

## California/Orange County Employment Related Legislation & Initiatives

- **National Employment First Initiative, 2012**

A critical priority for the U.S. Department of Labor, Office of Disability Employment Policy (ODEP), is to invest in systems change efforts that result in increased community-based, integrated employment opportunities for individuals with significant disabilities. This priority reflects growing support for a national movement called **Employment First**, a framework for systems change that is centered on the premise that **all** citizens, including individuals with significant disabilities, are capable of full participation in integrated employment and community life.

Under this approach, publicly-financed systems are urged to align policies, service delivery practices, and reimbursement structures to commit to integrated employment as the priority option with respect to the use of publicly-financed day and employment services for youth and adults with significant disabilities. ODEP defines integrated employment as work paid directly by employers at the greater of minimum or prevailing wages with commensurate benefits, occurring in a typical work setting where the employee with a disability interacts or has the opportunity to interact continuously with co-workers without disabilities, has an opportunity for advancement and job mobility, and is preferably engaged full-time. Many states have formally committed to the *Employment First* framework through official executive proclamation or formal legislative action.

Employment First initiatives highlight the need to raise expectations and implement better practices around employment for individuals with disabilities. To that end, many state initiatives have taken additional steps to define what “employment” means to ensure the goal of integrated jobs in the workforce at competitive wages and benefits. While Employment First initiatives utilized supported employment and customized employment strategies, employment is not defined using these terms. Employment First initiatives center on holding individuals with disabilities to the same employment standards, responsibilities, and sets of expectations as any working-age adult.

**More Information is available at the following website:**

<http://www.apse.org/wpcontent/uploads/docs/Employment%20First%20Paper%20609%5B1%5D.pdf>

<https://www.dol.gov/odep/ietoolkit/policymakers.htm>

- **Employment First Initiative California, AB 1041 10-9-13**

On October 9, 2013, Governor Brown signed AB 1041 (Chesbro), which establishes in statute an Employment First Policy. California became the 12th state to enact an employment first policy in law. Employment First Policy from WIC Sect. 4869(a)(1) It is the policy of the state that opportunities for integrated, competitive employment shall be given the highest priority for working age individuals with developmental disabilities, regardless of the severity of their disabilities.

The Employment First Policy was established “in furtherance of the purposes of this division (the Lanterman Act) to make services and supports available to enable persons with developmental disabilities to approximate the pattern of everyday living available to people without disabilities of the same age, to support the integration of persons with developmental disabilities into the mainstream life of the community, and to bring about more independent, productive, and normal lives...” Section 4869(a)(1)

**Definitions:**

**Integrated Employment** occurs “in work in a setting typically found in the community in which

individuals interact with individuals without disabilities other than those who are providing services to those individuals, to the same extent that individuals without disabilities in comparable positions interact with other persons.

**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.”

**Microenterprises** are “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.”

**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.

**Additional Information can be found at:**

[http://www.sccd.ca.gov/Employment\\_First\\_Policy\\_\(AB\\_2424\).htm](http://www.sccd.ca.gov/Employment_First_Policy_(AB_2424).htm)

<http://arcanet.org/initiatives/employment/index.html>

- **Workforce Innovation & Opportunities Act (WIOA) PL 113-128 7-22-14**

On July 22, 2014 the Workforce Innovation and Opportunity Act (WIOA) was signed into law. This landmark federal legislation makes significant changes to vocational rehabilitation and independent living programs in California and across the United States. WIOA, which replaces the Workforce Investment Act of 1998 and amends the Rehabilitation Act of 1973, is designed to help job seekers access employment, education, and support services to succeed in the modern labor market. The law will also encourage workforce development programs to help match employers with skilled workers needed to compete in the global economy.

On June 30, 2016, the United States Department of Education and Department of Labor issued an advanced posting of the Workforce Innovation and Opportunity Act (WIOA) final rules, as well as a summary and responses to public comments.

The advanced posting is available at <https://www.doleta.gov/WIOA/> and <http://www2.ed.gov/about/offices/list/osers/rso/wioa-final-rules.html>. Publication in the Federal Register is expected this month at [www.federalregister.gov](http://www.federalregister.gov). The California Department of Rehabilitation (DOR) has conducted a preliminary review of these final rules and has compiled the following brief highlights.

**Brief Highlights Regarding Final Rules:**

<http://www.dor.ca.gov/Public/WIOA-Information.html> (7-7-16)

1. The federal WIOA final rules consist of five regulatory actions with different effective dates. Three of the regulatory actions specifically related to the vocational rehabilitation program. The rules on vocational rehabilitation, supported employment and subminimum wage and miscellaneous vocational rehabilitation program changes shall be effective 30 days after date of publication in the Federal Register. The rules on the unified and combined state plans, performance accountability, and the one-stop system shall be effective 60 days after the date of publication in the Federal Register. While the federal rules are not effective yet, the WIOA was signed into law in July 2014.
2. Student with a disability is broadly defined to include any student enrolled in an educational program, including secondary, post-secondary or other recognized educational program, who meets the age requirements. This definition is important for the expenditure of the 15 percent set-aside for the provision of pre-employment transition services. (34 CFR 361.5(c)(51).)

- 3.** Pre-employment transition services must be available statewide to all students with disabilities in need of such services without regard to type of disability from 15 percent set-aside, regardless of whether the student has applied for or been determined eligible for vocational rehabilitation services. These eligible or potentially eligible individuals are considered to be recipients of services. Furthermore, through third-party cooperative arrangements, cooperating agencies are permitted to provide pre-employment transition services to these individuals. (34 CFR 361.48 and 361.28.)
- 4.** Youth or students with disabilities who have not yet applied or been determined eligible for vocational rehabilitation services have individual rights and due process rights, as they are considered to be recipients of services, specifically pre-employment transition services and transition services. These rights include, but are not limited to, the right to protection of personal information, the right to exercise informed choice, the right to mediation and fair hearing, and the right to be notified of and to seek advocacy assistance from the Client Assistance Program. (34 CFR 361.38, 361.52, and 361.57.)
- 5.** Trial work experiences must be used when conducting an exploration of an individual's abilities, capabilities, and capacity to perform in work situations. Extended evaluation has been removed from the rules, consistent with federal law. (34 CFR 361.41 and 361.42.)
- 6.** Uncompensated employment goals, such as homemakers and unpaid family workers, do not satisfy the definition of "employment outcome." To ensure services are not abruptly discontinued, the rules specifically permit the continuation of services until June 30, 2017, to consumers with uncompensated employment goals in their Individualized Plans for Employment approved prior to effective date of the rules. These services can extend beyond June 30, 2017, if a longer period of time is required based on the needs of the consumer, as documented in the record of services. (34 CFR 361.5(c)(15).)
- 7.** Competitive integrated employment requirements include a location typically found in the community where the consumer interacts for the purpose of performing the duties of the position with other employees within a particular work unit and entire work site, and, as appropriate to the work performed, other persons without disabilities to the same extent that employees without disabilities in comparable positions interact with these persons. (34 CFR 361.5(c)(9).)
- 8.** Consumers in supported employment, who reasonably anticipate achieving a competitive integrated employment outcome, may continue working in an integrated setting for up to six months toward that goal. Under limited circumstances based upon the consumer's needs and demonstrated progress, this short-term basis may be extended for up to 12 months. (34 CFR 363.1.)
- 9.** Supported employment services may be provided beyond 24 months based on a consumer's need to achieve an employment outcome in an Individualized Plan for Employment. (34 CFR 361.5(c)(54).)
- 10.** The rules regarding limitations on subminimum wage specifically identify the information to be included in the documentation for completion of required youth activities, career counseling, information, and referral, and refusal to participate in such activities or services, as well as, the timelines for providing the documentation to an individual. (34 CFR 397.10, 397.20, and 397.30.)
- 11.** Career counseling, information, and referral for those hired in subminimum wage positions on or after July 22, 2016, must be provided at six months and then annually thereafter and for those employed prior to July 22, 2016, once by July 22, 2017, and annually thereafter. Intervals for these services are calculated based upon when the individual becomes known to the state vocational rehabilitation agency. (34 CFR 397.40(c).)
- 12.** The state vocational rehabilitation agency and its contractor have the authority to review documentation required to be maintained by employers with special wage certificates. The rules

recommend reporting any deficiencies noted to the United States Department of Labor. (34 CFR 397.50.)

13. All vocational rehabilitation professionals and paraprofessionals must have a “21<sup>st</sup>-century understanding of the evolving labor force and the needs of individuals with disabilities,” which is defined in the rules by listing examples of the skills and knowledge needed to achieve employment outcomes for consumers. (34 CFR 361.18.)
14. Regarding third-party cooperative arrangements for both vocational rehabilitation and supported employment, certified match excludes indirect costs, such as administrative personnel time and operating expenses. Only expenditures for direct services under these arrangements are allowable. (34 CFR 361.28 and 363.23.)

Please note that this is not intended to be a complete list of important provisions in the final rules, particularly regarding the provisions governing the unified and combined state plans, performance accountability, and the one-stop system.

- **HCBS Ruling (Guidance from the Center for Medicare & Medicaid Services) March 2014 Final Rulings & 10-17-15**

Final rulings from the federal Centers for Medicare & Medicaid Services (CMS) regulations (or rules) for Home and Community-Based Services (HCBS) were released. These federal rules, effective March 17, 2014, require homes and programs where HCBS are delivered to meet new criteria in order to qualify for federal funding under the Medicaid program (called "Medi-Cal" in California). Each state must write a plan for how its HCBS programs meet these new rules. States have until March 17, 2019, to implement the requirements for home and community-based settings in accordance with CMS-approved plans.

HCBS are long-term services & supports provided in home and community-based settings, as recognized under the federal Medicaid (Medi-Cal) Program. These services can be a combination of standard medical services and non-medical services. Standard services can include, but are not limited to: case management (i.e. supports and service coordination), homemaker, home health aide, personal care, adult day health services, habilitation (both day and residential), and respite care. States can also propose "other" types of services that may assist in diverting and/or transitioning individuals from institutional settings into their homes and community.

The purpose of the rules is to ensure that individuals receive services in settings that are integrated in and support full access to the greater community. This includes opportunities to seek employment and work in competitive and integrated settings, engage in community life, control personal resources, and receive services to the same degree as individuals who do not receive regional center services. It means that settings need to focus on the nature and quality of individuals experiences and not just about the buildings where the services are delivered. Individuals have an active role in the development of their plan, the planning process is person-centered, and the plan reflects the individuals service and supports and what is important to them.

**More information can be found at:**

<http://www.dds.ca.gov/HCBS/>

- **ABx2-1 Extraordinary Session 2-29-16**

This bill passed in the 2<sup>nd</sup> Extraordinary Session to increase annual funding for the community-based developmental disability services system. With two exceptions, all funding increases go into effect starting July 1, 2016. From a technical standpoint, special session bills go into effect 91 days after both the Senate and Assembly formally adjourn the special session. The Assembly special session

adjourned on March 3, and the Senate adjourned on March 10, formally putting this bill into law as of June 9, 2016. Two of the programs include the following:

✓ **Incentive Program**

Welfare and Institutions Code (WIC) was amended to add section 4870(d-g) (Enclosure 1) to increase sustained competitive integrated employment (CIE) placements by regional center service providers. CIE is full or part-time work for which an individual is paid minimum wage or greater in a setting with others who do not have disabilities. Section 4870(d) authorizes funding to the Department of Developmental Services (Department) for incentive payments to providers for placement and retention of regional center consumers, consistent with a consumer's Individual Program Plan (IPP).

The regional center will be responsible for making incentive payments to service providers within their catchment area [WIC 4870(d)]. The incentive payment amount for each individual placed in CIE is as follows:

1. A payment of one thousand dollars (\$1,000) shall be made to the service provider who, on or after July 1, 2016, places an individual into CIE [WIC 4851(o) and 4868(d)], and the individual is still competitively employed after 30 consecutive days.
2. An additional payment of one thousand two hundred fifty dollars (\$1,250) shall be made to the service provider for an individual described in paragraph (1) who remains in CIE for six consecutive months.
3. An additional payment of one thousand five hundred dollars (\$1,500) shall be made to the service provider for an individual described in paragraphs (1) and (2) who remains in CIE for 12 consecutive months.

✓ **Paid Internship Program**

Welfare and Institutions Code (WIC) was amended to add section 4870 (enclosed) to encourage competitive integrated employment (CIE) for individuals with developmental disabilities (consumers). CIE is full- or part-time work for which an individual is paid minimum wage or greater in a setting with others who do not have disabilities. Section 4870 authorizes funding to the Department of Developmental Services (Department) for a paid internship program. The purpose of the program is to increase the vocational skills and abilities of consumers who choose, via the Individual Program Plan (IPP) process, to participate in an internship. Goals of this program include the acquisition of experience and skills for future paid employment, or for the internship itself to lead to full-time or part-time paid employment in the same job.

**Additional Information is available on the following web sites:**

<http://www.dds.ca.gov//ratechangesJuly2016/index.cfm>

<http://www.arcnet.org/docs/abx2-1.pdf>

• **AB1606 Regional Center (DD Trailer Bill) Approved by Governor Brown on 6-27-16**

Existing law requires the State Department of Developmental Services to establish guidelines and oversee a program, to the extent funds are appropriated in the annual Budget Act for this purpose, to increase paid internship opportunities for individuals with developmental disabilities, as specified, and to fund incentive payments for these internships on and after July 1, 2016. Existing law requires the program to be administered by community service providers, subject to specified criteria. On and after July 1, 2016, existing law also provides incentive payments for purposes of increasing employment placements by providers of supported employment services, as specified.

The bill would require the individual placed for employment to be employed for at least 30 days in order for a provider to receive the first incentive payment for an initial employment placement

under these provisions. The bill would clarify that these payments are not available to providers that place individuals into internships, until the individual transitions into a competitive integrated employment placement. The bill would provide that these incentive payments apply to regional center service providers, rather than providers of supported employment services, and would prohibit payments made under the program from being in addition to specified placement payments for supported employment services. The bill would make other clarifying changes to these provisions with regard to payments, as specified.

**SEC. 16.**

Section 4870 of the Welfare and Institutions Code is amended to read:

**4870.**

(a) To encourage competitive integrated employment opportunities statewide for individuals with developmental disabilities, the department shall establish guidelines and oversee a program, to the extent funds are appropriated in the annual Budget Act for this purpose, to increase paid internship opportunities for individuals with developmental disabilities that produce outcomes consistent with the individual program plan. The department shall consult with the State Council on Developmental Disabilities, regional centers, employers, supported employment provider organizations, and clients' rights advocates, to establish a program that shall be administered by community service providers and that meets all of the following criteria:

(1) Payments for internships shall not exceed ten thousand four hundred dollars (\$10,400) per year for each individual placed in an internship.

(2) Placements shall be made into competitive, integrated work environments.

(3) Placements shall be made into internships that develop skills that will facilitate paid employment opportunities in the future.

(4) Regional centers shall increase awareness of these internships to consumers outside of current employment programs through outreach to consumers once the program is implemented, as well as during the individual program plan process.

(b) The department shall require annual reporting by regional centers and vendors that ensures program accountability and achievement of program goals. This shall include, but is not limited to, all of the following:

(1) The number of interns placed who might not otherwise have achieved the placement absent this internship program.

(2) Types of employment in which interns are placed.

(3) Length of internships.

(4) Demographic information of interns.

(5) Amount of each intern placement payment.

(6) Employment-related supports provided by another agency or individual to the intern.

(7) Number of interns who subsequently entered paid employment, including salary and benefit information.

(8) Any additional information, as determined by the department.

(c) The department shall include in its annual May Revision fiscal estimate a description of the implementation of the program, including, but not limited to, a description of the stakeholder consultation, the data described in subdivision (b), aggregated by regional center and statewide, and any recommendations for program changes that may be necessary or desirable to maximize program effectiveness and accountability.

(d) Consistent with the individual program plan, the program shall increase sustained and appropriate competitive integrated employment placements by regional center service providers, as follows:

(1) A payment of one thousand dollars (\$1,000) shall be made to the regional center service provider that, on or after July 1, 2016, places an individual into competitive integrated

employment, and the individual is still competitively employed after 30 consecutive days, as described in subdivision (o) of Section 4851 and subdivision (d) of Section 4868.

(2) An additional payment of one thousand two hundred fifty dollars (\$1,250) shall be made to the regional center service provider for an individual described in paragraph (1) who remains in competitive integrated employment for six consecutive months.

(3) An additional payment of one thousand five hundred dollars (\$1,500) shall be made to the regional center service provider for an individual described in paragraphs (1) and (2) who remains in competitive integrated employment for 12 consecutive months.

(e) Regional centers shall annually report to the department the payments for placements pursuant to subdivision (d). The information shall be reported in a format determined by the department, and shall include the number of individuals placed in internships or other employment as described in this section each year.

(f) The payments made pursuant to this section shall not be in addition to the placement payments made pursuant to subdivision (d) of Section 4860.

(g) Regional center service providers that place individuals into internships under subdivision (a) are not eligible for the employment placement incentives under this section, until the individual is transitioned into a competitive integrated employment placement that is not funded as an internship.

**For additional Information, please see:**

[https://leginfo.legislature.ca.gov/faces/billTextClient.xhtml?bill\\_id=201520160AB1606](https://leginfo.legislature.ca.gov/faces/billTextClient.xhtml?bill_id=201520160AB1606)

- **ABLE (Achieving a Better Life Expectancy) ACT 2014 HR 647 12-19-14**

The Stephen Beck, Jr. Achieving a Better Life Experience (ABLE) Act became law on December 19, 2014. It creates a new option for some people with disabilities and their families to save for the future, while protecting eligibility for public benefits.

ABLE Accounts, which are tax-advantaged savings accounts for individuals with disabilities and their families, will be created as a result of the passage of the Stephen Beck Jr., Achieving a Better Life Experience Act of 2014 or better known as the ABLE Act. The beneficiary of the account is the account owner, and income earned by the accounts will not be taxed. Contributions to the account made by any person (the account beneficiary, family and friends) will be made using post-taxed dollars and will not be tax deductible, although some states may allow for state income tax deductions for contribution made to an ABLE account.

Millions of individuals with disabilities and their families depend on a wide variety of public benefits for income, health care and food and housing assistance. Eligibility for these public benefits (SSI, SNAP, Medicaid) require meeting a means or resource test that limits eligibility to individuals to report more than \$2,000 in cash savings, retirement funds and other items of significant value. To remain eligible for these public benefits, an individual must remain poor. For the first time in public policy, the ABLE Act recognizes the extra and significant costs of living with a disability. These include costs, related to raising a child with significant disabilities or a working age adult with disabilities, for accessible housing and transportation, personal assistance services, assistive technology and health care not covered by insurance, Medicaid or Medicare.

For the first time, eligible individuals and their families will be allowed to establish ABLE savings accounts that will not affect their eligibility for SSI, Medicaid and other public benefits. The legislation explains further that an ABLE account will, with private savings, "secure funding for disability-related expenses on behalf of designated beneficiaries with disabilities that will

supplement, but not supplant, benefits provided through private insurance, Medicaid, SSI, the beneficiary's employment and other sources."

**Additional Information is available at:**

[www.ablenrc.org](http://www.ablenrc.org)

- **CaABLE ACT 10-14-15**

In 2015 Governor Brown signed the California ABLE Act into law. Achieving a better life experience (ABLE) accounts allow people with disabilities and their families to open tax-free savings accounts without fear of losing vital government assistance. The law establishes a board that will administer the ABLE savings program made possible by federal legislation signed by President Obama. Internal Revenue Service (IRS) rules for determining program eligibility were finalized in November of 2015. An ABLE account is a tax-advantaged savings account that can be established for the benefit of qualified individuals with disabilities. Contributions to the account, currently limited to \$14,000 per year, can be made by family, friends, or the beneficiary themselves. The account's earnings are allowed to accumulate tax-free, and the withdrawals, provided they are applied to qualifying disability expenses, are tax-free. One of the biggest benefits of the ABLE account is that the savings held in the account, up to a current \$100,000 limit, is not counted against the \$2,000 limit on personal assets for individuals to qualify for public benefits.

The CalABLE program, is expected to open in Summer 2017. Once operational, it will open-up life-improving opportunities for California's disabled and their families in much the same way ScholarShare 529 plans opened educational opportunities to California's students. The treasurer's office has administered the ScholarShare savings program for the past 16 years.

**Additional Information is available at:**

<http://treasurer.ca.gov/able/>

**Email questions to:** Executive Director, Christina Elliott  
calable@treasurer.ca.gov, (916) 653-1728

- **Adult Education Block Grant AB104 (AEBG)**  
(Community Colleges & Adult Education Programming)

With the passage of the AB 104 Budget Bill, AB 86 began the transition from planning to implementation. As AB 86 becomes the Adult Education Block Grant (AEBG), the CCCCCO and the California Department of Education (CDE) continue to work in partnership to implement the requirements outlined in the Adult Education Block Grant. They will continue to provide guidance and solicit feedback from the 70 consortia in California, throughout the implementation process.

The Chancellor of the California Community Colleges and the Superintendent of Public Instruction shall administer the Adult Education Block Grant to identify and understand the educational needs of adults and to support the effective provision of services to address those needs in all regions of the state. Funds apportioned for the program must be used for the following:



- ✓ Programs in elementary and secondary basic skills, including programs leading to a high school diploma or high school equivalency certificate.
- ✓ Programs for immigrants eligible for educational services in citizenship, English as a second language, and workforce preparation.
- ✓ Programs for adults, including, but not limited to, older adults, that are primarily related to entry or reentry into the workforce.
- ✓ Programs for adults, including, but not limited to, older adults, that are primarily designed to develop knowledge and skills to assist elementary and secondary school children to succeed academically in school.
- ✓ Programs for adults with disabilities.
- ✓ Programs in career technical education that are short term in nature and have high employment potential.

Programs offering pre-apprenticeship training activities conducted in coordination with one or more apprenticeship programs approved by the Division of Apprenticeship Standards for the occupation and geographic area.

**Orange County has 4 AEBG Programs:**

- [North Orange County Regional Consortium for Adult Education](#)
- [Rancho Santiago Adult Education Consortium](#)
- [Coast Adult Education Consortium](#)
- [South Orange County Regional Consortium](#)

Specific information on these programs are available at:

<http://aebg.cccco.edu/Home>

- **California Career Pathways Trust**

In July 2014, the California Legislature passed and the Governor signed into law the California *Education Code*, sections 53010 through 53016, and the Budget Act of 2014, Statutes 2014, creating the California Career Pathways Trust. Funds in the amount of \$250 million have been made available to school districts, county superintendents of schools, direct-funded charter schools, regional occupational centers or programs operated by a joint powers authority, and community college districts in the form of one-time competitive grants. Grants have been awarded for kindergarten through grade fourteen career pathways programs that accomplish the following:

- ✓ Fund specialists in work-based learning, as defined in Section 51760.1 of the Education Code, to convene, connect, measure, or broker efforts to establish or enhance a locally defined career pathways program that connects school districts, county superintendents of schools, charter schools, and community colleges with business entities.
- ✓ Establish regional collaborative relationships and partnerships with business entities, community organizations, and local institutions of postsecondary education.
- ✓ Develop and integrate standards-based academics with a career-relevant, sequenced curriculum following industry-themed pathways that are aligned to high-need, high-growth, or emerging regional economic sectors.
- ✓ Provide articulated pathways to postsecondary education aligned with regional economies.
- ✓ Leverage and build on any of the following:
  - Existing structures, requirements, and resources of the Carl D. Perkins, California Partnership Academies, and regional occupational programs, including staff knowledge, community relationships, and course development.
  - Matching resources and in-kind contributions from public, private, and philanthropic sources.

- The California Community Colleges Economic and Workforce Development Program and its sector strategies and deputy sector navigators.
- Participation in the local California Community Colleges Skills Panel.

**For additional information, please see:**

<http://www.cde.ca.gov/ci/ct/pt/index.asp>

- **Chapman University Thompson Policy Initiative**

The Thompson Policy Institute (TPI) on Disability and Autism is a new think tank that will gather data and develop its own independent research to study and, when appropriate, advocate on topics surrounding the issues of disability and autism. The Institute's aim will be to educate policymakers and decision-makers on these topics toward improving the quality of lives of children and adults with disabilities and their families.

- ✓ Our work feeds decisions-makers at all levels. If a group makes decisions that will impact disability issues, they are stakeholders. These groups range from legislators to school-agency leaders to families and those with disabilities.
- ✓ Based on the feedback from our community, we systematically select critical issues on which to focus. Resulting projects may be in-depth investigations or brief reports. The TPI will expand and update each report as needed.
- ✓ Throughout the year, the TPI holds frequent gatherings, both in person and online, covering key topics in disability and Autism. In addition, an annual DisAbility Summit is held during the month of May.

In July of 2016 the TPI Transition Initiative Leadership Team was formed to promote successful movement of individuals with disabilities from the K-12 System to the community including: employment, post-secondary education and independent living. Membership includes: Families, Individuals with Disabilities, Regional Center of Orange County, Department of Rehabilitation, Local Education Agencies, Community Colleges, Mental Health Professionals, Disability Advocacy Groups, and Chapman University Faculty. One project this group will be overseeing is the TPI Regional Business Advisory Committee which will work with business partners to promote work-based learning, employment and career ladder opportunities for individuals with a wide range of disabilities including those with Autism.

**For additional information, please see:**

<https://www.chapman.edu/ces/research/thompson-policy-institute/index.asp>

- **Project Search Programs**

(CHOC, Hoag Hospital Newport Beach, Mission Hospital & Medtronic... additional projects are currently being developed.)

Project SEARCH California is part of an internationally recognized program dedicated to building a workforce that includes people with disabilities — which benefits the individual, the community and the workplace.

Project SEARCH California facilitates partnerships between businesses, employment service agencies, and schools and vocational education programs. Together, the partners identify employment opportunities, train and hire appropriate candidates, and provide ongoing support to help these motivated employees transition to self-support with productive careers.

- ✓ The education partner, which can be a school or vocational program, coordinates and manages the instructional aspects of the transition program.

- ✓ The service provider, often a supported employment agency, works with the business to identify essential skills needed for employment and consults with the school to develop suitable internships.
- ✓ The business partner integrates the interns or employees into its workforce, provides classroom space for training, and internally promotes the program.

**For more information, please see:**

<http://projectsearchca.org/>

## ● **CaPROMISE Initiative**

The California Department of Rehabilitation (CDOR) in partnership with several other State Departments (DDS, HHS, CDE, & EDD), 18 local educational agencies (LEAs) and San Diego State University's Interwork Institute (SDSU-II) are currently in their third of five years of program implementation. The California Promise Initiative (CaPROMISE) represents the opportunity for multiple organizations, working in partnership, to provide a coordinated set of services and supports to child SSI recipients ages 14-16 and their families designed to increase economic self-sufficiency. CaPROMISE is funded through a cooperative agreement U.S. Department of Education, Office of Special Education Programs (OSEP) Grant #H418P130003.

### **Outcomes**

- ✓ Recruitment of 3,078 eligible child SSI recipients
- ✓ Increased education attainment
- ✓ Increased access to community services based on individual need
- ✓ Improved employment outcomes
- ✓ Increased exploration, understanding and utilization of SSA work incentives
- ✓ Improved understanding of financial and benefits planning
- ✓ Post-program reduction in SSI payments

**For more information, please see:**

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

## ● **Disability Employment Initiative (DEI) 9-14-16**

The Disability Employment Initiative (DEI) aims to improve education, training and employment opportunities and outcomes for adults with disabilities who are unemployed, underemployed and/or receiving Social Security disability benefits. ODEP jointly funds and administers the DEI with DOL's Employment and Training Administration (ETA). DEI funds help refine and expand workforce strategies proven to be successful, and enhance inclusive service delivery through the public workforce system. Improvements include increasing the accessibility of [American Job Centers](#), training front-line AJC and partner staff, and increasing partnerships and collaboration across numerous systems critical for assisting youth and adults with disabilities in securing meaningful employment.

Grantees of this year's awards will use the funds to:

- ✓ Improve employment outcomes and increase the number of individuals with disabilities who earn credentials.
- ✓ Provide more and diversified job-driven training opportunities.
- ✓ Facilitate academic and employment transition among youth.
- ✓ Incorporate flexible approaches to designing and providing training and supportive services, including customized employment strategies to help jobseekers with significant disabilities.
- ✓ Build effective community partnerships and collaborations across multiple service delivery systems and the effective blending and braiding of resources.
- ✓ Promote more active engagement with the business sector.

- **California Innovations Work-Based Learning Initiative (Ca Innovations) 9-27-16)**

This grant was funded by the US Department of Education. The purpose of Ca Innovations is to ensure a career relevant focus in the attainment of Competitive Integrated Employment (CIE) and post-secondary education (PSE) for students with disabilities. The goal of CA Innovations is: Increased economic self-sufficiency, through planned education, work-based learning experiences, and CIE for students with disabilities. The goal is operationalized through six objectives:

- ✓ Design and implement the project for at least 800 students with disabilities who are between the ages of 16 to 21 and have either an IEP or 504 plan.
- ✓ Provide evidence of non-paid career focused internships for at least 90% of the participating students.
- ✓ Provide evidence of paid career focused internships for at least 75% of the participating students.
- ✓ Enroll at least 90% of the participating students in career pathways programs and/or collaborations.
- ✓ Ensure that at least 75% of the participating students enter a PSE program and/or obtain CIE in a career setting for a minimum of 20 hours per week.
- ✓ Implement a 5-year research and demonstration protocol that assesses formative, progress and outcome measures for students with disabilities.

- **Self Determination Program**

The Department of Developmental Services is developing a new program, called the Self-Determination Program that will let participants have more control over selecting their services and supports. One of the ways this can be done is by giving participants (or their parents or legal representatives) a specific budget to purchase the services and supports that they need to make their person centered plan work better for them. Participants may choose their services and pick which providers deliver those services. Participants are responsible for staying within their annual budget.

The Self-Determination Program is based on beliefs that people --

- ✓ Plan their own lives and make their own decisions
- ✓ Determine how funding is spent for their services and supports
- ✓ Plan and choose their own formal and informal supports
- ✓ Take responsibility for the decisions made
- ✓ Validate those decisions through maintaining ongoing control

**The five principles of self-determination are --**

- ✓ **Freedom** to exercise the same rights as all citizens; to establish, with freely chosen supports, family and friends, where they want to live, with whom they want to live, how their time will be occupied, and who supports them;
- ✓ **Authority** to control a budget in order to purchase services and supports of their choosing;
- ✓ **Support**, including the ability to arrange resources and personnel, which will allow flexibility to live in the community of their choice;
- ✓ **Responsibility**, which includes the opportunity to take responsibility for making decisions in their own lives and accept a valued role in their community, and,

✓ **Confirmation**, in making decisions in their own lives by designing and operating the service that they rely on.

For additional information please refer to:

<http://www.dds.ca.gov/sdp/sdpInformation.cfm>

**AB1606 Regional Center (DD Trailer Bill) Approved by Governor Brown on 6-27-16  
Self-Determination Program**

SEC. 12. Section 4685.8 of the Welfare and Institutions Code is amended to read:

(a) The department shall implement a statewide Self-Determination Program. The Self-Determination Program shall be available in every regional center catchment area to provide participants and their families, within an individual budget, increased flexibility and choice, and greater control over decisions, resources, and needed and desired services and supports to implement their IPP. The statewide Self-Determination Program shall be phased in over three years, and during this phase-in period, shall serve up to 2,500 regional center consumers, inclusive of the remaining participants in the self-determination pilot projects authorized pursuant to Section 13 of Chapter 1043 of the Statutes of 1998, as amended, and Article 4 (commencing with Section 4669.2) of Chapter 5. Following the phase-in period, the program shall be available on a voluntary basis to all regional center consumers, including residents in developmental centers who are moving to the community, who are eligible for the Self-Determination Program. The program shall be available to individuals who reflect the disability, ethnic, and geographic diversity of the state. The Department of Finance may approve, upon a request from the department and no sooner than 30 days following notification to the Joint Legislative Budget Committee, an increase to the number of consumers served by the Self-Determination Program before the end of the three-year phase-in period.

(b) The department, in establishing the statewide program, shall do both of the following:

(1) For the first three years of the Self-Determination Program, determine, as part of the contracting process described in Sections 4620 and 4629, the number of participants each regional center shall serve in its Self-Determination Program. To ensure that the program is available on an equitable basis to participants in all regional center catchment areas, the number of Self-Determination Program participants in each regional center shall be based on the relative percentage of total consumers served by the regional centers minus any remaining participants in the self-determination pilot projects authorized pursuant to Section 13 of Chapter 1043 of the Statutes of 1998, as amended, and Article 4 (commencing with Section 4669.2) of Chapter 5 or another equitable basis.

**More Information is available at:**

[https://leginfo.legislature.ca.gov/faces/billTextClient.xhtml?bill\\_id=201520160AB1606](https://leginfo.legislature.ca.gov/faces/billTextClient.xhtml?bill_id=201520160AB1606)

- **California WorkAbility I (WAI)**

The WAI program is funded and administered by the CDE. The WAI program 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. Program services are appropriate to individual student needs, abilities, and interests. The WAI program offers students with an Individualized Education Program (IEP) the opportunity to complete their secondary education while also obtaining marketable job skills. WAI provides secondary students with an understanding of job seeking and job keeping skills. The employability of students improves through occupational class training and on-the-job subsidized or unsubsidized work experience.

The WAI program seeks employers in the business community who will give students with special needs a chance to prove themselves in a competitive integrated employment setting. Local program sites successfully coordinate state and local service providers to offer comprehensive services tailored to local economic, social, and geographic needs and abilities. Two year follow-along support services provided by local program staff greatly increase the potential for student employment success.

**For more information, please see:**

<http://www.cde.ca.gov/sp/se/sr/wrkabtyl.asp>

- **Transition Partnership Programs (TPP)**

The Transition Partnership Program builds partnerships between local education agencies and the Department of Rehabilitation (DOR) for the purposes of successfully transitioning high school students with disabilities into meaningful employment and/or post-secondary education.

Statewide there are more than 100 Transition Partnership Programs administered through contractual agreements with school districts and county offices of education. Under these agreements, the DOR assigns vocational rehabilitation counselors to be actively involved with the students and local education agencies. The DOR counselor determines eligibility and provides enhanced vocational rehabilitation services for at least one year prior to the student's graduation. The local education agency provides exclusive training and enhanced vocational programming to enable students to achieve employment utilizing community-based instruction, vocational and work-site training, job placement, and follow-up services upon graduation.

**For additional information, please see:**

<http://www.dor.ca.gov/Vocational-Rehabilitation.html>

- **College to Career Program (C2C)**

The College to Career (C2C) program is designed to serve individuals who have an Intellectual Disability (ID) as defined by the Higher Education Opportunity Act (HEOA), (title VII, Part D, sec. 760) as follows:

Student with an intellectual disability means a student—

(1) With mental retardation or a cognitive impairment characterized by significant limitations in—

(i) Intellectual and cognitive functioning; and

(ii) Adaptive behavior as expressed in conceptual, social, and practical adaptive skills; and

(2) Who is currently, or was formerly, eligible for special education and related services under the Individuals with Disabilities Education Act (IDEA) (20 U.S.C. 1401), including a student who was determined eligible for special education or related services under the IDEA but was home-schooled or attended private school.

(Authority: 20 U.S.C. 1091, 1140)

In addition to meeting the above definition, C2C participants must be consumers of and receive services from DOR and the local Regional Center inclusive of the following diagnoses: mental retardation, cerebral palsy, autism and epilepsy.

These training programs, which have been developed in collaboration with the Chancellor's Office of the California Community Colleges, will provide vocational instruction, job development and

placement services that will result in the workforce preparation and competitive employment of students with ID in a career area commensurate with their DOR IPE. The programs are designed to serve students with ID who are eligible for services by California Regional Centers serving persons with intellectual/developmental disabilities and the California Department of Rehabilitation.

### **College to Career (C2C) at the North Orange County Community College**

**District, School of Continuing Education** is a three-year program designed for students with intellectual disabilities (ID) to obtain academic and vocational training at the Anaheim, Cypress, and Wilshire campuses. The goal of C2C is to increase students' self-reliance and employability. The program provides on-campus instruction, a range of adaptive equipment, tutoring, educational coaching, and opportunities for students to work independently on instructional modules. Program focus areas are: college course access, employment, and self-determination. Students take the following types of courses: Typical Continuing Education courses, typical college credit courses, Vocational preparation and Travel training.

**For more information, please see:**

<https://www.semel.ucla.edu/opendoors/program/school-continuing-education>

- **Workability II, III & IV**

**WorkAbility II**—The WorkAbility II Program serves adults and out-of-school youth with disabilities. These programs are administered through cooperative agreements with LEAs, adult schools, and Regional Occupational Programs (ROPs). These LEAs and ROPs furnish the non-federal share of costs either through a certified expenditure or cash match. The certified expenditures from the LEAs/ROPs are provided by redirected education staff providing unique patterns of VR services exclusively to DOR student consumers. Consumers are referred to the WorkAbility II Programs by their SVRC for enhanced in-plan VR services which include vocational and basic skills assessment, specific job skills training, pre-employment preparation, worksite evaluation, job placement, job coaching, and ongoing follow-up after vocational placement. These contracted services are unique or expanded from the educational services the LEA is legally mandated or required to provide. They are new, enhanced or added services that meet the local needs of DOR consumers and are available only to consumers of the DOR.

**WorkAbility III**—The WorkAbility III Program serves individuals with disabilities who are both community college students and DOR consumers desiring and in need of employment. These programs are administered through cooperative agreements with community colleges. The community colleges furnish the non-federal share of costs either through certified expenditures or cash match. The certified expenditures from the community colleges are provided by redirected education staff providing unique patterns of VR services exclusively to DOR student consumers. Consumers are referred to the WorkAbility III Programs by their SVRC for enhanced in-plan vocational services. Augmented services include vocational assessment, career development, work experience, job search skills training and job development and placement. The services in the WorkAbility III agreements are not the educational services that the Community College is legally mandated or required to provide. They are new, enhanced or added services that meet the local needs of DOR consumers and are available only to consumers of the DOR.

**WorkAbility IV** — The WorkAbility IV Program serves individuals who are DOR consumers and either California State University (CSU) students or University of California (UC) students, desiring and in need of employment. These programs are administered through cooperative agreements with CSU and UC. These universities furnish the non-federal share of costs through certified expenditures. The certified expenditures from the universities are provided by redirected university staff providing unique patterns of VR services exclusively to DOR student consumers. Consumers are referred to the WorkAbility IV program by their SVRC for in-plan VR services. The DOR consumers receive specialized

vocational services such as job development and placement, job search skills instruction, work experience and internships, employment related counseling, and job retention services to student consumers and employers. The services in the WorkAbility IV agreements are not educational services that the CSU or UC campus is legally mandated or required to provide. They are new, enhanced or added services that meet the local needs of DOR consumers and are available only to consumers of the DOR.

**L. ONeal, 12-1-16**