and other ways that the state can do a better job of supporting people to get good jobs with good pay.
10. 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.
11. 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. This policy is now California law.
12. Other things the EFC thinks will help.

The EFC has to send an annual report to the Legislature and the Governor. The report makes recommendations to the Legislature and the Governor and describes all the work of EFC. The Council approves the report.



APPENDIX 3: STATUTORY RESPONSIBILITIES OF THE EMPLOYMENT FIRST COMMITTEE (CAL. WIC § 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) Identifying existing sources of consumer data that can be used to provide demographic information for individuals, including,



but not limited to, age, gender, ethnicity, types of disability, and geographic location of consumers, and that can be matched with employment data to identify outcomes and trends of the Employment First Policy.

- (5) Recommending goals for measuring employment participation and outcomes for various consumers within the developmental services system.
- (6) 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 a policy with the intended outcome of significantly increasing 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 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, the following definitions shall apply:
 - (1) “Competitive employment” means work in the competitive labor market that is performed on a full-time or part-time basis in an integrated setting and for which an individual is compensated at or above the minimum wage, but not less than the customary wage and level of benefits paid by the employer for the same or similar work performed by individuals who are not disabled.



- (2) “Integrated employment” means “integrated work” as defined in subdivision (o) of Section 4851.
 - (3) “Microenterprises” means small businesses owned by individuals with developmental disabilities who have control and responsibility for decision making and overseeing the business, with accompanying business licenses, taxpayer identification numbers other than social security numbers, and separate business bank accounts. Microenterprises may be considered integrated competitive employment.
 - (4) “Self-employment” means an employment setting in which an individual works in a chosen occupation, for profit or fee, in his or her own small business, with control and responsibility for decisions affecting the conduct of the business.
- (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 policy described in paragraph (4) of subdivision (c).



APPENDIX 4: DEFINITION: DEVELOPMENTAL DISABILITY

State Definition (CAL. WIC § 4512(a))

“Developmental disability” means a disability that originates before an individual attains 18 years of age; continues, or can be expected to continue, indefinitely; and constitutes a substantial disability for that individual. As defined by the Director of Developmental Services, in consultation with the Superintendent of Public Instruction, this term shall include intellectual disability, cerebral palsy, epilepsy, and autism. This term shall also include disabling conditions found to be closely related to intellectual disability or to require treatment similar to that required for individuals with an intellectual disability, but shall not include other handicapping conditions that are solely physical in nature.

Federal Definition (42 U.S.C. §15002)

(8) DEVELOPMENTAL DISABILITY.—

(A) IN GENERAL.—The term “developmental disability” means a severe, chronic disability of an individual that—

- (i) is attributable to a mental or physical impairment or combination of mental and physical impairments;
- (ii) is manifested before the individual attains age 22;
- (iii) is likely to continue indefinitely;
- (iv) results in substantial functional limitations in 3 or more of the following areas of major life activity:
 - (I) Self-care
 - (II) Receptive and expressive language
 - (III) Learning
 - (IV) Mobility
 - (V) Self-direction
 - (VI) Capacity for independent living
 - (VII) Economic self-sufficiency; and



- (v) reflects the individual's need for a combination and sequence of special, interdisciplinary, or generic services, individualized supports, or other forms of assistance that are of lifelong or extended duration and are individually planned and coordinated.



