Established in 1985, the mission of Equip for Equality is to advance the human and civil rights of people with disabilities in Illinois. Equip for Equality is a private not-for-profit legal advocacy organization designated by the governor to operate the federally mandated Protection and Advocacy System (P&A) to safeguard the rights of people with physical and mental disabilities, including developmental disabilities and mental illness. For more information about Equip for Equality go to http://www.equipforequality.org/about/mission/
EXECUTIVE SUMMARY

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EXECUTIVE SUMMARY

This Blueprint provides policymakers and stakeholders in Illinois with specific recommendations and action steps to ensure that competitive, integrated employment is the first option for all people with disabilities, a concept known as Employment First. Illinois has taken important first steps towards Employment First, including enactment of the Illinois Employment First Act and the issuance of an Employment First Executive Order. The challenge is now for Illinois to realign and modernize the states’ disability service system. Action must be taken to translate that policy into positive changes for people with disabilities.

In recent years, the state of Illinois has made significant changes in its service system to enable people with disabilities to leave residential institutions and move to community living, consistent with the community integration mandate of the Americans with Disabilities Act and the U.S. Supreme Court’s decision in Olmstead. Despite the steady movement of people with disabilities out of institutional living situations, many continue to spend their days in segregated settings. Effectively implementing Employment First is critical to people with disabilities achieving meaningful community integration.

People with disabilities want to be integrated into every facet of community living, including the workplace. Despite this desire, 25 years after the passage of the Americans with Disabilities Act, nationally only 20% of people with disabilities are employed. In Illinois, only six percent of people with developmental disabilities are employed in integrated settings.

Based on national research of state laws, policies, programs and services, the Blueprint presents a series of recommendations to reform the Illinois service delivery system to bring it in line with Employment First. The report also highlights promising practices from other states to serve as models for Illinois’ reform efforts.

Governor Quinn supported funding of this project, recognizing the importance of conducting research on other states’ efforts to implement Employment First initiatives in order to learn from their experiences. The Blueprint recommendations focus on six areas: current employment services, supported employment funding and rates, use of segregated settings, transition services, data collection, and engagement of employers and workforce development.

Current Employment Services

Current employment services offered in Illinois, including supported employment, are under-utilized and overly bureaucratic. Supported employment provides personalized supports for people with significant disabilities to find and retain paid employment. Consistent with Employment First, it is founded on the principle that with the proper supports, any person, regardless of the nature or extent of his or her disability, can be gainfully employed. Only 4.3 percent of people with disabilities receiving vocational rehabilitation services have supported employment as a goal.
Many are deemed ineligible based on presumptions about their employability. Vocational rehabilitation counselors are often unwilling to open a supported employment case, in part due to a misunderstanding of what services may be provided by different agencies at the same time. This is compounded by the fact that supported employment services through the Division of Rehabilitation Services are limited to 18 months, greatly hindering their effectiveness. While it is possible to receive supported employment services under one of the Medicaid Home and Community-Based Services waivers when those services have expired, transitioning between funding streams is difficult and cumbersome.

Supported employment services for people with serious mental illnesses have been successfully provided using the Individualized Placement and Support model, but due to inadequate funding there are an insufficient number of qualified providers delivering these services.

**RECOMMENDATIONS**

Considering the experiences of Arkansas, Oklahoma, New Hampshire, Missouri and Maryland, Illinois should:

✓ Revamp its supported employment programs to encourage their use by vocational rehabilitation counselors;
✓ Extend the time for supported employment services;
✓ Ease the transition between funding sources; and
✓ Expand the number of individuals served through Individualized Placement and Support.

**Supported Employment Funding and Rates**

Employment services for people with disabilities have been woefully underfunded and therefore often ineffective. For years, there has been a gross disparity between the rates paid by the Division of Rehabilitation Services and the Division of Developmental Disabilities for supported employment services. The Division of Rehabilitation Services’ rates are nearly triple the rates paid by the Division of Developmental Disabilities. As a result, there is little or no incentive to utilize supported employment services funded by the Division of Developmental Disabilities, even when services from the Division of Rehabilitation Services are denied or have expired. Regardless of the funding source, the rates are far lower than the actual cost to provide services.

**RECOMMENDATION**

Considering the experiences of New York, Ohio, and Arkansas, Illinois should:

✓ Adjust its funding rates for supported employment services to offer incentives for providing integrated employment.
Use of Segregated Settings

For years, Illinois has overly-relied on the use of segregated settings during the day for people with developmental disabilities. Sheltered workshops are unnecessarily segregated and do not provide the vocational skills needed to prepare people with disabilities for employment in the community. The work performed in these settings typically consists of routine, mundane tasks for which workers are often paid subminimum wage. In these settings, there is virtually no opportunity for interaction with their peers who do not have disabilities.

Illinois perpetuates the existence of sheltered workshops through two state programs: the Business Enterprise Program and the State Use Program, neither of which aligns with Employment First. The Business Enterprise Program purports to increase the number of state contracts awarded to businesses owned by people with disabilities. However, sheltered workshops qualify as such a business and receive the overwhelming majority of these contracts. Similarly, under the State Use Program, state agencies purchase products and services from sheltered workshops. In Fiscal Year 2013, over $34 million in state contracts were awarded to sheltered workshops under this program.

In Illinois, many people with disabilities receive day training services under a Medicaid home and community-based waiver program where they are segregated and receive little preparation for competitive, integrated employment. Contrary to the concept of Employment First, eligibility for day training services under the waiver program is presumed; eligibility for employment services is not. As evidenced by recent litigation and interventions by the U.S. Department of Justice, the use of segregated settings like sheltered workshops and day training programs runs afoul of the integration mandate of the Americans with Disabilities Act and the Olmstead decision.

An alternative to traditional day programming is the concept of a “meaningful day.” It is premised upon providing people with disabilities the services and supports needed to spend their days engaged in meaningful activities, i.e., activities that reflect their individual interests, skills and preferences. Services provided at sheltered workshops and day training programs are often incongruent with this concept. While Illinois has stated its commitment to meaningful day services, it has so far done little to provide these opportunities for people with disabilities.

RECOMMENDATIONS

Considering the experiences of Vermont, Ohio, Massachusetts, Kansas, Colorado, Missouri and Oregon, Illinois should:

✓ Move away from the use of segregated settings by eliminating the presumptive eligibility for programs that are not integrated into the community;
✓ Require that people with disabilities are informed about integrated employment opportunities; and
✓ Alter state programs that function for the benefit of segregated settings.
Transition Services

Transition services for students with disabilities have been largely ineffective in preparing them for competitive, integrated employment. Although the legal requirements for transition planning and services are consistent with the goals of Employment First, they are not consistently followed or applied.

Frequently, transition plans are perfunctory in nature and lack specificity until the student’s senior year of high school. Students therefore miss the opportunity to engage in meaningful work experiences prior to their senior year. Proper assessments aimed at identifying the individual student’s skills and interests are frequently lacking. Transition plans and services may be one-size-fits-all, regardless of the student’s employment or post-secondary goals.

For students with certain disabilities, Individualized Education Programs often contain non-academic goals, starting in elementary school, based upon stereotypical notions regarding employability. In some cases, the “transition program” for these students is a sheltered workshop paying subminimum wage.

The programs in Illinois intended to help students find and maintain competitive, integrated employment are not adequately utilized. The Secondary Transitional Experience Program provides placement and training for students with disabilities ages 14½ through 22, but not all school districts contract with the state for these services, nor are these services always readily available in school districts that have such contracts.

The Interagency Coordinating Council is charged with obtaining data and recommending changes to improve the delivery of transition services. Based upon the lack of a report since 2011, the council is either not fulfilling its duties or not transparent in its efforts. There has been recent discussion of revitalizing the Interagency Coordinating Council.

RECOMMENDATIONS

Considering the experiences of Oregon, Delaware, Washington, D.C. and New Hampshire, Illinois should:

✓ Emphasize work opportunities for students with disabilities as early as possible;
✓ Require schools providing special education services to develop Individualized Education Programs based on the presumption that all students can work in the community;
✓ Require schools providing special education services to develop meaningful transition plans for students ages 14½ and older;
✓ Provide training and information to dispel the notion that students with certain types of disabilities are not employable;
✓ Provide students and parents with the information and resources needed to inform the decision-making process; and
✓ Revitalize the Interagency Coordinating Council and its duty to annually review, analyze and publicly report on transition data and provide specific recommendations for improving transition services.
Data Collection

Illinois lacks an effective system to collect and publicize data on the employment of people with disabilities in Illinois. As a result, comprehensive data on the number of people with disabilities in Illinois employed in any setting is not readily available. Use of data collected at the national level provides some useful level-setting, but is not a substitute for state-collected data. Critical to the effective implementation of Employment First is the state’s ability to regularly collect, analyze and report on how people with disabilities are spending their days, both to assess whether progress is being made and to identify and address continuing barriers to competitive, integrated employment of people with disabilities.

RECOMMENDATIONS

Considering the experiences of California, Florida and Washington, Illinois should:

✓ Develop a comprehensive data collection system to track and report employment data on a timely basis; and
✓ Require state agencies to share that data and make it available to the public in a user-friendly way.

Engagement of Employers and Workforce Development

Engagement of employers and inclusion of people with disabilities in workforce development initiatives is key to the success of Employment First. The creation of regional Business Leadership Networks helps create a network for employers who are motivated to hire people with disabilities. Recent changes at the federal level set a seven percent disability hiring goal for federal contractors. This may help increase the available job opportunities for people with disabilities. Illinois should use this goal as a catalyst for education and outreach to employers on the benefits of hiring people with disabilities.

The state can and should be a model employer of people with disabilities, but the primary programs to increase the number of state employees with disabilities in Illinois have not been effective. The Supported Employees Program recognized that requiring people with significant disabilities to pass a test and/or an oral interview was a barrier to competitive, integrated employment for many. This program was eliminated in 2013. Even prior to its elimination, the state did not rigorously pursue its goals and did not meet the targeted number of employees. The remaining Successful Disability Opportunities Program does not provide an opportunity to learn and demonstrate the ability to perform the core functions of a job, instead requiring a passing grade on a test and an interview. As structured, the program provides little or no incentive for hiring managers to offer candidates with disabilities permanent employment. Consequently, it has not had a substantial impact. There is a successful program for hiring people with significant disabilities currently operating within the Illinois Department of Transportation which could serve as a model across state government.

Other workforce developments programs for people with disabilities are not widespread. The recent passage of the federal Workforce Innovation and Opportunities Act may change how employment and workforce development services are delivered to people with disabilities. It expands the investment and role of the state vocational rehabilitation agency in transition services, requiring opportunities to work in
integrated settings before placement in segregated settings that pay subminimum wage. The Act also extends the availability of supported employment services to 24 months. Finally, the Act authorizes workforce development activities, such as One Stop Career Centers, to focus on people with disabilities.

**RECOMMENDATIONS**

Considering the experiences of North Dakota and Colorado and federal initiatives to encourage and expand the hiring of people with disabilities, *Illinois should:*

- Increase its outreach efforts to employers and encourage them to join a Business Leadership Network;
- Conduct outreach to the disability community to engage them in workforce development initiatives in accordance with the Workforce Innovation and Opportunities Act; and
- Commit to increasing the number of people with disabilities employed in state government.

**Next Steps**

Effective implementation of the recommendations contained in this Blueprint will require a serious commitment from the State of Illinois as well as the involvement of a broad group of stakeholders. Many of the issues addressed in the Blueprint have been previously identified as barriers to the competitive, integrated employment of people with disabilities. It is no longer sufficient to simply state what the problems are; it is time to take swift and deliberative action to implement the changes in policies, rules and legislation needed to make Employment First a reality.

This Blueprint, based upon Employment First practices nationwide, contains specific recommendations and action steps to guide Illinois in devising and implementing its five-year Employment First plan. This is only the beginning. Extensive outreach to policymakers, people with disabilities, disability advocates, service providers and employers must occur, followed by ongoing discussions regarding the recommendations contained in the Blueprint to obtain the support and commitment of key stakeholders to implement them. Equip for Equality stands ready to engage and assist in this collaborative process.

To access the full Employment First Blueprint, go to [www.equipforequality.org/employmentfirst](http://www.equipforequality.org/employmentfirst)