



# CA Transition Alliance Watch and Review of Legislation, Regulation and Trends July, 2014



**Watch:** The Office of Special Education and Rehabilitation Services is shifting its emphasis from compliance with writing transition language in the IEP to a focus on educational results (inclusion and performance on state testing) and transition outcomes. These outcomes focus on employment, postsecondary education and enrollment in career-technical training. For more information check out the national Post-school Outcomes Center at [psocenter.org](http://psocenter.org)

Congress passed two laws that include language in support of youth with disabilities. The Work Innovation and Opportunity Act (WIOA). In terms of transition, WIOA focuses vocational rehabilitation (VR) outcomes on competitive, integrated employment and promotes greater emphasis on transition services for youth with disabilities. WIOA also provides increased emphasis between VR and other agencies, including school systems, extends the initial time period for VR supported employment services and modifies eligibility determination to promote access to VR by people with the most significant disabilities. The WIOA also addresses issues related to job training programs and regional sector

**At the state level,** it is important to advocate for youth with disabilities in these initiatives:

**Adult Education (AB 86):** Planning consortiums are formed to coordinate adult education at the district and community college level. Several consortiums of community colleges have received funding for **Career Pathway Trust programs**.

## Change is Happening for ID/DD Youth in Transition!

June 22, 1999, the United States Supreme Court held the *Olmstead v L.C.* that unjustified segregation of persons with disabilities constitutes discrimination in violation of Title II of the Americans with Disabilities Act. The Court held that public entities must provide community-based services to persons with disabilities when (1) such services are appropriate; (2) the affected persons do not oppose community based treatment; and (3) community-based services can be reasonably accommodated, taking into account the resources available to the public entity and the needs of others who are receiving disability services from that entity.

In 2009, the Civil Rights Division launched an aggressive effort to enforce the Supreme Court's decision in *Olmstead v L.C.* and requires states to eliminate unnecessary segregation of persons with disabilities and to ensure that persons with disabilities receive services in the most integrated setting appropriate to their needs.

The intent of these rulings is to eliminate the practice of placing individuals in segregated work, living and recreational environments on the basis of their disability. It requires that all planning is person-centered and focuses on attributes. An outline of the future of services for individuals with disabilities with ID/DD is defined in the DOJ Findings Letter to Rhode Island (2014). The United States issued a statewide Findings Letter in January 2014 concluding that the State of Rhode Island is violating Title II of the ADA by unjustifiably and unnecessarily segregating persons with intellectual or developmental disabilities (ID/DD) in its day activity service system, including sheltered workshops and facility-based day programs, instead of providing such persons the opportunity to receive integrated supported employment and integrated day services that would enable them to interact with non-disabled individuals to the fullest extent possible. For more information about these cases, visit the website [www.ada.gov/olmstead/index.htm](http://www.ada.gov/olmstead/index.htm)

Based on these decisions, several actions have been taken at the federal level.

**Employment First** is a concept to facilitate the full inclusion of people with the most significant disabilities in the workplace and community. Under the Employment First approach, community-based, integrated employment is the first option for employment services for youth and adults with significant disabilities. A priority of the Employment First Initiative is ICE (Integrated, Competitive Employment) which also focuses on the Reduction and/or Elimination of Sub-minimum Wages.

# We are pleased to announce the Bridge to the Future II Secondary Transition Institute will be held February 10-12, 2015.

## Look for details coming out soon!!!

In October, 2013 CA Governor Jerry Brown signed AB 1041 into law for California. Agencies are working together as a consortium through CECY (California Consortium for Youth). As we work to improve opportunities for students who are ID/DD to transition from school to competitive employment, we need to strengthen preparation for **integrated** employment- earning **competitive wages** for everyone who can work. Employment First Initiatives also support developing micro-enterprises and self employment. This is a significant systemic change for students, families and supportive adults. For more information visit the CECY website at [www.semal.ucla.edu/cecy](http://www.semal.ucla.edu/cecy).

**College to Career Programs** are expanding. College to Career (C2C) is open to adults 22 and older who received a high school diploma. It is offered by [Harbor Regional Center](#) through a partnership between California MENTOR, [Long Beach City College](#), and [HOPE Inc.](#) C2C provides a range of educational and supported living services to help individuals experience all that college life has to offer. It focuses on integrated competitive employment as a primary outcome. <http://www.ca-mentor.com/adult-services/college-programs/college-to-career>

**Orange County Regional Center** has closed the doors to sheltered workshops for new consumers, including students transitioning to adult services. They are working with the agencies to develop new strategies that focus on ICE.

**WorkAbility I** has eliminated the use of subminimum wages for student

The California Promise Initiative (CA Promise) represents the opportunity for multiple organizations, working in partnership to provide a coordinated set of services and support to child SSI recipients ages 14-16 and their families. The initiative is designed to increase economic self-sufficiency.

What does this mean as we prepare youth with disabilities for successful transitions? It means we need to think differently and prepare youth for transition to integrated employment and community living.

<b>As we think about</b>	<b>We need to move from</b>	<b>To</b>
<i>Decisions</i>	<i>Decisions by agencies/Family</i>	<i>Self Directed with chosen help</i>
<i>Education</i>	<i>Day programs/Spec. Ed</i>	<i>Inclusive classrooms</i>
<i>Recreation</i>	<i>Segregated Program</i>	<i>Integrated social/rec. options</i>
<i>Employment</i>	<i>Sheltered Work</i>	<i>Work, Volunteer-Integrated Setting</i>
<i>Home</i>	<i>Institution / Group Home</i>	<i>House Condo/Apartment</i>
<i>Relationships</i>	<i>Paid staff, Family</i>	<i>Friends, Neighbors, Spouse</i>

Source LiveWorkPlay

**There are lots of questions and lots of challenges that need to be addressed.**

**How do we change our expectations and programs to meet these person-centered needs?**

- How do we provide adequate support to families and students at an early age to think about work as an option?
- How do we motivate students and families to work? How do we reduce dependence on SSI?
- How do we address the needs of individuals who cannot work and advocate for their them?
- How do we deal with subminimum wages when youths' transition destination continues the practice?
- How do we engage and support employers who are willing to provide employment opportunities?
- How do we fund adequate support services to find job opportunities, train staff and transitioning youth and family, to maintain employment, and job changing processes as we transition from sheltered work to ICE?
- How do we make the certificate of completion a meaningful document that demonstrates readiness for ICE?
- How do we engage youth in transition in adequate post-secondary training to prepare for ICE?
- How do we provide training for short term certification that may open doors to employment

Some helpful websites are

Office of Disability Employment Policy [www.dol.gov/odep](http://www.dol.gov/odep) Federal Government: [www.ed.gov](http://www.ed.gov)

Association of University Centers on Disability [www.aucd.org](http://www.aucd.org)

National Collaborative on Workforce and Disability [www.ncwd-youth.info](http://www.ncwd-youth.info)