

The State of Employment for Persons with Intellectual and Developmental Disabilities in California

Executive Summary

This is the 2022 annual report of the Employment First Committee (EFC) convened by the State Council on Developmental Disabilities. EFC is tasked with advancing competitive integrated employment (CIE) for people with developmental disabilities.

Currently, only about 17% of adults with developmental disabilities in the state of California make a living wage. Gainful employment contributes positively to quality of life, physical and mental health, and social inclusion for the individual (Almalky et al., 2020; Robertson et al., 2019). Beyond these benefits, competitive integrated employment of workers with disabilities is good for businesses. Hiring people with disabilities increases revenue, reduces turnover and recruiting costs, increases productivity and improves customer outreach. (Tania's Accenture footnote) Employees with developmental disabilities specifically are rated by their employers as particularly excelling in the areas of dependability and attendance, engagement and motivation, and integration with coworkers (i4cp Tania footnote).

Overall, there are some indications of progress in achieving CIE and employment first for people with developmental disabilities, although progress is slow and uneven (across demographic groups, different outcome measures). The EFC is encouraged by increasing and ongoing attention to employment for people with developmental disabilities, which is driving legislative, service, training, and research related opportunities focused on solutions to this multifaceted problem. In the coming sections we will detail new policies, existing implementation progress, agency initiatives, and best practices that are contributing to moving the needle on competitive integrated employment for people with developmental disabilities in the state of California.

Notably, legislation to end subminimum wage in California by 2025, SB639, and to create an Alternate Pathway to a High School Diploma, AB181, for students with developmental disabilities will both be transformational in raising collective expectations and creating more equitable opportunities for individuals with developmental disabilities. The CIE Blueprint, in its final year in 2022, created a strong foundation of interagency collaboration in this work that must be leveraged moving forward. The principles of customized employment, a best practice gaining traction in California, shift systems toward a strengths-based perspective – highlighting the unique abilities of job-seekers alongside benefits and advantages for employers, across the full spectrum of support needs. We are also excited by the growing recognition of the power of postsecondary education in enhancing employment and independent living outcomes for students with developmental disabilities (Ryan et al., 2019).

In this report, the Employment First Committee will also describe some of the most pressing barriers and challenges in achieving CIE for people with developmental

disabilities. The themes of these challenges center around the lack of inter-agency collaboration, lack of funding and programs, workforce capacity, and business engagement. We present a set of recommendations aligned with these needs.

About Employment First Committee EFC

The Employment First Committee (EFC) is a State Council on Developmental Disabilities (SCDD) standing committee created by statute in 2009 and is responsible for identifying and promoting strategies that increase the number of people with intellectual and/or developmental disabilities who engage in competitive integrated employment. (footnote:

[https://leginfo.legislature.ca.gov/faces/codes_displayText.xhtml?lawCode=WIC&division=4.5.&title=&part=&chapter=14.&article=.](https://leginfo.legislature.ca.gov/faces/codes_displayText.xhtml?lawCode=WIC&division=4.5.&title=&part=&chapter=14.&article=;))

Specifically, EFC is tasked with advancing competitive integrated employment (CIE) for people with intellectual and developmental disabilities (I/DD) by:

- identifying the roles and responsibilities of state and local agencies that enhance employment for people with disabilities
- strategies and best practices for increasing employment including transition practices
- identifying sources of employment data and recommended approaches for measuring progress
- identifying demographic data that can be matched to employment outcomes
- recommending goals for measuring employment participation and outcomes for various people with developmental disabilities across service systems

Each year the EFC holds 4 meetings to hear back from stakeholders and discuss issues in the employment process and to receive updates on what agencies are doing to improve CIE.

Additionally, EFC Annually Develops Policy and Administrative Recommendations Supporting CIE to the California Legislature

Recommendations are informed by cross-departmental information, feedback from professionals that provide services, and people who have intellectual and developmental disabilities and their family members. Past report recommendations, by category, include:

Data Sharing Across Agencies and Cross Department Partnerships

- Data is not released until years after collection. Data delay impacts the ability to identify trends and create targeted interventions. California Department of Education (CDE), Department of Rehabilitation (DOR), and Department of Developmental Services (DDS) should work collaboratively to streamline

information sharing and service delivery planning to ensure a) delivery of services are unified and b) comprehensive implementation and evaluation of CIE:

- DDS should invest in the collection and reporting of disaggregated, timely data with universal client identifiers across government systems 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 (located in the SCDD website) 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, DDS, DOR and State Council should create data-sharing agreements across agencies that identify benefits of employment as a social determinant of health.
- Loop in Regional Centers to also collect data. Paid Internship Program (PIP) information and data on how many CIE placements evolve out of internships must be shared broadly across workforce development partners, employers, educators, family members and people with disabilities.
- All government-related websites should create cross-links for CIE resources to avoid disconnected services. Currently sites only offer their dept specific services but don't address intersectionality of services.

Funding

Funding is needed in specific areas to assist in the subminimum wage phase out and move towards competitive integrative employment:

- DDS should prioritize a tiered incentive structure to implement Welfare and Institutions Code Section 4870 (d-g) that provides for higher incentive payments for people with the most significant disabilities.
- The legislature should increase funding for access to technology for people with disabilities who need to use it to enter or retain CIE.
- Legislature should allocate funding to create career pathways and training that provides direct support to professionals with career advancement and credentialing to increase competency, professionalism, and quality of support services and to improve job retention. The state of California must explore funding options to provide enhanced skills training for job developers and supported employment practitioners in customized employment, business bottom line strategies and job coaching supports.
- Funding for transportation solutions and support

Marketing Campaign- Encourage Transition Among People with Disabilities to CIE and Remove Stigma for Employers to Hire

CDE, DOR, DDS and the State Council should work collaboratively to launch a statewide multi-media campaign to create awareness, education, and incentives for people to make transition to CIE:

- Some families are concerned on how pursuing employment might affect their benefits. Transition planning (from subminimum wage work to competitive wage work) should include discussion of the impact of wages on benefits. Information on CalABLE and asset limit changes must be widely available to people with disabilities and their families so they can make informed decisions regarding employment.
- CDE, DOR, DDS and the Council should work collaboratively to promote a statewide multi-media public service campaign in traditional and social media with the goal of reducing the stigma around hiring individuals with developmental disabilities. The campaign should also 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.
- CIE campaign for consumers to showcase disability employment success stories across industries. This needs to be reflective of diverse cultures and communities so that people who have disabilities and family members see themselves in the service. Functional examples include targeted social media campaigns to people with lived experience of disability linked to self-advocacy and self-determination. Ideally this will involve overcoming fears, challenges and building resiliency during work search and job loss.
- DDS and Regional Centers must build awareness and encourage career exploration via work-based learning gained through paid internships, PIP information and data on how many CIE placements evolve out of it must be shared broadly across workforce development partners, employers, educators, family members, and people who have disabilities.

EFC 2022 Activities

In October 2021, the Committee began its annual strategic planning process to identify goals and activities to identified six priorities that include the implementation of SB 639 (ending sub-minimum wage in California), data collection, tailored day services, preventing people from falling through the cracks, staff shortages and COVID-19. The Committee convened meetings and heard from individuals participating in paid internships to gain insight in the lived experience; heard from community organizations on ways to prevent people from falling through the cracks, creating pathways to CIE, accommodation planning for clients and more.

The Committee also continued to monitor progress of the implementation of the CIE Blueprint and the implementation of the Business Use Case Proposal (BUCP), a data sharing agreement between DDS and DOR.

While Committee members strived to make progress on these activities, Committee vacancies and missing involvement from crucial stakeholders with perspectives and expertise in employment, impacted the outcomes of the Committee's work.

To address these challenges, the Committee established a SMART Goals Workgroup. The Workgroup created a timeline and steps to actively recruit and appoint qualified

members to fill vacancies and appoint stakeholders from missing areas of expertise. The purpose of the SMART Goals Workgroup was to also select 2-3 SMART goals to discuss, study and find solutions to for 2023.

The Committee feels that by ensuring stakeholder engagement and prioritizing inclusivity in decision-making, the Committee will be able to increase its effectiveness and the likelihood of achieving their goals.

Background

Historically, persons with intellectual and developmental disabilities have had less employment and education opportunities than people without disabilities. There are several federal and state policies that assist in improving employment opportunities via services for persons with intellectual and developmental disabilities I/DD:

[The Lanterman Developmental Disabilities Services Act- Rights to Services 1969](#)

The Lanterman Act is the California law that states people with developmental disabilities and their families have a right to access services and supports they need to live like people who do not have disabilities. Services are accessed in 21 nonprofit regional centers throughout the state.

[What is Competitive Integrated Employment CIE? Employment Equity](#)

The Workforce Innovation and Opportunity Act (WIOA) defines competitive integrated employment (CIE) as work that is performed on a full-time or part-time basis for which an individual is: [\(footnote: CIE Defined: 29 U.S. Code §705 and 34 C.F.R. 361.5\(c\)\(9\)- Definition of Competitive Integrated Employment\).](#)

- Compensated at or above minimum wage and comparable to the customary rate paid by the employer to employees without disabilities performing similar duties and with similar training and experience;
- Receiving the same level of benefits provided to other employees without disabilities in similar positions;
- At a location where the employee interacts with other individuals without disabilities; and
- Presented opportunities for advancement similar to other employees without disabilities in similar positions.

[California is an *Employment First* State](#)

Statutes of 2009 created the *Employment First Policy* with the purpose to provide employment services and supports to people with developmental disabilities so that they may have an integrated and independent life as well as the same quality life as persons without disabilities. Adopting the policy was a critical step in beginning to develop the framework that ensures that CIE be given the highest priority, regardless of the severity of disability, in California. (footnote:

https://leginfo.legislature.ca.gov/faces/codes_displaySection.xhtml?lawCode=WIC§ionNum=4869.&highlight=true&keyword=employment%20+first%20+policy.)

Policies Working to Increase CIE

Customized Employment- Office of Disability Employment Policy ODEP 2014

Customized employment is a personalized relationship between employee and employer to achieve competitive integrated employment. It is a type of supported employment strategy that assists people with disabilities who might not have found employment success through other employment strategies. In 2014, customized employment was included in Title IV of the Workforce Innovation and Opportunity Act (WIOA) as a strategy under the definition of supported employment. (footnote: <https://www.dol.gov/agencies/odep/program-areas/customized-employment>.) ODEP supports customized employment through different education and outreach collaborations. And promotes the use of customized employment as a workplace strategy in employment centers across the United States.

California CIE Blueprint for Change 2018

The CIE Blueprint was a five-year plan, developed by California Department of Education (CDE), Department of Rehabilitation (DOR), and Department of Developmental Services (DDS), to assist people with intellectual and developmental disabilities get ready for and get a job earning at least minimum wage working in the community with people without disabilities. The Blueprint focus was on creating 'person-centered' employment planning or planning based on the person's abilities, interests and dreams. The goal of the Blueprint was to: (footnote: <https://www.chhs.ca.gov/home/cie/>.)

- help the three departments work together to better support people with I/DD who want a CIE job
- create more options for people with I/DD to get ready for and get a CIE job.
- help people with I/DD to make their own choices about working in the community

The Blueprint Plan also included creating awareness CIE and educating persons with I/DD and their families on how to seek competitive employment. For example:

- CIE Toolkit was designed to provide tools and resources on CIE services and supports available (footnote: <https://www.chhs.ca.gov/home/cie/cie-toolkit/>.)
- CIE webinars "Pathways to Real Work for Real Pay in the Real World" provided information on the following:
 - Benefits of CIE to the individual, family, community, and business
 - Services and support available to help an individual get ready for CIE
 - SSI and Medi-Cal benefits: learn how CIE changes a person's SSI Income and their Medi-Cal
 - Transportation and safety: community transportation available and safety

The CIE Blueprint released the combined Year 3 and Year 4 Annual Report in April 2023. Accomplishments include:

1. 2585 individuals with I/DD attained CIE (1,401 year 3, 1,184 in year 4) individuals with ID/DD attained CIE.
2. Developed 29 new Local Partnership Agreements (LPAs) between LEAs, DOR districts, and regional centers (22 in year 3, 7 in year 4) for a cumulative total of 57 LPAs statewide, to increase partnership and cross-system collaborations.
3. Made progress toward data-sharing across agencies. Specifically, in year 4, the development and formal review of a Data Sharing Agreement between the CDE and DOR was initiated as a part of the two agencies' non-monetary Interagency Agreement. DOR and DDS also made progress toward finalizing the data sharing agreement aligning with new cross-agency data sharing recommendations from CalHHS.
4. Increased work opportunities in the community through the following career exploration and work experiences activities:

Year 3

- 27,028 students with ID/DD participated in paid work experience and unpaid community-based vocational education with CDE WAI.
- 35 individuals with ID/DD participated in an OJTs, SIP's or work experiences through DOR.
- 1,812 individuals with ID/DD participated in a DDS PIP.

Year 4

- 22,809 students with ID/DD participated in paid work experience and unpaid community-based vocational education with CDE WAI.
- 82 individuals with ID/DD participated in an OJTs. SIPs, or work experiences through DOR.
- 875 individuals with ID/DD participated in a DDS PIP

5. Engaged with employers and business partners:
 - DOR districts conducted a Virtual Career Fair with 11 employers, 119 consumers, and a "Virtual Smart Recruiter Roundtable." Recruiters, job developers, and community partners came together on a virtual platform to discuss ways of organizing events for job seekers.
 - In partnership with Amazon, a career event was held with 67 participants that indicated that they were interested in working at Amazon. Within three days of the event, ten job seekers made an appointment to start the hiring process through The Arc SF, an employment services provider committed to improving the lives of people with ID/DD.
 - Contracted with the Employer Training Panel (ETP) to work with America's Job Center of CaliforniaSM (AJCC) to provide work experience

opportunities to students with disabilities, including those with ID/DD, through the Student Training and Employment Program (STEP).

6. Provided technical assistance and training to LPA core partners through five regional teleconferences were conducted and an LPA Core Partner Self-Assessment Survey in June 2020 and posted results on the CalHHS CIE Website <https://www.chhs.ca.gov/home/cie/> to guide future CIE enhancement. In year 4, technical assistance webinars were developed and recorded in May 2021 for LPAs on key areas identified for training in the survey. The webinars were delivered to DOR District Offices, WAI grantees, and Regional Centers statewide in June 2021.

8. Followed the U.S. Department of Labor, Office of Disability Employment Policy, "Employment First State Leadership Mentoring Program." Initiated in SFY 2018–19, and continued with quarterly meetings in Y3, a Service Delivery System Change Task Force focused on providing training and technical assistance to LPAs, with the intention to increase the quality and quantity of CIE outcomes.

9. DDS approved the allocation of \$15 million to service providers who submitted a plan to come into compliance with the Home and Community-Based Services (HCBS) final rule. In Year 3, 35 non-integrated employment programs were approved to use funding to modify their services to come into compliance with the HCBS final rule. In year 4, 25 non-integrated employment programs were approved to use funding to modify their services to come into compliance with the HCBS final rule, bring the cumulative total of 167 employment programs receiving funding since 2016–17.

Modifications to these programs included individuals with ID/DD who were working in non-integrated settings being provided with options for community competitive integrated employment opportunities by participating in volunteer settings, work observations, job clubs, job fairs, local adult education services, as well as CIE placements. Another example of a modification is the use of the funds for training employment vendor's staff in customized or micro employment options.

10. Supported service provider capacity through approval of DDS time-limited funding to provide rate increases for specified service codes, including supported employment, effective January 1, 2020, through December 31, 2021.[1]

11. Conducted a statewide webinar on CIE to over 300 employment service providers and staff. The webinar included information on benefits and Triple E practices, COVID-19 updates, and information on tools and resources available to achieve CIE.

12. Developed the CIE Roadmap for Consumers resource and made available in English and Spanish on the CalHHS Website. The Roadmap for Consumers was designed to assist individuals with ID/DD, ages 12 and above, and their families to navigate the service delivery systems of the three departments and locate available employment resources. These resources were expanded, including an updated CIE Toolkit for individuals with ID/DD and their families, in year 4.

13. For Year 3, DOR's Achieving Community Employment (ACE) Team provided nearly 8,000 Career Counseling Information and Referral (CC&IR) services to over 7,000 recipients to provide them with information on CIE and available employment and supportive resources. This was accomplished by coordinating with 79 California employers holding U.S. Dept. of Labor (DOL) 14(c) SMW certificates to pay individuals below federal minimum wage, including over 72 CRPs.

14. Directors from the CDE, DOR, and DDS participated in a panel discussion on the topic of state-level efforts to improve CIE outcomes during the "Building Back Better for Diversity, Equity, and Inclusion Summit." The Summit took place over three days in May 2021, and featured leaders from the federal and state government, as well as business and youth communities. The Summit focused on improving employment outcomes for individuals with disabilities, specifically those with ID/DD.

15. In order to provide other options in lieu of community-based work experience, the CDE provided temporary flexibility during COVID-19 school closures. WAI grantees offered increased remote or virtual-work experiences. The CDE also provided guidance regarding expanded on-campus work opportunities for students enrolled in the WAI program. This would apply for any upcoming situation wherein work experience opportunities are scarce due to safety measures, yet LEAs remain open. Through these remote and on-campus options, students were provided with additional work experience opportunities to prepare for CIE.

16. In year 4, the Vocational Rehabilitation Employment Division Districts developed and piloted the Virtual Service Delivery Project (VSDP), which provides individuals with training, paid work-based learning experiences, and opportunities for employment in a remote setting. The VSDP presented this information to the State Rehabilitation Council in March 2021.

The CIE Blueprint ended its 5-year program run on June 30, 2022, and the Blueprint Team is currently writing the Year 5 final report. There is no anticipated release date for the final report. As the Blueprint nears completion, DOR, DDS and CDE are currently evaluating the effectiveness of the Blueprint to ensure that lessons learned can be applied to future efforts so that people with I/DD are engaged in CIE.

Year 4 Accomplishments

1. 1,184 individuals with ID/DD attained CIE.
2. Expanded partnership and cross-system collaborations by developing 7 additional LPAs for a cumulative total of 57 LPAs statewide.
3. Initiated development and formal review of a Data Sharing Agreement between the CDE and DOR, as a part of the two agencies' non-monetary Interagency Agreement.

4. Increased work opportunities in the community through the following career exploration and work experiences activities:
 - 22,809 students with ID/DD participated in paid work experience and unpaid community-based vocational education with CDE WAI.
 - 82 individuals with ID/DD participated in an OJTs, SIPs, or work experiences through DOR.
- 875 individuals with ID/DD participated in a DDS PIP
5. Development and recording of technical assistance webinars in May 2021 for LPAs on key areas identified for training. Training topic selection was based on results from the LPA Core Partner Self-Assessment Survey, and addressed several strategies within this report. The webinars were delivered to DOR District Offices, WAI grantees, and Regional Centers statewide in June 2020.
6. Continued to convene regular meetings with the Service Delivery System Change Task Force focused on providing training and technical assistance to LPAs resulting in increasing the quality and quantity of CIE outcomes.
7. DDS approved the allocation of \$15 million to service providers who submitted a plan to come into compliance with the HCBS final rule. In Y4, 25 non-integrated employment programs were approved to use funding to modify their services to come into compliance with the HCBS final rule, bring the cumulative total of 167 employment programs receiving funding since 2016–17.
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9. Directors from the CDE, DOR, and DDS participated in a panel discussion on the topic of state-level efforts to improve CIE outcomes during the “Building Back Better for Diversity, Equity, and Inclusion Summit.” The Summit took place over three days in May 2021, and featured leaders from the federal and state government, as well as business and youth communities. The Summit focused on improving employment outcomes for individuals with disabilities, specifically those with ID/DD.
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11. DOR and DDS made progress toward finalizing the data sharing agreement aligning with new cross-agency data sharing recommendations from CalHHS.

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SB 639- Ending Below Minimum Wages 2021

(footnote: 29 U.S.C. § 214(c) Fair Labor Standards and Fair Labor Standards Act 14(c) Subminimum-wage-US Dept of Labor Factsheet). CA Code:

https://leginfo.legislature.ca.gov/faces/codes_displaySection.xhtml?sectionNum=1191.&lawCode=LAB.)

Federal and state law passed in the late 1930's allowed employers to pay many persons with disabilities less than the minimum pay wage (subminimum) and subjected them to segregated work settings. Eighty-four years passed before [Senate Bill 639](#) (Durazo, 2021) ended the use of special wage licenses for employment at less than minimum wage. Now, state agencies must work together to not only provide employment services but to also transition individuals with disabilities currently still employed through subminimum wage programs into minimum wage or above paying jobs. Transition to CIE will be a challenging task. The size of our population and the complex demographic characteristics of California's 14(c) population creates uniquely complex challenges. This diverse group is made up of people who have different types of disabilities, different support needs, intersectional identities, and unique cultural influences. However, the majority working in subminimum wage jobs are people with intellectual/developmental disabilities.

Though the CIE Blueprint created some CIE awareness and training for persons with I/DD and their families, with the ending of subminimum wages (SB 639) both short-term and long-term plans must be created to ensure success in transitioning the I/DD community into competitive integrated employment (CIE) by the 2025 deadline but also ensure long-term success. SB 639 required SCDD to collaborate with other agencies to develop a multi-year phaseout plan to pay any employee with a disability no less than the state minimum wage by January 1, 2025. The phase out plan was released in January 2023, with recommendations on how to transition approximately six thousand individuals out of the 14c waiver program and to increase CIE opportunities for people with disabilities. Some of those recommendations include:

- Ensure collaboration between agencies so that services are easy to locate and navigate.
- Ensure there is enough trained staff so there are no delays in services delivery i.e. job developers, coaches, services providers
- Reduce stigma around hiring individuals with developmental disabilities. Private sector employers will need to change their hiring practices and become more inclusive.
- Collect and share data among agencies to measure success of services

(To view the report visit the [SB 639 Report Home Section](https://scdd.ca.gov/) of our website at <https://scdd.ca.gov/>.)

SB 639 Update: Transitioning Out of Subminimum Wages - 2023

Currently, DOR and DDS are working collaboratively to create pathways to CIE for individuals currently in subminimum wage settings or who would have been traditionally prepared for such setting. DOR and DDS are creating implementation plans for SB 639 transition out of below minimum wage pay employment programs. Though, SB 639 focuses specifically on the 14-c sub minimum wage population, CIE services and supports are expanding for all individuals who have I/DD. Each Regional Center now has employment specialists and DDS created CIE focused incentives that pay for CIE obtainment, Paid Internship (PIP) placement and certification/credentialing in Customized Employment. Additionally, incentives are being developed that focus on job match.

Creating Awareness of CIE - CIE Trainings for Persons with Developmental Disabilities and Service Providers 2022

To bring about awareness and encourage transition into competitive employment agencies collaborated on a training series. The 2022 *Let's Work!* training series, was a partnership launched between State Council Developmental Disabilities, Department of Rehabilitation, Alta California Regional Center and Far Northern Regional Center, and included teaching the CIE Roadmap. The CIE Roadmap is a step-by-step guide written in easy-to-understand language for persons with disabilities and their families to follow if they are interested in seeking employment. The CIE Roadmap was developed in partnership with California Department of Rehabilitation (DOR), California Department of Education (CDE), and California Department of Developmental Services (DDS) as a resource to transition persons with disabilities into competitive integrated employment.

The purpose of the *Let's Work!* series was to help educate self-advocates, family-advocates, primary/secondary/ post-secondary service providers about Competitive Integrated Employment and provide guidance on how to prepare for employment.

These workshops were a six-part series that took place monthly via Zoom platform through June 2022 and consisted of the following:

Workshop #1: Learn about the Department of Rehabilitation and available services to help you prepare for and secure a job.

Workshop #2: Learn about the Regional Center System and the history of employment first legislation, policies, and services.

Workshop #3: Introduce the CIE Roadmap tool and provide information on what to expect as you prepare your 12–15-year-old for employment.

Workshop # 4: Review the CIE Roadmap Tool and provide information on what to expect as you prepare your 16-17 year old for employment.

Workshop #5: Review the CIE Roadmap Tool and provide information on what to expect as 18 - 21 year old individuals prepare for employment.

Workshop #6: Review the CIE Roadmap Tool and provide information on what to expect as 22 - 64-year-old individuals prepare for employment.

These workshops reached approximately 405 people including self-advocates, family-advocates, and other professionals and were made accessible in Spanish and American Sign Language interpretation. Despite these workshops, most parents and individuals trying to navigate employment services are frustrated and confused. (see ***Current Employment Issues*** section.)

California Government 2022

In 2022, the legislature passed AB 1195 (Garcia) which requires the California Department of Human Resources (CalHR) to provide a LEAP employment referral list to a state agency upon the agency's request without combining the LEAP list with a standard state employment list (or provide two separate lists). The purpose of the bill is to increase employment of persons with disabilities in state government. (footnote: [AB 1195 \(Garcia, 2022\)](#).)

The Limited Examination and Appointment Program (LEAP) is a voluntary and optional employment pathway to state civil service for persons with disabilities. LEAP provides an alternative to the traditional testing process and allows applicants with disabilities to demonstrate competencies in the workplace. LEAP provides opportunities for more individuals with disabilities to become employed with state jobs that also provide health, retirement, and other benefits, thus decreasing the number of individuals relying on state public benefits and services and strengthening the State's economy in the long run. (Footnote: [CA LEAP Program GOVT Code §19240, 19241](#) and [2 CCR Title 2, §547.5 – 547.589](#).)

In addition, under direction from Governor Newsom's office to support job seekers with I/DD to achieve full time employment in state civil service, DOR and DDS established the State Employment Initiative (SEI) program. The intent of SEI is to provide an alternate pathway to state civil service by way of Governor-appointed exempt positions. This highly successful program has demonstrated to state entities that individuals with

I/DD can be productive and valued members of the state workforce. Since its inception in 2020, the Departments participating in this program have included Department of Finance, California Department of Corrections and Rehabilitation, CalVet, Department of Managed Health Care, California Department of Military (CalGuard), California Department of Tax and Fee Administration, Cal Recycle, CalTrans, Department of Real Estate, Department of Food and Agriculture, Office of Planning and Research, Natural Resource Agency, Labor and Workforce Development, and Office of Emergency Services

Governor Newsom set a goal that all state agencies employ at least 16% of individuals who have disabilities. In February of 2022 an important resource was developed by DOR to support this inclusive hiring goal by the California state government. The CalHHS hiring playbook *Including People with Disabilities Drives Innovation* focuses on three principles: helping CA government become a model employer, creating a culture of inclusion, and supporting upward mobility for individuals who have disabilities.

The LEAP program assists persons with disabilities, including persons with intellectual and developmental disabilities.

Department of Rehabilitation (DOR)

All of DOR's vocational rehabilitation services are designed to achieve CIE, including supported employment and customized employment services for people with the most significant disabilities including ID/DD. DOR is investing heavily in paid work experiences, including internships, to prepare job seekers for CIE with opportunities for advancement. DOR has incorporated paid work experience as a fundamental service for our consumers. Increasing the opportunities for paid work experience as part of the service delivery model is instrumental in supporting CIE outcomes.

Historically, persons with I/DD have not been well represented in state civil service. Increasing the opportunities for paid work experience is instrumental in supporting CIE outcomes. DOR provides paid work experience, including internships, to prepare job seekers for CIE with opportunities for advancement. DOR partners with CalHR in support of the administration of the LEAP program. DOR Rehabilitation Counselors certify that an applicant is a person with a disability for purposes of verifying LEAP eligibility. Afterwards, the individual takes a LEAP examination to confirm minimum qualifications, applies for job openings, and completes a job examination period (JEP), if selected. Successful completion of the JEP qualifies the individual with disabilities for civil service classification and transition to the position for which they tested. Candidates who transition to a permanent civil service appointment after the JEP are not required to serve a probation period.

The State Internship Program (SIP) is an interdepartmental effort that provides an alternate path for people with significant disabilities to become LEAP certified and eligible for state service. The SIP allows the implementation of a more extensive and

assistive "on-the-job-certification" approach compared to the standard LEAP certification and exam methods. DOR, Department of Human Resources, and DDS work collaboratively to implement SIP. SIP interns receive wages during their internship through DDS and on-the-job-supports from a Community Rehabilitation Program funded by DOR. The SIP provides opportunities for individuals with significant disabilities to fully participate in their community of choice, including integrated employment with competitive wages and benefits.

DOR also collaborates with the Community College Chancellor's Office on the College to Career (C2C) Program, currently available on eight community college campuses. C2Cs serve adults with ID/DD by providing support and opportunities for a degree or certificate, work experience, internships, and placement services. In addition, DOR has long-standing partnerships with community colleges through WorkAbility III cooperative programs, which provide job placement services for DOR consumers.

One of the newest initiatives being implemented in California is the *California Subminimum Wage to Competitive Integrated Employment Project (CSP)*. This demonstration innovation research project supports the development of a pilot to serve Californians with the most significant disabilities, currently, previously in, or at risk of being placed into a subminimum wage employment setting, or who have tried and have been unsuccessful in attaining CIE. The CSP is a \$13.9 million federal grant running from October 2022 to September 2027. The project will provide a comprehensive set of interventions and support to increase competitive integrated employment outcomes, economic self-sufficiency, independence, and inclusion for individuals with the most significant disabilities currently in, or contemplating entering, subminimum wage employment. Some of these interventions include:

- Job and Career Exploration, including information and hands-on experience with career technical education and apprenticeship in integrated settings on community college campuses.
- Self-Advocacy, independent living skills and workplace readiness training in on-campus classroom settings.
- Access to community college coursework.
- Peer support training.
- Family Supports and mentoring through Exceptional Family Resource Centers.
- Work incentives planning and benefits counseling.
- Work-based learning through volunteer and paid work experience.
- Exploration of Self-Employment, including micro-enterprises.
- Customized Employment discovery and placement (evidence-based practice).

In this initiative, the Department's partnerships leveraging the existing framework of the College-to-Career programs at two community colleges will offer integrated supports for successful development of and support of the demonstration project activities. Project partners will collaborate to establish and support on-campus instruction and employment preparation, including education in integrated settings, and on and off-campus instruction in self-employment as well as customized employment for individuals with the most significant disabilities.

The ACE Team provides Career Counseling & Information and Referral (CC&IR) services to individuals with disabilities earning subminimum wages (SMW) to encourage competitive integrated employment (CIE) consistent with WIOA Section 511 - Limitations on Use of Subminimum Wage requirements, CA CIE Blueprint goals, the Home and Community-Based Services Rule for Integration, and the recently passed CA Senate Bill 639 Elimination of Subminimum Wages.

Since October 2016, the ACE Team has provided WIOA Section 511 CC&IR services to more than 23,500 individuals working at subminimum wage to encourage them and their families to pursue competitive integrated employment. Since 2016, 1607 CC&IR recipients have applied for DOR services, and a total of 470 have obtained CIE.

Issues with Seeking Competitive Integrated Employment Services

Current Employment Process Can Be Confusing

Navigating the process to obtain employment services can be a source of confusion and frustration for clients seeking employment services and their families.

There are different paths, via different agencies, to access employment services. Department of Rehabilitation (DOR), California Department of Education (CDE) and Department of Developmental Services (DDS) all provide case management for employment services. Knowing which agencies to access for services and at what point is confusing and stressful to navigate for parents and individuals with I/DD. It can also be confusing to learn for the new service coordinators in agencies who provide authorization for these services.

The first steps in assessing where the person will go for employment services will depend on the following factors:

- If they are in a student in high school
- If they are transitioning out of high school
- Adults – and depending how much support they will need during employment
- Additionally, which agency/program (s) will be accessed for employment services will depend on the level of support the individual will need to be employed.

California Department of Education (CDE)

If the student with I/DD is still in high school, they are assisted by their school district to find employment. School districts use employment programs such as WorkAbility I

(WAI) a program through CDE or Transition Partnership Program (TPP), a program via DOR.

Department of Rehabilitation (DOR)

High school students with disabilities, including I/DD, can access pre-employment services to prepare for the world of work or full array of employment services through DOR. Out of school youth can also receive employment services at DOR.

Department of Developmental Services – Regional Centers

If a person with I/DD is not in high school, but needs a higher level of support during employment, they are referred to and assisted by their regional center, which is assigned by geographical area.

DDS- Regional Center Issues

Lack of Standardization for 21 Regional Centers

There are 21 independent, non-profit, regional centers in the state that provide services to families and people with I/DD under DDS. The regional centers use various vendors (or service providers) to provide certain employment services. Each regional center is allowed flexibility in determining how services are provided and each can establish its own processes to assess individuals for services and to determine the services they will provide. Lack of standardization means that services are not consistent across the 21 regional centers. Essentially, depending on where clients live, they may not get the same employment services as other clients—causing inequity in delivery of services.

Staff Retention Issues - Regional Center Coordinators

Feedback from professionals, as well as the State Auditor June 2022 Report, gleaned service coordinators at regional centers have a high turnover rate and are experiencing a shortage in service coordinator staff. Learning the different employment paths and services takes time, this means new service coordinators simply cannot provide the level of support that families and individuals (clients) need. The high turnover rate and staff shortage means clients can wait a very long time before their case is even assigned a service coordinator. It also affects the quality of service, as service coordinators cannot dedicate an adequate amount of time to understand families' unique needs nor assist them in navigating the complex process of obtaining employment services. (Footnote: Insufficient Staff. State Auditor Report June 2022.)

One of the factors affecting service coordinator shortage is pay. The staffing formula used to pay these staff is outdated. The current formula funds regional centers for old and new positions at salaries that are approximately 50% of the actual cost.

Service Providers (Vendors) for Supported Employment and Customized Employment

The 21 regional centers provide Regional Centers and DOR work with contracted agencies and service providers (vendors) who can provide employment services to clients with higher support needs. The regional centers struggle with finding and retaining vendors that provide job coaching or job development for persons with high support needs that require customized solutions for employment. Lack of vendors limits

the employment services available to clients looking for employment and results in clients being added to waiting lists. Factors affecting shortage of Supported Employment/Customized Employment vendors and their services are:

1. **Rates**. Supported Employment vendors provide services that require a lot of time, detailed and careful assessment of skills and strengths, network building and follow up. But the rates to pay Supported Employment vendors do not reflect the amount of work or costs of work. The rate to pay vendors does not match the level of work provided and does not incentivize vendors to provide services under Supported Employment.

2. **Direct Service Staff Turnover**: Due to the low payment rates that Supported Employment vendors receive, the direct service staff responsible for developing new jobs and supporting people with disabilities are severely underpaid. As a result, agencies have difficulty retaining, training and professionalizing staff to do the complex work of supporting people with a variety of disabilities, with various support needs and work experience.

3. **No Standardized Process for Vendors**. Both the current policies to provide contracts to vendors and lack of standardized process to provide employment services across the 21 regional centers create challenges and causes delays for vendors who are interested in providing services. Vendors do not have the time and resources to navigate the confusing process to obtain a contract and must complete a different process with each individual regional center. Additionally, vendors must also separately get vendorized by DOR to provide services through their agency.

4. **No Rates for Customized Employment**. Customized Employment is not a vendorized service of the regional centers, though some vendors provide these services under other service codes such as Tailored Day Services (TDS) and Independent Living Skills (ILS). Rates used to pay Supported Employment are a huge issue and there are no rates at all for Customized Employment. Every regional center navigates lack of rates for customized employment differently, hence the inequity in services provided. To cope with lack of rates to pay for Customized Employment vendor services, some regional centers have figured out ways to braid services with DOR, that is costs are shared between regional centers and DOR. But not all regional centers have figured out ways to provide customized employment services without rates. Lack of rates for Customized Employment forces regional centers to find different ways to provide this service, causing inequity in services or differences in providing/not providing Customized Employment. It is also important to note that while there are no rates for Customized Employment at regional centers, the *Roadmap to CIE* created to provide guidance on how to find employment, tells clients to seek Customized Employment at regional centers.

Creating and Retaining Partnerships Employers in Regional Centers

Regional Centers need partnerships with employers to help clients transition into CIE, and to gain meaningful job experience. But because regional centers are short staffed

and have high turnover rates, adequate time is not spent on establishing and retaining partnerships with different employers who are interested in partnering with the regional centers. These are lost opportunities for individuals with I/DD looking for CIE employment. There are few cases where different employers have created their own programs to hire individuals with I/DD.

Are Regional Centers Consistently referring clients to CIE?

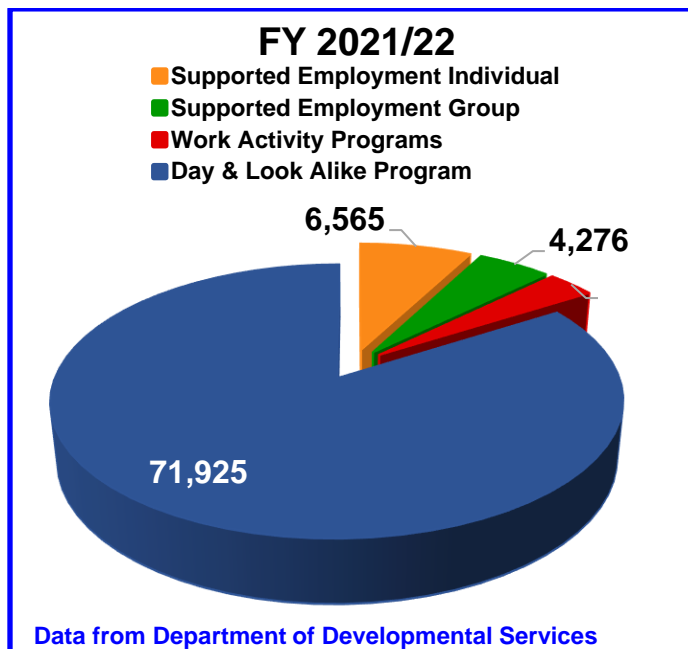
Not all regional centers are referring clients to employment. And there is no tracking or oversight to ensure clients are being given the option to CIE.

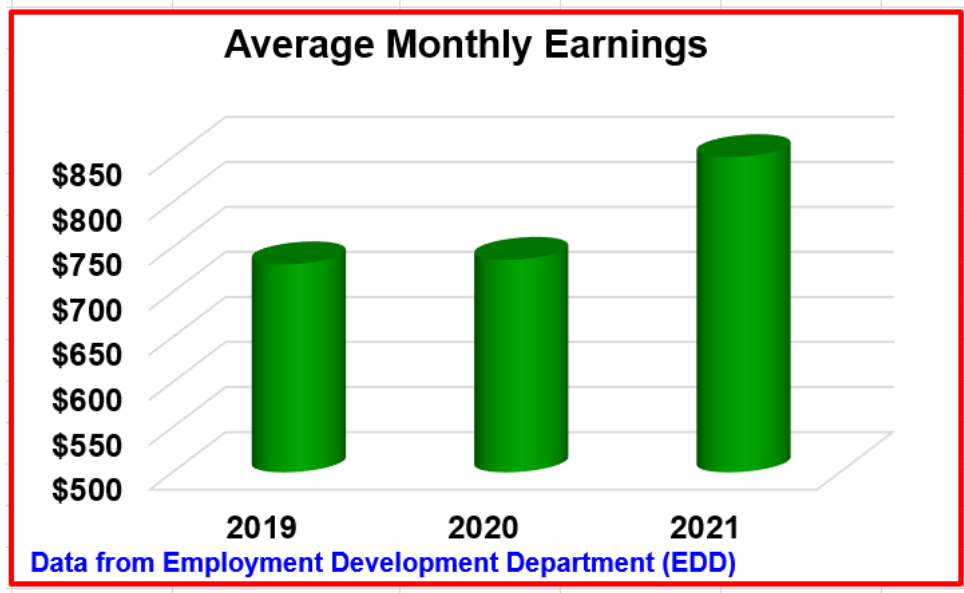
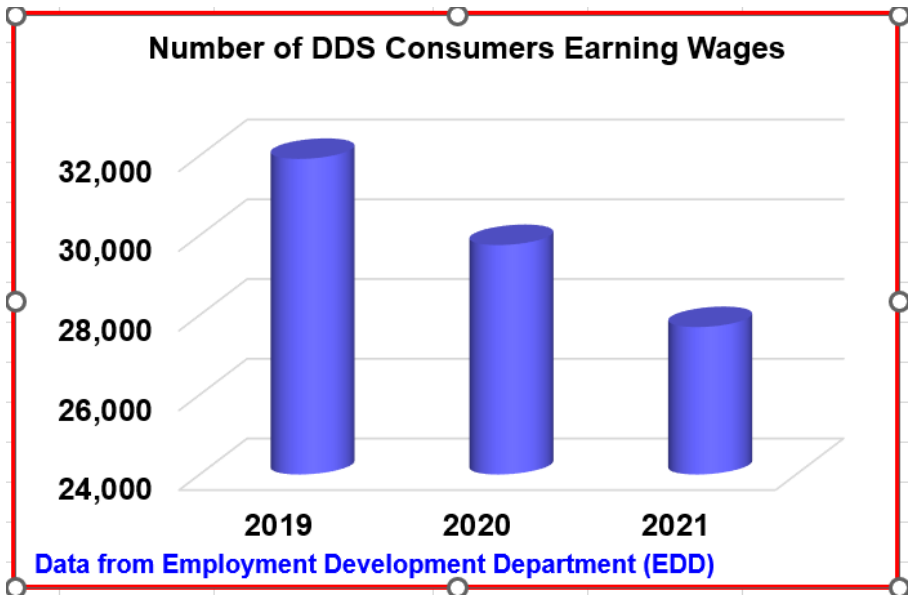
Employment Services Issues in Schools

Some Students Are Not Referred to CIE Employment

Feedback from professionals, families, and self-advocates has gleaned that some high school students transitioning out of high school are still being referred into day programs, not employment. The most current data available by Department of Developmental Services (DDS) indicates that 71,925 individuals with developmental disabilities are still participating in day group programs, with only 6565 individuals participating in individual Supported Employment. (footnote:

https://scdd.ca.gov/employment_data_dashboard/.) This data demonstrates that not much has changed since 2017 where data indicates that 72,005 individuals were participating in day group programs and only 5064 individuals were participating in individual supported employment, though it does demonstrate an 3% increase in participation in individual Supported Employment.





Service Providers Do Not Want to Participate After New Criminal Background Requirement in WorkAbility (WAI)

A recent requirement change to the California Education Code has had an effect on many work experience programs throughout the state. Effective January 1, 2022, any entity that has a contract with a local education agency (LEA) must ensure that any employee of that contractor who interacts with students outside of immediate supervision and control of the student's parent/guardian/school employee, has a criminal records summary.¹

Paid community-based work experience is a component of the WorkAbility (WAI) grant, which is funded and administered by the California Department of Education (CDE) and provides comprehensive pre-employment skills training, employment placement and follow-up for high school students in special education who are making the transition from school to work, independent living, and postsecondary education or training. The local education agencies (LEA) placing students in WAI work-based experiences should be mindful of the employer's location and ensure that participating students are provided with opportunities for interaction with non-disabled peers and customers.

Recently, WAI grantees contacted the CDE to report that they were unable to consistently place students in community-based work experience placements due to a change in law requiring anyone having a contract with a LEA must have a criminal records summary or are fingerprinted for a criminal background review.^{1/2} Because of this new criminal background requirement, service providers did not want to participate in the WAI program. This has resulted in a loss of work experience opportunities for students with developmental disabilities. In response to this possible impact, the CDE is providing waivers for three WAI grant requirements in FY 2022–23.

(Footnote: [Require Criminal Background Education Code §45125.1\(a\).](#))

(Footnote: [Applicant Criminal Records Summary Education Code §44237.](#))

Interagency Collaboration Issues

Current efforts to promote cross-agency collaboration around competitive integrated employment (CIE) in California, such as the CIE Blueprint and the Employment First Committee, continue with common goals to achieve alignment of CIE initiatives and state-level goals across departments. Workforce and disability service programs like DDS, DOR, local education agencies, and the general workforce development system have implemented projects and initiatives that support CIE. However, not all these programs are coordinated resulting in fragmentation and missed opportunities to leverage resources to maximize service delivery. As a result, and despite unprecedented workforce talent shortages across the state, a potential workforce that wants to work is going untapped due to some parallel efforts and missed opportunities to coordinate. As a result, and despite unprecedented workforce talent challenges across the state, a potential workforce that wants to work is going untapped. This

fragmented approach has led to barriers that prevent people with disabilities who want to work from being able to access the opportunities and support they may need to do so.

The most requested and needed reforms from individuals with disabilities and service providers alike require major structural changes—such as fiscally responsible payment structures that support best practices and shifts in systemwide norms and expectations-- that cannot be addressed by one department alone. To truly advance CIE for people with I/DD and other disabilities, California must be able to align its cross-departmental work around a shared purpose and goals. Currently there is no central agency or leadership to oversee outcomes and accountability, which limits responsiveness to employment services.

EFC Recommendation- Interagency Collaboration

Services from different agencies are not streamlined, making it difficult for persons with I/DD and their families to access services and know where to go for services. Currently data is not released until years after collection or not shared, and different types of data are collected by varying agencies. This delay impacts the field of practice's ability to identify trends and create targeted interventions. For example, we do not know how many persons with I/DD have to-date not requested or accessed CIE employment, nor do we know if trainings and awareness of CIE are reaching most persons with I/DD. It would also help to track if staff at regional centers are encouraging CIE.

The EFC continues to recommend that agencies work collaboratively to streamline information sharing, service delivery planning, and have data sharing agreements to ensure that individuals with developmental disabilities, including those from ethnically and linguistically diverse communities, can access supports and services.

One specific idea for enhancing coordination across agencies, which was first proposed by the EFC in 2019, involves the creation of a senior level position responsible for coordinating services and activities related to CIE across all agencies and to create oversight. This recommendation is similar to SCDD's SB 639 report and legislation priority this year, that seeks to create a leadership position and agency to create oversight of CIE for persons with I/DD. (See SCDD's similar recommendation in **SCDD Legislation Priorities 2023 - Employment Policy Priority** section for creation of a new CIE office as a solution to agency collaboration.)

Challenges in Education and its Effect on Employment

At the college level, California is behind on creating inclusive college opportunities that can increase opportunities for family sustaining wages for people who have developmental and intellectual disabilities.

High School

a. *Alternative Pathway to a High School Diploma 2022*

California law created *Alternative Pathways to a High School Diploma* (Alt-Pathways), a state initiative to support transition into employment by providing an additional pathway for high school completion credits for students with I/DD. This initiative was meant to provide students with disabilities who do not graduate with a traditional high school diploma to receive diplomas so that they could pursue employment that requires a high school diploma or equivalent, as well as provide postsecondary education opportunities. Prior to this alternative, students with intellectual and developmental disabilities were not eligible for high school diplomas and only received certificates. Certificates were not recognized by employers, consequently negatively impacting employment opportunities because employers require high school diplomas for employment.

(Footnote:[https://www.cde.ca.gov/sp/se/lr/om030723.asp#:~:text=51225.31\(a\)\(1\)%20N otwithstanding,the%20local%20education%20agency%20that.](https://www.cde.ca.gov/sp/se/lr/om030723.asp#:~:text=51225.31(a)(1)%20N otwithstanding,the%20local%20education%20agency%20that.))

Students with exceptional needs attending a school district, county office of education, charter school or state special school can graduate from high school through a new defined diploma pathway by meeting the following criteria:

1. The student is required to take the California alternate assessment and
2. The student is required to complete state standards-aligned coursework to meet statewide coursework requirements.

Local educational agencies (LEAs) must exempt students who meet the above criteria from all local coursework and other requirements that are in addition to statewide coursework requirements. Through the completion of the statewide coursework requirements, the LEA must award the qualifying student a diploma of graduation from high school and allows participation in graduation ceremonies. Because this law only went into effect on June 30th, 2022, there is no data to inform if employers have hired or will hire more persons with I/DD.

For background information, please see the report created by a workgroup who studied high school diploma achievement and provided recommendations to the legislature.

https://www.scoe.net/news/library/2021/10/07workgroup_reports/.

(footnote: [SB 74 Budget Act 2020.](#))

College

b. *Lack of Inclusive Opportunities in Colleges* (Source: Education Update (SB 639 Final Report p. 49))

There is an urgent need for inclusive college opportunities for students with intellectual and developmental disabilities in California. One in eight students in California public schools receive special education services (LAO 2019). There are 66,000 California transition-age students with intellectual disabilities that are currently waiting for inclusive

post-secondary opportunities because there are not enough programs. We are over a decade behind in building inclusive college programs across our state and an Inclusive Higher Education Coordinating Center for our state. There are currently 18 Post Secondary Education (PSE) programs in CA, only 5 of which are at 4-year universities. Of those 5, only 2 have sustainable funding. Meanwhile, recognizing the value of these programs, other states—including Colorado, Tennessee, Georgia, Florida, South Carolina, and Maryland—have invested in inclusive opportunities at 4-year universities. Redwood SEED Scholars Program is the only four-year, residential inclusive college program in the UC system and, sadly, in the state of California.

Beth Foraker, Co-Director of SEED at UC Davis says “*The Redwood SEED Scholars Program admits 12 students with intellectual disabilities each year...only 12. Imagine how many other incredible people with intellectual disabilities are sitting on the sidelines waiting for a chance...*”

We know that graduates of inclusive post-secondary education programs are more likely to enter the workforce, earn higher wages and thus be less reliant on state benefit programs. Studies have found that:

- Higher education offers opportunities for social and intellectual exploration and builds capacity for future employment. With the advent of funding due to legislation and policy changes in the US, students with intellectual and developmental disabilities are beginning to reap these same benefits from higher education. (See Grigal et al, 2021; Think College Annual Report, 2020-21)
- Post-secondary education for people with intellectual disability is both cost-effective (cheaper than other services) and cost-efficient (pays for itself over time). (Cimera, et al., 2018)
- Vocational rehabilitation (VR) clients with intellectual disability who experienced post-secondary education (PSE) were more than twice as likely to be employed and had increased earnings compared to their counterparts who did not participate in post-secondary education while receiving vocational rehabilitation services. (Sannicandro, et al., 2018)
- Youth who received PSE services as part of their Individualized Plan for Employment (IPE) were 14% more likely to exit with paid integrated employment and earned 51% higher wages than those who did not access PSE services. (Smith, et al., 2018)
- Graduates of PSE use fewer government support services after exiting college. Graduates of PSE earned higher wages and thus used 31% fewer government services than people with only a high school education. (Cimera, et al., 2018)
- The odds of exiting VR with an employment outcome were 1.59 times higher for those who participated in a PSE. (Rast, et al., 2019)

Moreover, the US Department of Education Model Transition and Postsecondary

Programs for Students with Intellectual Disabilities (TPSID) programs are a proven predictor of employment success.

- As of September 30, 2020, 59% of students who completed a TPSID program had a paid job after exit in 1 year, 66% had a paid job after exit in 2 years, and 67% had a paid job after exit in 3 years.
- 65% of students who attend a TPSID receive paid employment as graduates compared to less than 20% of adults with Intellectual and Developmental Disabilities who do not attend a TPSID.

Past Legislation for Inclusive Higher Education

AB 2920 (Arambula, 2022) purpose was to increase living wages and employment for people with intellectual and developmental disabilities through establishing and maintaining sustainable, high-quality inclusive post-secondary education programs at University of California (UC) and California State Universities (CSU). This bill failed in the Assembly Appropriations Committee.

EFC Recommendation - Equal College Opportunities Pathway to Employment

U.S. Bureau of Labor Statistics confirms that more education leads to better employment and better wages.¹ But to establish equal higher education opportunities for persons with I/DD, the California Legislature will need to fund and create inclusive college programs for students with developmental disabilities. Expanding post-secondary education opportunities within California's higher education systems (community college, state universities, the University of California, and College to Career programs) that can assist persons with I/DD obtain equal employment. (See also section **SCDD Legislative Priorities 2023 – Education Priority.**)

(footnote: Statistics Bureau <https://www.bls.gov/careeroutlook/2016/data-on-display/education-matters.htm#:~:text=Even%20if%20your%20career%20path,decreases%20as%20educational%20attainment%20rises.>)

Disparity in Employment for Persons with Disabilities

According to the Centers for Disease Control and Prevention, 26 percent of adults in the United States have a disability. In 2022, only 22.5 percent of people with a disability participated in the workforce compared to 67.8 percent of people without a disability.

(Footnote CDC: <https://www.cdc.gov/ncbddd/disabilityandhealth/infographic-disability-impacts-all.html#:~:text=Up%20to%201%20in%204,and%20people%20with%20no%20disability>

(22.5% footnote: <https://data.bls.gov/timeseries/LNU01374597.>) (67.85 footnote: <https://data.bls.gov/timeseries/LNU01374593.>)

(footnote for chart: https://www.axios.com/2022/10/26/disabled-workers-long-covid-work-from-home?utm_medium=partner&utm_source=microsoft-start&utm_content=link&utm_campaign=subs-partner-msfot-businesssuite.)

Number of disabled Americans in the workforce

Monthly; January 2009 to August 2022



Data: NYFed analysis of the Current Population Survey; Chart: Axios Visuals

We can expect the number of employees with disabilities to grow because of COVID-19. The pandemic created a new disability: long Covid. Many people experiencing long Covid are not working. According to the Brookings Institute approximately 2 to 4 million people are unable to work due to long COVID.

(footnote: <https://www.brookings.edu/research/new-data-shows-long-covid-is-keeping-as-many-as-4-million-people-out-of-work/>.)

Persons with disabilities were also disproportionately impacted by COVID. Workers with a disability who were in service occupations accounted for the largest share of the total decline in employment.

Fear of Disability Disclosure - The Federal Employment Hiring Process

Number of Americans reporting disabilities

Monthly; January 2009 to August 2022; Among those ages 16 to 65



Data: NYFed analysis of the Current Population Survey; Chart: Axios Visuals

In 2022, the U. S. Equal Opportunity Employment Commission released the report “The EEO Status of Workers with Disabilities in the Federal Sector (footnote: <https://www.eeoc.gov/federal-sector/reports/eoo-status-workers-disabilities-federal-sector>.) that identifies current trends for workers with disabilities in the federal employment sector. Among its findings is that a large percentage of federal employees did not identify their disability status, the federal government agencies failed to meet the 12% hiring goal for persons with disabilities, and they were less likely than persons with no disabilities to be in federal leadership positions. It also found harassment (non-sexual) and reasonable accommodation were the most commonly alleged issues in disability-based complaints.

The report makes several recommendations on how to achieve an equitable workforce including: that federal agencies should ensure confidentiality of disability disclosure to increase the number of employees who identify their disability status, as well as recruit people with a broad range of disabilities to improve hiring rates.

Reducing stigma and creating a culture of inclusion at any employer are important elements of making disclosure of a disability feel safe. Some employees who have “invisible disabilities” report that they hesitate to reveal their disability because they fear being treated differently. Many people with disabilities, invisible and other, do not disclose at the recruitment and interview phase due to fear of assumptions about their capabilities.

Use of Technology Can Contribute to Unfair Hiring Practices

The EEOC found that using technology during its hiring/interview process can cause unfair hiring practices. The EEOC created guidance on how an employer can inadvertently violate the ADA and Equal Opportunity laws via use of software during the

different stages of the hiring process. Employers use a variety of application software, algorithms, or artificial intelligence to help with the hiring process to save money and time. The EEOC warns employers that the practice of relying on algorithms can lead to intentionally or unintentionally screening out an individual with a disability and breaking ADA laws by not providing reasonable accommodations to job applicants who are asked to use or be evaluated by an algorithmic decision-making tool.

(footnote: [https://www.eeoc.gov/laws/guidance/americans-disabilities-act-and-use-software-algorithms-and-artificial-intelligence.](https://www.eeoc.gov/laws/guidance/americans-disabilities-act-and-use-software-algorithms-and-artificial-intelligence))

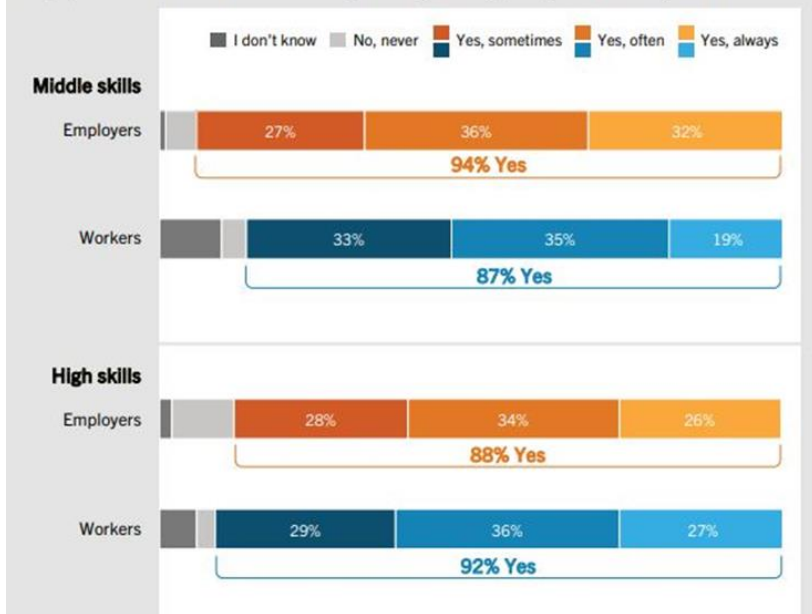
California Employers - Barriers in Inclusive Employment

Employment Hiring Practices Have Embedded Barriers for Hiring People with Disabilities

The standard hiring process for businesses which includes advertising, reviewing resumes and interviewing potential candidates, is a time and labor-intensive process that can have embedded barriers to fair selection of qualified candidates and can potentially deny large sectors of the workforce an opportunity to be considered for employment. Employers began using technology to cope with the large amounts of job applicants and to reduce hiring process costs. However, the EEOC found that using technology during its hiring/interview process can cause unfair hiring practices, including violations of the ADA and Equal Opportunity laws via use of software, algorithms, and artificial intelligence during the different stages of the hiring process. (footnote: [https://www.eeoc.gov/laws/guidance/americans-disabilities-act-and-use-software-algorithms-and-artificial-intelligence.](https://www.eeoc.gov/laws/guidance/americans-disabilities-act-and-use-software-algorithms-and-artificial-intelligence)) communication differences. (source: Maras, K., Norris, J. E., Nicholson, J., Heasman, B., Remington, A., & Crane, L. (2021). Ameliorating the disadvantage for autistic job seekers: An initial evaluation of adapted employment interview questions. *Autism*, 25(4), 1060-1075.)

Figure 10: Employers and hidden workers agree that employer hiring processes often filter out qualified candidates

Do you think employers' hiring processes filter out potential candidates who could successfully perform the job, but don't fit the exact criteria in the job description (e.g., lacks professional experience)?



Businesses that create new pathways for people with disabilities to be considered and hired, report very high satisfaction with their performance in key areas.

Benefits of Inclusive Hiring

Companies that successfully incorporate employees with disabilities have 28% higher revenue and 2x higher net income, according to Accenture. They also experienced reduced turnover, lower recruiting costs, increased productivity, and improved customer outreach. i4cp has found that when businesses hire people with developmental and intellectual disabilities, ¾ of those businesses report that it has been a positive experience.

3/4 or more

of employers rate workers with IDD as **good to very good** on most performance factors.

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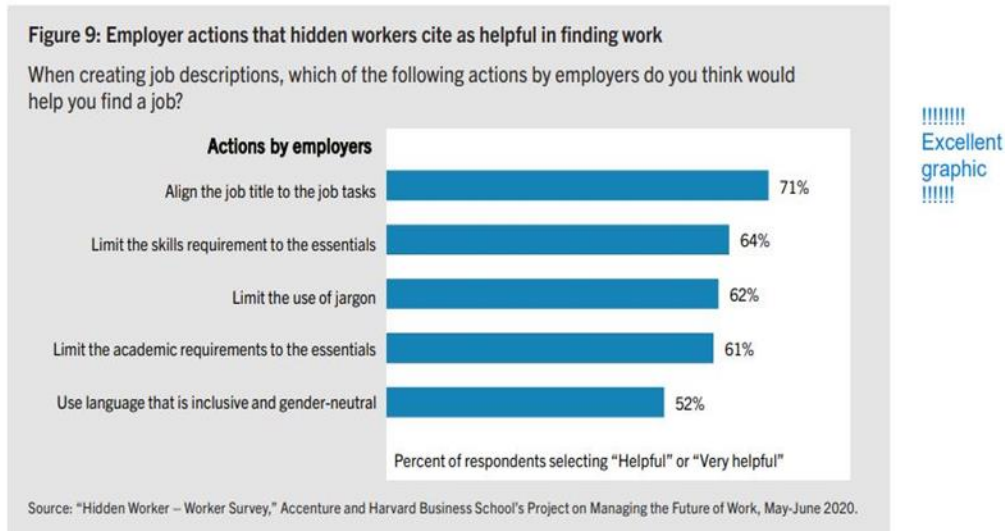


The i4cp report mirrors the findings of the Accenture report that people with developmental disabilities excel when compared to the general workforce in the areas of attitude and work ethic, productivity, quality of work, employee engagement, attendance and innovation.

EFC Recommendations for Employer Hiring Practices

1. Business to Business Learning: Businesses distrust vendors and outside consultants but are very open to peers within their business community sharing innovations that are practical and proved to be effective. Businesses are eager to share these experiences and to be recognized for their leadership and innovation. Within the disability employment sector, business to business trainings exist where managers who have hired applicants with disabilities showcase the:
 - Path the business found to consider and hire people with disabilities.
 - Work performance of their employees with disabilities surpassed expectations.
 - Supports employers received from disability support agencies.
 - Barriers the employer discovered that were previously preventing them from previously meeting and considering employees with disabilities for open positions.
 - Increase in customer loyalty to businesses with a workforce that reflects the community, including people with disabilities.
2. Research to identify the inefficiency and inequity of current outreach and recruitment practices. And trainings to support them with:
 - Disability awareness, including addressing misconceptions about hiring, training, and managing individuals with I/DD.
 - How to connect to supported employment, DOR services and other job development and support agencies that serve people with disabilities that can screen applicants who are qualified and motivated but are unable to overcome systemic barriers that block employers from considering them.
 - How to reduce technology barriers that automatically filter out qualified applicants from the beginning of the application process.
 - Identifying job requirements that are unnecessary to perform the essential functions of a job and not setting up barriers to employment, such as requiring:
 - high school diplomas
 - certifications
 - college degrees
 - experience

3. Use identified strategies to support businesses with understanding strategies identified by people with disabilities that allow them to overcome systemic barriers. These are identified in the Accenture Report as:
 - Simplified and clarified job descriptions
 - Aligning job title to job tasks
 - Removing unnecessary skills and academic requirements
 - Limiting jargon
 - Using language that is inclusive and gender-neutral

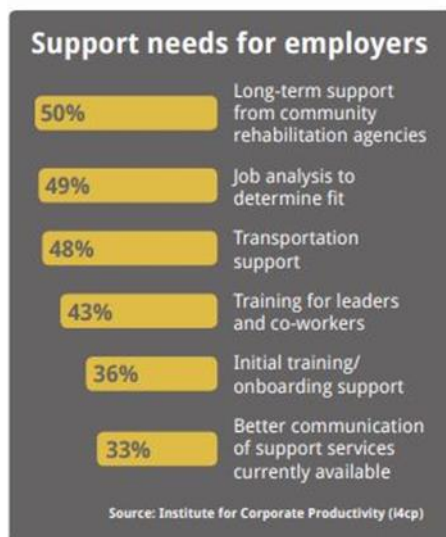


4. Outreach and Recruitment: Efforts to actively recruit persons with disabilities are the first step to employers simply considering qualified applicants with disabilities.
5. Employers should require training in successfully onboarding employees with disabilities and helping them achieve a sense of belonging by adopting a User Experience lens. The Accenture report makes the following recommendations:
 - Becoming familiar with the challenges that current employees with disabilities faced when onboarding and how the employees overcame those challenges.
 - Addressing the concerns and challenges identified through the intentional engagement with current employees with disabilities related to challenges during both onboarding and throughout their employment at the business.
 - Learning about and engaging in the disability community and services that support the community.
 - Educating the current workforce about myths regarding employees with disabilities and the data showing employees with disabilities are high performing, qualified and productive when properly supported.

- Providing opportunities for current employees with disabilities to educate their coworkers about challenges they face and how people with disabilities can be better supported.
- Involving supervisors and coworkers during onboarding of new colleagues with disabilities.
- Involving senior leadership throughout the process of changing policy and processes to recruit and onboard people with disabilities.
- Ensuring that any new policies and support changes adopted for new employees with disabilities are also granted to existing employees with the same needs
- Ensuring employees with disabilities are afforded opportunities for training and opportunities for employee development and advancement.
- Engaging in improving policies related to employment of people with disabilities to help reduce structural barrier.

According to i4cp, when employers hired applicants with intellectual and developmental disabilities, they identified the following needs from supported employment agencies:

- long-term support, 50%
- job analysis to ensure to the person was a good fit for the job, 49%
- transportation, 48%
- training for supervisors and co-workers, 43%
- onboarding and initial job training, 36%
- better communication with supported employment agencies was identified by 33% of employers



Paid Internship Programs PIP- Route to Employment

A business-friendly opportunity to explore hiring people with disabilities in state service is the paid internship program (PIP) model. The Department of Rehabilitation, American Job Centers and Regional Centers all have paid internship programs for business exploring hiring people with disabilities. In addition to PIP and paid work experiences, DOR supports on-the-job training at state and other types of employers. Regional Centers have a PIP program that allows businesses to have a paid intern with a developmental disability full time for 6 months or an intern working 20 hours a week for an entire year. This is an excellent opportunity for a business to observe a person performing the job with support from a job coach and overcome initial hesitations about productivity ability of people to do complex tasks and other concerns while also becoming familiar with how job coaching services work. Many businesses have tested the viability of hiring employees with developmental disabilities through the paid internship model and quickly become convinced that inclusive hiring is a smart business decision. Businesses, including SMUD and Franklin Templeton, have found that converting people from paid internships to employment is a viable path for large businesses with fixed HR processes, rely heavily on AI to screen potential applicants, and have rigid competitive hiring processes, to meet and onboard people with disabilities who would have been screened out by their traditional processes. (See also: Issues Creating and Retaining Partnerships Employers in Regional Centers section.)

While a general training on paid internships raises awareness of the opportunity, business to business trainings are effective testaments to the benefits, ease and how to connect with supported employment services that support paid interns. Business to business trainings are especially important for large businesses that have the additional hurdle of shepherding a paid internship process through their HR, payroll and other departments.

EFC Recommendations for Reducing Stigma Among Employers

The first step to any change is awareness that a problem exists and then creating a pathway to possible solutions. Small businesses are often able to quickly adopt new strategies with a minimum of effort. Large businesses and corporations often require additional strategies and support with navigating changes to embedded HR policies and layers of bureaucracies. But the more employers hire persons with disabilities, the more they are exposed to what being inclusive is and eventually become more inclusive. (source: Accenture, slide #2)

Education and Awareness

Reduce Stigma – Multi-Media Campaign (2021 EFC Report)

CDE, DOR, DDS, and the Council should work collaboratively to launch and promote a statewide multi-media public service campaign in traditional and social media with the goal of reducing the stigma to hiring individuals with I/DD. The campaign should highlight the impact and benefits to businesses when they hire a person with I/DD and highlight the accomplishments of people with I/DD in CIE. Increase outreach to local businesses through employer partnerships such as chambers of commerce. Departments will need to request funding from the legislature to create an impactful awareness campaign.

Creating Incentives for Employers- (2021 EFC Report)

The State Legislature should create a budget to make resources (tax) or incentives available to employers to provide supports for employers who hire people with developmental disabilities and retain them long-term.

DOR Employer Efforts

DOR is implementing a variety of efforts to address unmet needs and enhance communication through services to employers. One such project is the *Demand Side Employment Initiative (DSEI)*, an employer incentive program that provides resources and retention practices for employers who hire people with disabilities. DOR is engaging more directly with the business community to change attitudes and provide resources that will normalize the inclusion of individuals with disabilities in the workforce. To date, DOR has given more than \$1.5 million in grants to small businesses that are committed to hiring people with disabilities, worked with the Society for Human Resources Managers on developing disability hiring training, and partnered with three organizations to provide paid training apprenticeships in high-demand fields.

SCDD Legislative Priorities 2023

In the past several reports to the California Legislature, Employment First Committee (EFC) has recommended:

- more collaboration and data sharing between agencies to ensure streamlining of Competitive Integrated Employment (CIE) employment services and supports and the creation of a leadership office position to coordinate all CIE activities
- funding and development of inclusive college programs on state college campuses to provide equal education opportunities

The following SCDD 2023 Legislative Priorities are recommendations from both Employment First Committee (EFC) and SB 639 Report:

Employment Priority Legislation

In 2023, advocating for CIE and equal employment opportunities for people with intellectual and developmental disabilities is a policy focus for SCDD.-

The current challenge in providing employment services for person with intellectual and developmental disabilities is the big number of efforts underway and the lack of adequate coordination among agencies-causing employment services to be disjointed and inefficient. The Employment 1st Office would be tasked with coordinating and facilitating the implementation of the many goals, projects, priorities, programs, and workgroups focused on improving employment for PWD across multiple departments and agencies. The Employment 1st Office can also function as a go-to clearinghouse for all these efforts and be a resource for the community/public.

SCDD has selected the Employment 1st Office as the legislative priority for 2023. The Employment 1st Office legislative packet proposal consists of:

- Request for \$750,000 in fiscal year 2023-24 to coordinate planning and implementation of Employment 1st Office efforts across CalHHS agencies through:
 - (1) the development of an agency-wide **Master Plan for Employment First**; and
 - (2) the creation of an agency-level **Employment First Office**, led by a Chief Employment First Officer.

The Employment First Office would be located within CalHHS, and the Chief Employment First Officer would work closely with people with IDD and family members, service providers, employers, community-based organizations, and other state and local partners.

SCDD is currently advocating for the development of the Employment 1st Office in the legislature, as well as advocating to agencies including Department of Health and Human Services, Department of Developmental Services, Department of Rehabilitation,

and the Governor's office to raise awareness of the need for a single leadership office to streamline employment services. We are presenting the proposal in the Assembly and Senate Budget Sub-committees on Human Services and cultivating champions in both houses.

As of May 2023, the coalition supporting the proposal is growing and includes agencies such as Disability Rights California, California APSE, Integrated Community Coalition, Disability Voices United, PathPoint, and Progressive Employment Concepts.

Education Priority

Though last year [AB 2920](#) (Arambula, 2022) failed in the legislature, this year SCDD is again supporting [AB 447 \(Arambula\) Public postsecondary education: students with disabilities: inclusive college programs](#). Currently, persons with developmental and intellectual (I/DD) do not have the same opportunities after high school as other students. AB 447 will provide equitable and inclusive access to higher education for I/DD students.

This bill will establish and expand existing inclusive college programs for students with I/DD on public 4-year university campuses, increasing the wage-earning capacity of persons with I/DD throughout the state. By offering a sustainable funding source, AB 447 will enhance post-secondary programs for persons with I/DD, supporting their goals of obtaining both a college education and increased opportunities to gain competitive, integrated employment.

The purpose of AB 447 is to increase post-secondary opportunities for students with I/DD. If we expect the IDD community to transition successfully into competitive integrated employment, availability of higher education opportunities must be a part of the equation to transition them. (See also ***Current Issues- Challenges in Education and its Effect on Employment*** section.)

Data Trends in Competitive Integrated Employment (CIE)

National and state-level data is vital to monitoring progress in Competitive Integrated Employment (CIE). Highlighting the ongoing gaps in employment and wages occurring between individuals with disabilities and people without disabilities helps us to understand the challenges and barriers to achieving CIE. It is also important to

understand the surveys being used and the population represented to better understand if we are improving in CIE.

Trends in the U.S. suggest improvement but gaps between people with and without disabilities in employment, wages, and levels of poverty continue. In 2021, these differences continue. It was estimated that 40.7% of the population of people with disabilities were employed compared to 76.6% of the population of people without disabilities. The gap of 35.4% has improved between 2019 and 2021 but continues to be substantial. When analyzing the median earnings of full-time/full-year workers, the gap decreased from 2019 to 2021 by an estimated \$2200 annually.¹ Of continued concern is the ongoing disparities that exist within the intellectual and developmental disabilities (IDD) population. Black individuals with IDD had fewer annual earnings, were less likely to work in integrated jobs and were less likely to have a successful outcome when receiving vocational rehabilitation services than whites. Women with intellectual disabilities had similar rates of employment but earned almost 1/3 less than men with intellectual disabilities.

California, like the rest of the United States, continues to see gaps in employment participation and unemployment rates for people with disabilities. People with disabilities continue to be much more likely to be unemployed or underemployed than people without disabilities. A secondary analysis of the American Community Survey for California reported in 2022, the employment rate of working-aged people with disabilities was 38% compared to 74% of working-age people without disabilities.[2] A gap of 36-37% continues from 2017 to 2019. The rates of employment for persons with intellectual disabilities increased by 2% to 27% in 2019 compared to 2018. Also, in 2019, 22% of working-aged people with disabilities were living in poverty compared to 10% of working-age people without disabilities. That gap increases to 16% when comparing working-aged people with intellectual disabilities compared to people without disabilities. In 2020, only 13% of persons with IDD were in integrated employment settings.³ The percentage of working-aged people with disabilities who were not working but actively looking for work was 7.9% compared to 16.6% of working-age people without disabilities.⁴

Have the new data, will update when document is accessible

As more states including California are moving away from subminimum wage and into CIE, federal officials are beginning to support a new “push” to support people with disabilities in CIE. Grant funding to the California Department of Rehabilitation (almost 14 million dollars) will support new innovations to support people with disabilities to be employed alongside persons without disabilities. ⁶ The *Subminimum Wage to Competitive Integrated Employment Project* will expand the college-to-career programs in North Orange County and San Diego County allowing participants to pursue academic or career technical education that can lead to CIE.⁷

EFC Recommendation

Overall, data trends suggest some movement toward improving CIE in California. Outcomes can improve with greater collaboration between state agencies and increases in funding supporting CIE. (See more in *Interagency Collaboration* section section)

Internship and Employment Success Stories

Employment Story #1 Brennan Cable

My name is Brennan Cable. I live in Fair Oaks, California with my mom, dad, and older brother. In June of 2022 I started working at Grateful Bread, a local bakery that provides their products to grocery stores and restaurants in the area, as well as customers that purchase directly from our store. My job coach, Storm, started working with me through Progressive Employment Concepts in March of 2022 when I was finishing a Paid Internship Program at a senior living facility. I am very outgoing and love to help people, but the senior living facility did not give me many opportunities to share my personality with my coworkers and the residents I was servicing. Storm and I worked together to look for different opportunities in my community that matched my skill set and allowed me to express myself and interact with people freely. After a few months of searching for employment, Storm supported me to speak with the manager at Grateful Bread and we connected instantly. My manager, Ryan, was helpful in training me and working with me to find which tasks in the bakery I was good at. When I first started working at Grateful Bread, I spent my shifts packaging different types of breads. Storm supported me to learn what techniques worked best for me and how I could work fastest and most effectively. It only took about a month before I was able to be completely independent at work and felt comfortable asking my coworkers and supervisors for help instead of my job coach. I became close friends with many of my coworkers, and they even taught me how to use Snapchat so I could text and talk to them outside of work. Over the past few months, I've been expanding my job duties with support from my supervisor, Rebecca. She gave me the opportunity to work at the register, which is what I really love doing at work. I'm very good at counting and handling money, and it gives me the ability to talk to all of the customers that come in. I enjoy leaving an impact on people and making them smile. There are several regular customers now that come in just because they like to talk to me and I'm so happy that I can be helpful to them. I had been looking for a job that I feel is a perfect fit for me for about five years before I found Grateful Bread. Unlike some of the other jobs I've had, I always feel welcome and accepted by the people at Grateful Bread. I've been given the same opportunities as my coworkers, I've been able to increase the amount of hours I work each week from nine to fifteen in just a few months, and I feel accomplished when I clock out each day. Being employed and enjoying the work that I do has made a positive impact on my personal life as well. The confidence I've gained from my experience at Grateful Bread has carried over into how I

interact with my family and friends. I see myself working for Grateful Bread for a very long time and I'm excited to see what opportunities lie ahead for me in this company!

Employment Story #2 - Jean-Michel Corbier (Insert Image, in email)

"I currently work full-time for the Mullen & Filippi law firm as a Document Specialist. Essentially, my job is to validate legal documents such as workers compensation cases, as well as scan and review other legal documents such as medical reports and civil cases that come to our firm. I also sort and scan the mail, as well as work on projects such as indexing new files and emailing attorneys about materials related to cases. I first started this job position on Monday, April 25, 2022.

I like that I can take on very important responsibilities such as dealing with confidential legal documents and checking for accuracy when validating legal documents.

I got my job when I was searching for new, more professional careers in my area in Sacramento. I actually got this position through Indeed, which is very cool. It actually took me only a week to get this position at Mullen & Filippi, LLP.

This work is important to me because it prepares me to take on my complex roles in a professional setting. I also want to feel that my work is making a difference in someone's life other than my own.

I first created my online store, Storeology, at storeology.shop on Monday October 17, 2022. I created my store after publishing my Facebook group, Mythical Creatures of the World on Friday, November 26, 2021. I created Mythical Creatures of the World because I loved the fascinating lore of mythical and fantasy creatures and wanted to make an entire website or social media channel just dedicated to those concepts. Storeology was my urge to see if I could make a profit off of my passion for mythical creatures. There have been some ups and downs when publishing and managing my group, but it has all been worth it to finally start my own business."

Side Note: Jean-Michel was supported by a Job Developer at InAlliance in earning the position at Mullen & Fillippi. He is also supported through the Paid Internship Program to assist him in his self-employment venture. He meets weekly with Job Developer at InAlliance to collaborate on his business, provide feedback, give advice, and help him connect to community resources such as the Small Business Association. Jean-Michel has full control of his business and makes all the final decisions.

InAlliance is a nonprofit organization that provides individualized support to individuals with intellectual and developmental disabilities within the greater Sacramento area. (footnote: <https://www.inallianceinc.com/about/>).

Employment Story #3 - Miriam

Miriam has been taking DSS classes at North Orange Continuing Education (NOCE) since 2018. She learned about DSS classes from her Adult Transition Program teacher, and she thought the classes

sounded interesting. She simultaneously took DSS classes and Early Childhood Education classes through NOCE. Miriam is an extremely hard worker and very positive to everyone around her. She shared that she doubted herself and whether she could pass her ECE classes. She had previously not had to write long papers, so this was something new. Miriam often utilized tools, such as speech-to-text to write these papers. She also taught other students how to use these tools to help with success. Miriam received support from College to Career (C2C) and not only did she pass her classes, but she excelled in them. While in ECE, she began volunteering at a preschool. We could see Miriam apply her knowledge gained from her hands-on experience to her Early Childhood classes. She gained confidence and insight into working with kids. After she completed her ECE certificate in Spring 2022, she worked with C2C's Job Developer and was hired at a preschool. She continues to work at the preschool while finishing up her remaining DSS classes, which she will finish in 2024. She enjoys the independence she gets from working and having her own money. She wondered whether she could do the job and noted previously being shy. She has been doing very well at work and has been more outgoing. Miriam shared that her favorite things about NOCE are learning new things and meeting new people.

Employment Story #4 – Adrian Arroyo

My name is Adrian Arroyo and I am a student at Fresno City College. I am a part of the College to Career (C2C) program at DSPS. I have been doing this for three years and I am about to graduate this year in May 2023. I aim to become a special education teacher assistant to help students with special needs. In 2019, I signed up for the College to Career program and my counselor was Tiffany Myers, I told her that I wanted to be a special education teacher assistant and she put me into the Paraeducator major classes. I have taken four education classes and one English class. I told Tiffany I am not letting her or my family down because I told myself I am going to pass all my classes. I met a lot of wonderful educational coaches and C2C students, I was a little bit shy talking to them. I got a good experience with this program because I learned a lot from them and they provided the support I needed to accomplish my goals. I was part of volunteer work at the Terry House where I was a housekeeper and donated food, movies, and clothing to people who needed them. I have done volunteer work at the two elementary school I was a part of as yard duty aide and paraeducator. I met a lot of students at the elementary school during my time and build a good relationship with them. I loved working with my fifth-grade students while doing my yard duty and TK spent time in the classroom helping with classwork. In 2020, I used to work at Walmart as a personal shopper during the pandemic, I was doing part-time and seasonal only. I had a good experience there. I was going through a lot during the pandemic to find a way to pass all my classes but I overcame that because I worked so hard, studied every day, and asked for help when needed. It took me three years to pass and reach my goal to become a special educator. I won't give up because I put in a lot of hard work and I scored a good GPA of 3.15. I met two amazing instructors at Fresno city College – Mr. Tackett and Mrs. Marquez who helped me so much because they gave good feedback and time with my homework and assignments. Mr. Tackett was so cool with me, we had a lot in common together; we are huge fans of superheroes. Bobbie Wells was another instructor who changed my life when I was going through personal issues. Sage Talbot, my counselor, selected me as a guest speaker for a C2C program about my classes and my time at the volunteering site. Also, my family, friends, education coaches, peers, counselors, and job developers are so happy for me seeing me accomplish my goals and be successful. I am currently working at the Clovis Campus Club Aide for an afterschool program showing me I can have good skills to become a paraeducator. When I told my wife

the news I got a good job, she was so happy for me. Now I am on my way to graduating from Fresno City College to earn my certificate of achievement.

DDS Incentives and Grants

In FY 2021/2022 DDS received \$10M to develop the Employment Grant with the purpose to increase CIE opportunities for individuals served by regional centers. Grantees were to utilize new, innovative, best, or promising practices to support career pathways for youth and adults with intellectual and developmental disabilities and provide opportunities for competitive integrated employment. Forty-five projects were awarded the Employment Grant and began work in January 2022.

In FY 2022/2023 DDS received \$8.3M in funding to develop a pilot in response to SB 639 and the phaseout of subminimum wages. Still in development, the DDS has initiated the development of a Career Pathways to Competitive Integrated Employment (CPCIE) service. A new service option specifically designed for individuals with developmental disabilities who are exiting secondary education or work activity programs to prepare to achieve competitive integrated employment. The pilot program focuses on improving equitable access to services and supports to achieve the goals established by the individual through person centered career planning. The service option is for anyone regardless of where they are on their career path, including participants who (1) may have a job and would like a better one or to move up; (2) want a job but need help to find one; (3) are unsure about work and need help to learn more; or (4) do not think they want to work but may not know enough about it. More importantly, DDS states the pilot program will include services to individuals with high support needs. All consumers, regardless of I/DD level will be included in this service. The service establishes a Career Pathway Navigator who assists and trains consumers and their family on career options and navigating regional center and generic services and supports (including the Department of Rehabilitation and local school district) that are tailored to overcome barriers and meet their unique needs. Individual participants will be able to customize a flexible support system of community integration and employment services that reflects their individual preferences, skills and goals for career preparedness and employment. All participants will receive benefits planning, and information and resources for financial empowerment. Training, and technical assistance will be provided to the regional center, providers, and community agencies to strengthen organizational capacity, and the coordination and delivery of evidence based, promising or best practices in employment services to the participants of the program.

Additionally, in FY 2022/2023 DDS released two new Quality Incentive Program opportunities for vendors focused on employment.

Quality Incentive Program-Employment Capacity – Incentive payments to providers to increase the number of employees who are certified as trained employment specialists through the Association of Community Rehabilitation Educators (ACRE) Basic Employment Services, ACRE Basic Customized Employment Services, or as Certified Employment Support Professionals (CESP).

Quality Incentive Program-Employment Access – Incentive payments to providers to increase the number of consumers entering CIE. Providers can qualify for incentive payments for consumers who achieve CIE and maintain employment for 30 days and 6 months, CIE placements as a result of a PIP, and CIE placements for individuals exiting subminimum wage settings.

Appendix

EFC Membership for 2022

- Alexis Deavenport-Saman, UCEDD, University of Southern California
- Wilbert Francis, UCEDD, Tarjan Center at University of California, Los Angeles
- Sarah Isaacs, Disability Rights California
- Cathay Liu, Family-Advocate, State Council on Developmental Disabilities

- Robert Loeun, Department of Rehabilitation
- Michael Luna, Department of Developmental Services
- Christine T. Moody, UCEDD, Tarjan Center at University of California, Los Angeles
- Kara Ponton, Self-Advocate, State Council on Developmental Disabilities
- Steve Ruder, UCEDD, University of California, Davis MIND Institute
- Nancy Wentling, Department of Rehabilitation
- Wesley Witherspoon, Chair, State Council on Developmental Disabilities
- Nick Wavrin, California Department of Education
- Larry Yin, UCEDD, University of Southern California

Statutory Responsibilities of the Employment First Committee (Welfare and Institutions Code §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).

(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:

Describe how the state government departments will work with each other to help people get good jobs with good pay.

Find what works to help people get good jobs with good pay.

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.

Find ways to encourage agencies to support people to get good jobs with good pay.

Develop partnerships with employers and agencies that help people find good jobs with good pay.

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.

Recommend ways the state can improve how they measure progress in helping people get employed.

Recommend goals for CIE for the state.

Recommend legislation and other ways that the state can do a better job of supporting people to get good jobs with good pay.

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.

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.

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.

Definition of Developmental Disability in the Lanterman Developmental Disabilities Services Act (Welfare and Institutions Code §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.

Definition of Developmental Disability in the Developmental Disabilities and Bill of Rights Assistance Act (42 U.S.C. §15002(8)(A))

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.

CCEPD Sharing of Best Practices

Beginning July 1, 2022, AB-133 in California will increase the asset limit for Non-Modified Adjusted Gross Income (Non-MAGI) Medi-Cal programs. Non-MAGI programs generally provide health care for seniors, people with disabilities, and individuals who are in nursing facilities, as well as some other specialty groups. The increased asset limits will allow a larger number of applicants to become eligible for Medi-Cal benefits, and will allow qualified beneficiaries to retain a larger amount of non-exempt assets and still be eligible for Medi-Cal. All other Non-MAGI Medi-Cal rules regarding the treatment of assets will still apply, such as exemptions for your home and vehicle.

Today's Law As Amended - AB-133 Health. (ca.gov)

Best Practices in 2021-2024 WOIA Local Plans

As the California Committee on the Employment of People with Disabilities (CCEPD) Employment and Training and State Coordination subcommittees collaborate on workforce issues, it is important that collaboration includes local areas identified as best practices. Following the review of the 2021-2024 Workforce Innovation and Opportunity Act (WIOA) local plans, and discussions with CCEPD partners, initial best practices have been identified. These best practices will be used as work products with the goal of replication.

The local areas listed below were identified as having best practices. Although many strategies were located within Competitive Integrated Employment (CIE) strategies of plans, these best practices also often included the most overarching strategies for inclusion of cross-disability regardless of CIE connections. CCEPD partners attempted to identify local areas of differing sizes and state regions. As collaboration discussions progress, additional best practices may be added.

Best Practices

Humboldt's local plan highlights a Department of Rehabilitation (DOR) partnership and was raised as a best practice for behavioral health by a CCEPD partner. DOR's Student Services Team works in collaboration with the Transition Partnership Program (TPP) at the Humboldt County of Education. The team also works to provide services to students that are not involved with the TPP contract. They attempt co-enrollment for people with disabilities whenever possible

Madera's local plan utilizes numerous programs to address the needs of people with disabilities. Madera County Workforce Development Board (WDB) has received funding and staff training through the Disability Program Navigator, Disability Employment Initiative, and Disability Employment Accelerator grant programs. America's Job Center of California (AJCC) houses an Employment Network through Social Security Administration's Ticket to Work program and ensures that individuals with disabilities have access to the services and information needed to successfully transition back into the workforce. There is also a Partnership Plus agreement with the DOR to provide long-term services and supports to individuals who have exited the public Vocational Rehabilitation system. In addition, two staff are trained Community Partner Work Incentive Counselors and can provide individuals with disabilities who receive SSI and/or SSDI benefits counseling about the impacts on earnings when returning to work. Community Partner Work Incentive Counselors are required to renew their certification annually by completing 18 continuing education credits. When a young person with a disability seeks services through the Workforce Assistance Center, assessments are administered and an Individual Service Strategy is developed to identify past

educational attainment, skills levels, interests, barriers, and unique or specialized needs. Depending on the results of the assessment and service planning process, WIOA Youth Program staff may engage colleagues from the DOR, special education or other partners to assist in securing services and, as necessary accommodations, to facilitate the youth/young adult's participation in the program. Merced's local plan was not originally identified amongst best practices after CCEPD review of the local plans (the plan was not made available by the CWDB) but was raised by a CCEPD partner in follow-up discussions due to their work and ongoing commitment human centered design.

The Orange, Santa Ana, and Anaheim workforce development boards are combined into a single local plan for Orange County. Board staff participate in the Orange County Local Partnership Agreement (LPA) meetings that include the education providers, Regional Center of Orange County, DOR regions, and other community-based organizations. The latest employment and training programs include Addressing Barriers to Employment (ABE) for adults and the STEPS program for youth. The Orange board and Goodwill Industries of Orange County are lead program partners. The program gives Orange County region students and adults facing challenges more opportunities to achieve their greatest levels of personal and economic independence. Program participants are provided opportunities to participate in soft skills training, vocational preparation and social adjustment training, work experience, and permanent placement into CIE. DOR collaboration includes student services to the AJCCs for eligible youth program participants and cross-training and professional development to ensure local board front-line staff understands DOR's vast offerings.

The Pacific Gateway local plan includes many references to addressing trauma and homelessness and utilizes an equity toolkit from the City of Long Beach's Office of Equity. DOR leadership is on both the workforce development board and youth committee. Additionally, they exhibit extensive work and an ongoing commitment to human centered design.

The Sacramento Employment and Training Agency (SETA) Disability Employment Initiative (DEI) and Disability Employment Accelerator (DEA) grant initiatives have allowed SETA to build the capacity of AJCC staff to serve individuals with disabilities through specialized training opportunities for staff and reviews of physical and programmatic access. The program and system staff formed a Disability Services Workgroup, comprised of disability services navigators, and led by a disability resource coordinator. SETA works with the Alta Regional Center on eligibility and enrollment, and disability etiquette. SETA and DOR staff have collaborated for cross-training in eligibility, enrollment, and service delivery. SETA and DOR collaboration has included employer outreach and engagement. SETA participates on the Northern California Business Advisory Council, which was developed in 2015 to promote partnership between local employers and employment/training programs to promote employment of people with disabilities. At the release of the new local plan, SETA had not yet utilized

the LPA template developed by DOR, DDS and the California Department of Education (CDE). However, SETA included extensive information on WIOA Section 188 and ADA compliance, including disability etiquette and reasonable accommodation trainings for staff. SETA takes a no-wrong-door approach for all service locations, with memorandums of understanding (MOUs) in place for many service partners.

San Bernardino engages with local partners to promote CIE by assigning staff to attend LPA meetings, cross training, and identifying resources and partners for business engagement for a paid work experience program. Staff of the San Bernardino DOR office are co-located at the three AJCCs to help better serve the disability community by linking to available resources. They have developed paid work experiences and internships through DOR, including WIOA out-of-school youth programs. DOR and the Inland Regional Center support the job coaching function as part of this collaboration to serve job seekers. They are part of the DOR CIE Business Services team which is responsible for recruiting, referral, and employment engagement strategies to serve the ID/DD population. Additionally, AJCC staff members are trained to meet the needs of people with disabilities, including on the use of assistive technologies, and virtual services through their Virtual OneStop (VOS) system. They have recently completed upgrades to their assistive technology equipment.

Santa Barbara's plan included extensive references to partnerships with DOR. Through an agreement with DOR, DOR staff co-locate in AJCC eight hours monthly. During that time, trainings are held to ensure that partner staff gain the knowledge necessary to assist in serving people with disabilities. DOR is working actively to set up on-the-job trainings for individuals with ID/DD and look forward to working with the AJCC and community partners to assist these individuals to succeed in a competitive, integrated environment. The plan included an extensive list of partners for addressing the needs of people with disabilities

The Solano local board, through increased coordination with the North Bay Regional Center DOR, has built partnerships with contractors that serve individuals with disabilities to improve access and utilization of the AJCC system and WIOA services. Through this work, they have created a community partnership with the Solano LPA. Partners have come together to learn about strategies for creating employment opportunities for individuals with disabilities as part of a DEA grant for customized work. The board's work has increased on-the-job training reimbursements to employers for hiring individuals with disabilities from 50% to 75%. This has allowed businesses to take on the additional training needed to bring an individual with a disability up to speed on the job. The board also added transitional jobs as a work and learn service offering. Solano and its disability partners continue to develop strategies around employer engagement, earn and learn strategies, educational transition services, disability benefits counseling, and improved service coordination. Solano plans to develop strategies in partnership with the Napa-Solano Building Trades Council to improve access to apprenticeship programs for individuals with disabilities as part of its DEA

grant. They are currently piloting common case management approaches as part of the AB1111 grant with a local community-based organization's employment services for individuals with mental health conditions. Partners leverage and collaborate on services such as disability advocacy, benefits counseling, job coaching, transportation assistance, and other supportive services provided by DOR and community-based organizations in the area.

The Southeast Los Angeles (SELACO) plan included a good breakdown of partner responsibilities and a focus on employer outreach for opportunities. In 2019-20 in partnership with Long Beach Community College (LBCC), SELACO WDB piloted a project designed to support young adults (18-24 years of age) with autism to train and prepare to receive on-the-job training as CNC Machinists. The project demonstrated exciting potential for successful completion however, due to COVID, was placed on hold until LBCC could reopen their courses that required hands on training

The Tulare plan was raised as a best practice by a CCEPD partner for its strong use of leveraging and braiding resources. The board has developed detailed guidelines for oversight and monitoring of contractors to ensure compliance with the requirements of applicable federal disability nondiscrimination law and includes a Reasonable Accommodation Policy and Procedure Guide. It has two programs with shared consumers between DOR and the WIOA Title I Adult and Youth Programs: Summer Training and Employment Program for Students (STEPS), which serves youth and provides students with disabilities with job readiness training and work experience in a career pathway matching their interests and career goals; and the DEA program, which focuses on providing competitive integrated employment positions for adults.

The Verdugo local plan has noticeably more references to disabilities than any other local plan. While Verdugo has served people with disabilities for many years, the strategic focus on ID/DD began six years ago with the examination of the demographic data, the increasing rates of autism spectrum disorder, and their partners' commitment to develop career pathways for this underserved population. Through the Verdugo Computer Numerical Control Machinist Academy for students with intellectual disabilities, founded in Glendale in 2015, Verdugo has a proven co-enrollment strategy. This model was shared with six other local boards and used as the foundation for developing a strategic co-enrollment process for the region. Another innovative program they utilize is their work experience (WEX) program through STEPS. The STEPS project provides job preparation training, including job exploration, workplace readiness skills training, and work-based learning experiences through summer work experience, to students.

Additional Important Resources

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[The California Competitive Integrated Employment Blueprint](#)

The CIE Toolkit is designed to provide tools and resources on CIE services and supports available to individuals with intellectual disabilities and developmental disabilities (ID/DD), their families, and Employment Service Providers.

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

Career research resources

The Employment Development Department Toolbox for Job Seekers

The Toolbox for Job Seekers provides tools and resources for California's job seekers to assist in their job search, career exploration, and training needs.

https://www.edd.ca.gov/Jobs_and_Training/Toolbox_for_Job_Seekers.htm

California Career Zone

This website offers interactive questionnaires that assess an individual's interests, research career choices, explore industry sectors, and more.

<https://www.cacareerzone.org/>

Career One Stop [Partner of America's Job Center of California (AJCC)]

State and local organizations work together to offer employment and job training services at no cost through AJCC locations. AJCC career counselors help job seekers identify interests, assess skills, and locate in-demand jobs and training.

<https://www.careeronestop.org/>

Social Security Work Incentives

Ticket to Work

The Ticket to Work program is a federal program that helps Social Security beneficiaries with a disability achieve their employment goals. The program offers beneficiaries aged 18 to 64 who receive Supplemental Security Income (SSI) or Social Security Disability Insurance (SSDI) services to help them become employed. These services can include vocational rehabilitation, training, referrals, job coaching, counseling, and placement services. The Ticket to Work program pays for services to help you find paid work - it is not linked to special jobs for Social Security beneficiaries. The services provided through the Ticket to Work program help you to find and apply for jobs that already exist in the marketplace.

https://ca.db101.org/ca/programs/work_benefits/ttw/program.htm

The Plan to Achieve Self Support (PASS) is another SSA work incentive program that affords a way to save money without the savings affecting an individual's benefits, as long as the money is spent toward the individual's job goal.

For example, a person could save money for:

- Assistive technology
- Starting a business
- A car

Plan to Achieve Self-Support (PASS) - Ticket to Work - Social Security (ssa.gov)

Impairment Related Work Expense (IRWE) lets SSA subtract the cost of services or items that a person needs to work from the person's reported earned income. For example; wheelchairs, medication, specialized transportation, and more.

Impairment-Related Work Expenses - Ticket to Work - Social Security (ssa.gov)

Student Earned Income (SEIE) is for any student who receives SSI, is under the age of 22, and is still in high school, college, or job training to prepare for work. It lets a student earn up to \$2,040 a month without lowering the student's SSI check.

<https://www.ssa.gov/oact/cola/studentEIE.html>

Savings Plan incentives

CalABLE – California Achieving a Better Life Experience (Savings Plan)

CalABLE is a savings and investment plan offered by the state of California to individuals with disabilities. Eligible individuals, family, friends, and employers can contribute up to \$16,000 a year without affecting the account beneficiary's disability benefits. For more information go to: <https://www.calable.ca.gov/>

Several other states have ABLE account programs too. You can have an ABLE account in another state. Each program is a little different and may better fit a person's needs.

For more information on the ABLE National, Resource Center go to:

<http://www.ablenrc.org/>

SSI, SSDI, and Medi-Cal Information and Supports

Disability Benefits 101 (DB 101) helps workers and job seekers understand the connections between work and benefits such as SSI, SSDI, and Medi-Cal. DB 101 provides:

- Information about benefits programs, answers to frequently asked questions, and how to avoid common pitfalls.

- Calculators tailored for the individual that helps the user plan and set goals for work.
- Experts: DB 101's "Get Expert Help" connects you to a real person who can help with any benefits questions.

<https://ca.db101.org/>

Entrepreneurship:

Respectability

This toolkit provides an inventory of existing materials, advice, and guides for those job seekers with disabilities ready to become

self-employed, launch a new enterprise, or develop their entrepreneurial skills.

<https://www.respectability.org/resources/job-seekers-disabilities/entrepreneurship/>

Making accessible forms

Department of Rehabilitation

<https://www.dor.ca.gov/Home/DocumentAccessibility>

National Resources

ODEP

<https://www.dol.gov/agencies/odep>