

Fulfilling the WIOA Mandate of Competitive Integrated Employment

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Competitive Integrated Employment for ALL: What does this mean for students?

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CIE is Work performed on a full- or part-time basis (including self-employment) for which an individual:

- 1) Is compensated not less than minimum wage and not less than what is paid by the employer to other employees for similar work (* a self-employed individual with a disability who is making less than minimum wage in the start-up phase of a business venture can still meet the definition of CIE);
- 2) Is at a location where the employee interacts with other persons who do not have disabilities to the same extent of someone in a comparable position; and
- 3) Has opportunities for advancement....

Workforce Innovation and Opportunity Act (WIOA) of 2014, emphasizes CIE as the preferred Transition outcome for students with disabilities

[ACICIEID_Final_Report_9-8-16](#)



Rationale for the focus on increasing CIE:

- People with I/DD have the highest unemployment rates of people with disabilities;
- Unemployment rates of people receiving public mental health services are 3 times that of people without disabilities, and are the largest and fastest growing group of public disability benefit recipients;
- It has been shown that people thought to be “unemployable” when given opportunity and support can work, be productive, and achieve independence.

The Advisory Committee on Increasing Competitive Integrated Employment for Individuals with Disabilities

- Tasked with: identifying ways to increase employment for individuals with I/DD and other significant disabilities through opportunities for CIE;
- Examining the use of the certificate program under 14(c) of the FLSA to employ people for less than minimum wage.

[ACICIEID Final Report 9-8-16](#)

Advisory Committee Final Report:

Poor adult employment outcomes and poverty of young adults with significant disabilities are the result of:

- Limited access to work experience in secondary school,
- Disjointed service delivery,
- Challenges accessing necessary AT,
- Uneven access to information by families,
- Lack of staff training in CIE strategies.

[ACICIEID Final Report 9-8-16](#)

Work experience and CIE in high school are correlated with successful post-school employment...

- Work experiences throughout HS;
- Begin early in HS;
- Integrated, paid work before HS exit;
- Family expectation that the child will work;
- Families are supported to navigate the support systems for post-HS services.



[ACICIEID Final Report 9-8-16](#)

Communities where schools and agencies work together to support work experience and employment in high school have better employment outcomes.

- Vocational Rehabilitation
- Developmental Disabilities
- Workforce
- Schools
- Mental Health

[ACICIEID Final Report 9-8-16](#)



Examples of Collaboration for Work Experience and Paid Employment:

- Polson High School (2000-2004)

St. Joseph Hospital,
School, VR, SSA, Polson
Employers

○ ?????????

- Hamilton Middle School (2006-2007)
non-profit work
experiences for middle
schoolers;

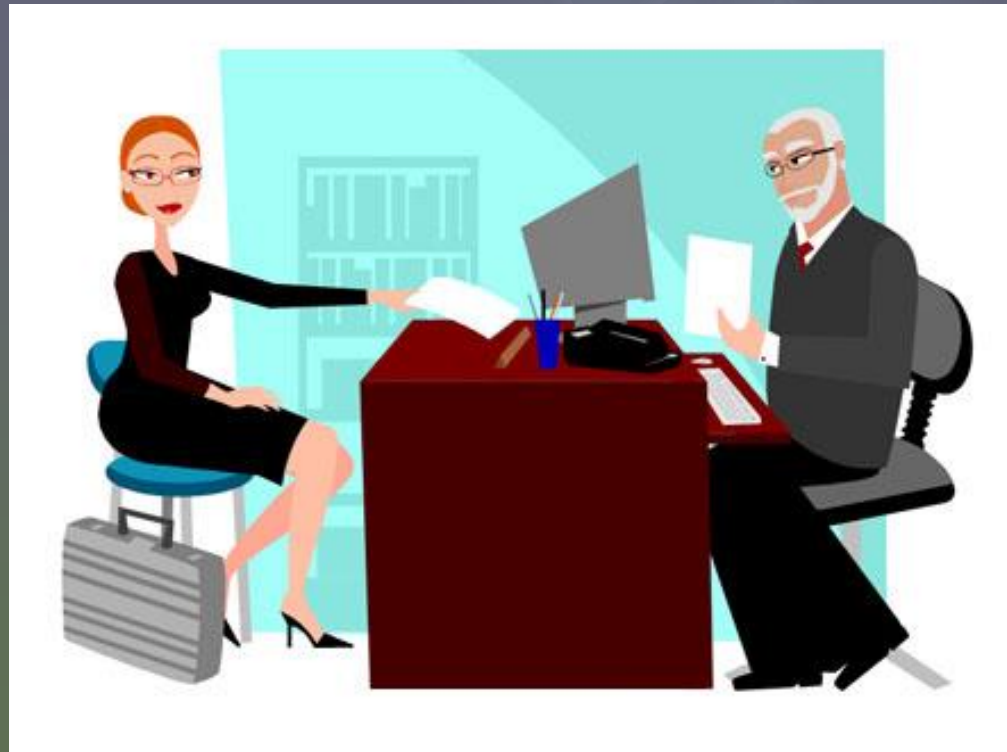
- Whitefish High School

Raising the Expectations of CIE for ALL Students



- Raise awareness of effective strategies for employment of people with significant disabilities (school staff, employers, VR, employment vendors, students and families)
- Engage, inform and support families to envision the possibility of employment

Typical Way to Get a Job



Not Everyone Competes Well

- Competing against the job description
- Other applicants
- The employer's perception of what skills and abilities he/she needs
- Employer's definition of "work"

Customized Employment

According to DOL:

Customized employment means individualizing the relationship between employees and employers in ways that meet the needs of both.

It is based upon an individualized determination of the strengths, needs and interests of the person with a disability, and is also designed to meet the specific needs of an employer.

Customized Job Development

Job Seeker Initiates

- Job seeker's skills, tasks & contributions are emphasized
- Employers are contacted because their needs might match what the job seeker brings
- Job seeker or representative presents a proposal
- A position is negotiated

Employer Reacts

- *Considers proposal*
- *Reviews their unmet needs or allows developer to ID unmet needs*
- *If a match is identified, a new job description is created*

Infusing customized employment strategies into the IEP and Pre-ETS services:

- Use assessment strategies that lead to careers and employment;
- Set the goal of CIE BEFORE high school exit;
- Match students' work experiences to their needs, abilities and interests;
- Offer students an evolution of work experiences that leads to CIE before exit, with ongoing supports in place.
- VR assessments;
- Age-Appropriate Transition Assessments;
- Infuse Discovery into day-to-day school activities;
- Engage, involve and empower family members.

WIOA's Impact on Employment Services:

- Mandated collaboration between Education and VR
- Focus on students (age 14 and up)
- 15% of budget spent on Students with Disabilities
- Preferred outcome of CIE
- Customized Employment & Supported Employment

CIE for People with Significant Disabilities

- “Research on supported employment services has yielded best practices for ensuring that individuals with disabilities are able to engage in employment in the most integrated setting appropriate, including ensuring that the employment services are individualized, sufficiently intense and of sufficient duration, provided in integrated settings and designed to achieve competitive integrated employment.”
- “PWD in or at risk of entering segregated employment settings must have the opportunity to make an informed decision about whether or not to work in an integrated employment setting.”

10/31/16 DOJ Guidance on Integration

Role of Education

- “Offer timely and adequate transition services designed to allow students to understand and experience the benefits of work in an integrated setting.”
- “A school may be seen as putting students at risk of institutionalization and segregation if they are training students in tasks similar to those performed in sheltered workshops; encouraging students to participate in sheltered workshops; and/or routinely referring students to sheltered workshops as a postsecondary placement without offering such students opportunities to experience integrated employment.”

The Americans with Disabilities Act Integration Mandate

- Public entities are required to “administer services, programs, and activities in the most integrated setting appropriate to the needs of the qualified individuals with disabilities”
- Most integrated setting “is a setting that enables individuals with disabilities to interact with nondisabled persons to the fullest extent possible”
- Competitive integrated employment is at a location where the employee interacts with individuals without disabilities and has access to the same opportunities for benefits and advancement provided to non-disabled workers

10/31/16 DOJ Guidance on Integration

The Americans with Disabilities Act Integration Mandate

- “A segregated setting includes settings that are managed, operated, or licensed by a service provider to serve primarily people with disabilities or whose workers are exclusively or primarily individuals with disabilities who are supervised by paid support staff. Employment services provided to a person in a sheltered workshop, or to a group of employees with disabilities who routinely work in isolation from the non-disabled peers or coworkers or who do not interact with customers or the general public in a manner similar to workers without disabilities performing similar duties, are examples of services provided in a segregated employment setting.”

Resources

- Advisory Committee on Increasing Competitive Integrated Employment for Individuals with Disabilities Final Report
https://www.dol.gov/odep/topics/pdf/ACICIEID_Final_Report_9-8-16.pdf
- Statement of the Department of Justice on Application of the Title II of the Americans with Disabilities Act and Olmstead v L.C. to State and Local Governments' Employment Service Systems for Individuals with Disabilities
https://www.ada.gov/olmstead/olmstead_guidance_employment.pdf
- <http://www.wintac.org/topic-areas/pre-employment-transition-services/resources>

How can schools use their Pre-ETS funding to increase CIE for students with disabilities?

How can the Pre-ETS TAC assist?

Questions?

