

# people

with disabilities

strengthening the

21st century workforce



**THE FINAL REPORT OF THE PRESIDENTIAL  
TASK FORCE ON EMPLOYMENT OF ADULTS  
WITH DISABILITIES**

**PRESENTED TO THE PRESIDENT OF THE UNITED STATES**

**JULY 26, 2002**

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**A Report of the  
Presidential Task Force on  
Employment of Adults with  
Disabilities**

**Produced pursuant to  
Executive Order 13078**

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This report is a product of the Presidential Task Force on Employment of Adults with Disabilities. Prepared with the assistance of Health Systems Research, Inc., Kate Lynch Machado, Project Director, and Debra Al-Salam, Project Coordinator. Report layout and cover design by Leaird Designs.

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**Staff of the Presidential  
Task Force on  
Employment of Adults  
with Disabilities**

**Gary Reed**, Acting Executive Director  
**Christopher Button, Ph.D.**, Staff Director  
and Senior Policy Advisor  
**Richard L. Horne, Ed.D.**, Staff Director  
and Senior Policy Advisor  
**Paul Bennett**, Senior Advisor. Detailed  
from the Office of Hearings and  
Appeals, Social Security  
Administration  
**Julie Clark, J.D.**, Senior Policy Advisor  
**Jennifer Sheehy**, Senior Policy Advisor  
**Rhonda Basha, J.D., R.D.H.**, Policy  
Analyst. Detailed from the Benefits  
Review Board, U.S. Department of  
Labor  
**Randy Cooper**, Policy Analyst. Detailed  
from the Office of Federal Contracts  
Compliance Programs, U.S.  
Department of Labor  
**Robert G. Goldstraw**, Policy Analyst.  
Detailed from the Office of Operations,  
Social Security Administration  
**Clarence R. Griffin**, Policy Analyst  
**Linda D. Kontnier, J.D.**, Policy Analyst.  
Detailed from the Employment and  
Training Administration, U.S.  
Department of Labor  
**Kathy Ladipo, J.D.**, Policy Analyst  
**Michael Reardon**, Policy Analyst  
**Cheryl Klein**, Executive Assistant  
**LaToya Plater**, Office Automation  
Assistant  
**Karen Saba**, Intern  
**Catherine Healy**, Kennedy Foundation  
Policy Fellow



**PRESIDENTIAL  
TASK FORCE ON  
EMPLOYMENT  
OF ADULTS  
WITH  
DISABILITIES**

200 Constitution Avenue, NW  
Room S-2220  
Washington, DC 20210  
Main: 202-693-4939  
Fax: 202-693-4929  
TTY: 202-693-4920  
[www.dol.gov](http://www.dol.gov)

President George W. Bush  
The White House  
Washington, D.C. 20500

Dear Mr. President:

On behalf of the members and staff of the Presidential Task Force on Employment of Adults with Disabilities, I submit to you the Task Force's final report, *People with Disabilities – Strengthening the 21<sup>st</sup> Century Workforce*. Executive Order 13078, which created the Task Force, provides that the final report be issued today, July 26, 2002 – the anniversary of the Americans with Disabilities Act, signed into law by your father.

The Task Force had one overarching goal: to develop a comprehensive strategy for increasing the employment rate of people with disabilities. Through the Task Force's work, interagency linkages and cooperative efforts have been established at both the staff and leadership levels. These relationships will continue to assist us in our efforts to increase employment opportunities for Americans with disabilities.

Under the leadership of the new Office of Disability Employment Policy (ODEP), the former Task Force member agencies will continue to work together to remove barriers and increase employment opportunities for people with disabilities of all ages consistent with the employment-related goals embodied in your *New Freedom Initiative (NFI)*. While the Task Force's focus was time-limited, the Department of Labor (DOL), through the creation of ODEP, is now assuming a permanent leadership role in developing meaningful and innovative interagency employment policies and practices for people with disabilities in coordination with other DOL agencies such as our Office of the 21<sup>st</sup> Century Workforce.

This final report includes current activities of the Task Force member agencies aimed at increasing employment opportunities for youth and adults with disabilities under the *NFI*.

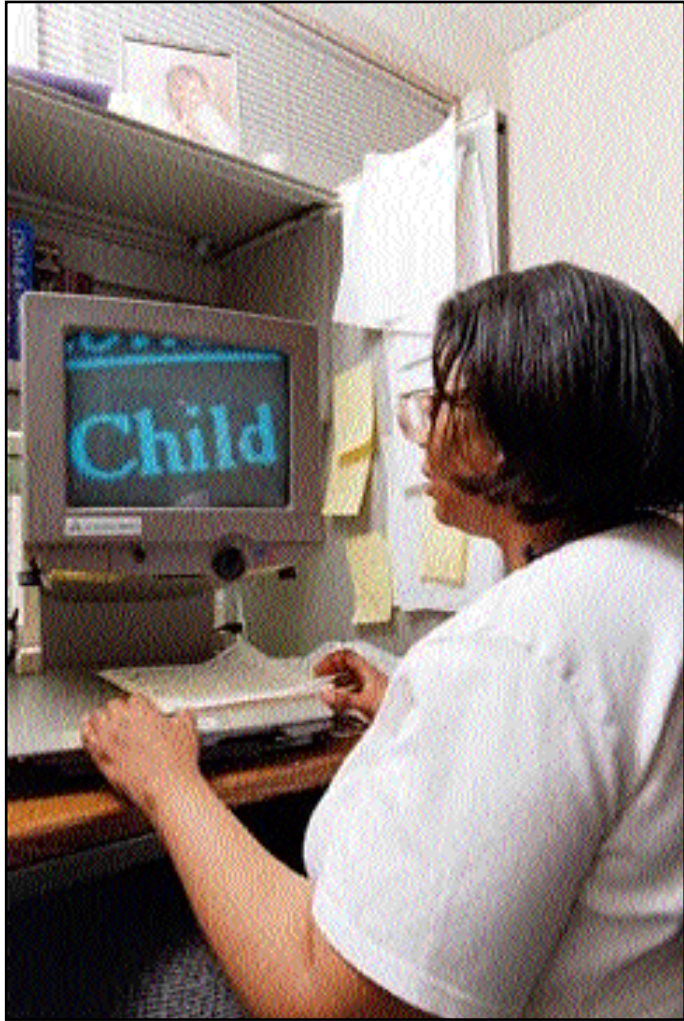
As Secretary of Labor, I have had the opportunity during the past 18 months to chair the Task Force. I look forward to continuing our work together on behalf of people with disabilities.

Sincerely,

A handwritten signature in black ink that reads "Elaine L. Chao".

Elaine L. Chao  
Secretary of Labor and  
Chair, Presidential Task Force on Employment of Adults with Disabilities

***Put Ability to Work!***



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ELAINE L. CHAO  
CHAIR  
Secretary of Labor

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## Members of the Presidential Task Force on Employment of Adults with Disabilities

ROD PAIGE  
Secretary of Education



ANTHONY J. PRINCIPI  
Secretary of Veterans Affairs



TOMMY G. THOMPSON  
Secretary of Health and Human  
Services



JO ANNE B. BARNHART  
Commissioner of the Social  
Security Administration



PAUL H. O'NEILL  
Secretary of the Treasury



DONALD L. EVANS  
Secretary of the Department of  
Commerce



**NORMAN Y. MINETA**  
Secretary of Transportation



**KAY COLES JAMES**  
Director of the Office of  
Personnel Management

**HECTOR V. BARRETO**  
Administrator of the Small  
Business Administration



**CARI M. DOMINGUEZ**  
Chair of the Equal Employment  
Opportunity Commission

**MARCA BRISTO**  
Chair of the National  
Council on Disability



**MICHAEL K. POWELL**  
Chairman of the Federal  
Communications Commission

**MEL MARTINEZ**  
Secretary of Housing and  
Urban Development



**JOHN ASHCROFT**  
Attorney General of the United  
States

**GALE A. NORTON**  
Secretary of Interior



**ANN M. VENEMAN**  
Secretary of Agriculture





## Background



**T**he Presidential Task Force on Employment of Adults with Disabilities (Task Force) is proud to submit its final report to the President, the Vice President, and the nation describing activities both already completed and currently underway to eliminate barriers to employment for Americans with disabilities.

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In February 2001, President George W. Bush introduced his *New Freedom Initiative (NFI)*, a multifaceted plan to remove societal and economic barriers people with disabilities face today. Announcing the *NFI* in the White House, crowded with hundreds of leaders in business and disability organizations, the President stated,

***“Americans with disabilities should have every freedom to pursue careers, integrate into the workforce, and participate as full members in the economic marketplace. The *New Freedom Initiative* will help tear down barriers to the workplace, and help promote full access and integration.”***

President Bush has had an important partner in this endeavor — Department of Labor (DOL) Secretary Elaine L. Chao. Creating employment opportunities for people with disabilities and expanding their economic independence and participation in community life are goals central to DOL’s mission of fostering and promoting the welfare of job seekers, and they complement Secretary Chao’s role as the Chair of the Task Force. Since January 2001, the Task Force has worked under the leadership of Secretary Chao to foster the inclusion of people with disabilities and to make Secretary Chao’s mission a reality.

The President recognizes that employment and self-employment are the only means of achieving independence and empowerment, and the Task Force has played a pivotal part in launching the President's *NFI* proposals. Since the February announcement, the Administration has demonstrated that the *NFI* is not simply a list of one-time important activities. Rather, Task Force member agencies have embraced the President's initiative, incorporating disability policy in programs and areas that previously may not have considered people with disabilities.

In one of her first official actions, Secretary of Labor Chao created the Office of the 21<sup>st</sup> Century Workforce with a timely mission:

- To ensure that all American workers have as fulfilling and financially rewarding a career as they aspire to have and that no worker gets left behind in the limitless potential of the dynamic, global economy of this new millennium; and
- To provide a focal point for the identification and study of issues relating to the workforce of the United States and the development of strategies for effectively addressing such issues.

Over the past 18 months, the Task Force, DOL's newly created Office of Disability Employment Policy (ODEP), and the Office of the 21<sup>st</sup> Century Workforce have joined forces and are working together with the Task Force member agencies to make the workforce integration goals in the *NFI* a reality.

Following September 11th, the nation's priorities changed. The Task Force, however, ensured that people with disabilities were not forgotten by assisting Federal agencies in responding to people with disabilities who were affected by the terrorist attacks. The Department of Education (ED) assisted state and local programs in New York to provide assistance and referral for services. The Social Security Administration (SSA) expedited eligibility approval for benefits. The Equal Employment Opportunity Commission (EEOC)

offered assistance to alleviate concerns businesses raised about evacuation procedures for people with disabilities. Task Force staff helped ensure that emergency preparedness plans considered the unique needs of people with disabilities. And even as the FY 2003 budget reflected an increase in funding for homeland defense, the President's budget continued to support increases for many disability programs, particularly those that prepare people with disabilities for employment.

This final report highlights Task Force agencies' efforts and accomplishments since January 2001 in eliminating obstacles to employment and in increasing opportunities for people with disabilities. These programs, policies, and initiatives reflect the lessons the Task Force has gleaned from unprecedented interagency collaboration and attentive study. Some of the accomplishments detailed here have been previously announced, while others are entirely new or have only recently been completed.

With important laws such as Section 508 of the Rehabilitation Act and the Ticket to Work and Work Incentives Improvement Act (TWWIIA) in the infancy of their implementation, the stage is set for sweeping change across America. Over the last 18 months, agencies have instituted aggressive plans to enforce these laws that hold enormous potential to boost employment of people with disabilities in the Federal government and private sector.

Taking the lead from the President, whose *NFI* addresses multiple areas of policy using a single strategic approach, Task Force agencies recognized the necessity of synchronized teamwork, partnerships, and interagency collaboration. Departments and agencies have worked together across jurisdictional borders to eliminate cumbersome processes and to build upon shared strengths with support throughout each agency, including at the highest level.

Enormous bureaucracies have conducted difficult self-assessments in response to Executive Order 13217, *Community-Based Alternatives for Individuals with Disabilities*, to eradicate barriers and

disincentives that either directly or indirectly inhibit progress for people with disabilities. *Delivering on the Promise* (2002), the 10-agency report detailing the findings from these self-assessments, contained over 400 recommendations for increasing community-based services, and exemplified a spirit of collaboration. New partnerships with service providers, businesses, and schools are producing creative solutions to persistent problems, and the employer community is gaining access to a wealth of new and useful resources to assist them in the hiring of people with disabilities.

Finally, this report details lessons learned and accomplishments made by the Task Force agencies in fulfilling their mandate to create a coordinated, aggressive national policy to increase participation of Americans with disabilities in the competitive labor market. As the Task Force

sunsets, ODEP will assume and expand upon its role. With substantial resources, a structure designed to channel expertise into critical policy issues, and a committed Secretary and Assistant Secretary at the helm, ODEP will lead the charge of full inclusion of people with disabilities in the workforce of the 21<sup>st</sup> century.

## What Have We Found Out?

In carrying out its research activities, the Task Force has commissioned studies, focus groups, and summits to study both barriers and best practices in order to develop innovative solutions that increase employment of people with disabilities. These efforts investigated progress in key disability policy arenas and identified future policy development options. The following brief summary provides a review of some of the more significant results.

## THE FEDERAL WORKPLACE:

### *Current Employment Rates and Trends*

The resources of the Federal government are crucial to the goal of raising the employment rate of people with disabilities to a level comparable with that of the general population. The Federal government is the nation's largest employer and purchaser of goods, services, technology, and health care. When President George Bush launched the *NFI* on February 1, 2001, he made it clear that the Federal government itself must be a model employer — instituting exemplary practices, demonstrating through its actions what it expects and trusts state and local govern-

ments to do, and illustrating for the private sector what is possible.

The Federal government is working toward its goal of being a model employer for people with disabilities. However, in contrast to the increasing representation of women and minorities, the representation of employees with disabilities has remained stable over the past two decades. Although there are 30 million Americans aged 21-64 with disabilities, comprising almost 20 percent of the U.S. population, only 7.1 percent of all civilian employees in the

Federal Executive Branch workforce (or 120,525 of a total Federal workforce of almost 1.8 million) are individuals with disabilities.<sup>1</sup> The Office of Personnel Management (OPM) found that, in non-postal Executive Branch Agencies and Federal Independent Agencies, representation of people with disabilities ranged from 7.0 percent to 11.0 percent and from 2.6 percent to 10.0 percent respectively. Further, employees with targeted disabilities<sup>2</sup> comprise only 0.4 percent to 2.0 percent and 0.6 percent to 2.7 percent in Federal and independent agencies respectively.

<sup>1</sup> *Demographic Profile of the Federal Workforce*, September 30, 2000, Office of Personnel Management, Office of Workforce Information.

<sup>2</sup> Disabilities defined by the EEOC as deafness, blindness, missing extremities, partial or complete paralysis, convulsive disorders, mental retardation, mental illness, and genetic and physical conditions affecting limbs and/or spine.



Force collaborated with Cornell University's Program on Employment and Disability to complete two surveys and a series of focus groups. This research has helped the Task Force to better understand the barriers to and best practices for expanding employment opportunities. Further, these efforts have led to the establishment with the EEOC of government-wide procedures for providing

- **Employment Rate Measurement:** Without an accurate baseline measure of the rate of employment of people with disabilities, it is impossible to evaluate the success of disability policy and programs. In keeping with the Administration's focus on measuring results, the Task Force led research in partnership with the Bureau of Labor Statistics (BLS) to develop a valid and reliable measurement of the employment rate of people with disabilities. Under ODEP's leadership, the Employment Rate Measurement Methodology (ERMM) Workgroup's Committee on Statistics will continue to address the persistent and complex statistical challenges related to achieving a valid and reliable employment measurement of people with disabilities.
- **Practices in the Federal Government Workforce:** Because the Federal government requests private sector employers to work toward an increase in the rate of employment for people with disabilities, the Task Force initiated research to explore disability employment policies and practices in the Federal workforce. In partnership with the Task Force's Committee of the Federal Government as a Model Employer, the Task

reasonable accommodation in Federal agencies, helped launch a new telework/telecommuting initiative, and facilitated initiation of a five-year effort to increase the employment opportunities in the Federal workforce for people with disabilities.

- **People with Significant Disabilities:** A critical area of Task Force research concerned strategies for increasing employment options and wages for people with the most significant disabilities, including cognitive, physical, and sensory, who continue to remain in non-work, segregated, or residential placements. Many reside in nursing homes or institutions. Increasing numbers of these individuals are preparing to move to the community, following the Supreme Court's decision in *Olmstead v. L.C.*, 527 U.S. 581 (1999)(*Olmstead*).<sup>1</sup> Others may be on waiting lists for services, in day health or activity programs, or in other sheltered environments. Many of these individuals can work in integrated, competitive environments. Moreover, when provided with appropriate supports and matched with jobs that utilize their strengths and abilities, many can dramatically increase their earnings potential and begin a career.

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<sup>1</sup>The *Olmstead* decision held that unnecessary segregation of people with disabilities in institutions is a form of discrimination under the ADA, and that individuals with disabilities have a civil right to receive services in the community in certain circumstances. Under the Court's decision, states are required to provide community-based services for persons with disabilities who would otherwise be entitled to institutional services when 1) treatment professionals reasonably determine that such placement is appropriate; 2) the affected persons do not oppose such treatment; and 3) the placement can be reasonably accommodated, taking into account the resources available to the state and the needs of others who are receiving state-supported disability services.

The major objective of this multi-phased research initiative of the Task Force has been to develop an overall strategy for increasing employment options and wages for people with the most significant disabilities. The research initiative gathered information and suggestions from diverse stakeholders including Federal and state policymakers, persons with disabilities, service providers, parents, and employers. During the study period of February through May 2000, over 300 individuals participated in a series of discussions or offered comments and recommendations that included policy changes and possible strategies for improving employment outcomes for individuals with significant disabilities. In addition to the survey research, more than 200 individuals representing the full spectrum of interested stakeholders from 31 states participated in a National Summit sponsored by the Task Force in Washington, D.C., entitled *Real Choices, Real Jobs, Real Pay: Employment for the 21<sup>st</sup> Century for Persons with Significant Disabilities*. The Summit was followed by a two-day think tank to further explore research findings and identify themes for potential actions.

- **The Workforce Investment Act:** Another critical area for research has been on understanding how the workforce development system is serving adults and youth with disabilities. To begin the process, the Task Force conducted a *Review of State Plans for the Workforce Investment Act (WIA)*. This project

reviewed each of the 10 core areas of WIA state plans to identify specific activities, policies, procedures, and strategies to encourage the effective and meaningful participation by people with disabilities in the WIA-supported system. This research provides a baseline for understanding state implementation activities and also provides an array of examples of how individual states are addressing the employment opportunities for people with disabilities.

- **Wage Changes: Integrated Employment:** The Task Force conducted three separate research studies examining longitudinal data documenting the change in wages and other factors following a move from segregated to integrated employment for people with disabilities. Following the Supreme Court's *Olmstead* decision, this compendium of studies contributes to new data on the potential benefits of integrated employment for people with disabilities.
- **Informed Choice:** The Task Force conducted two qualitative research studies documenting the issues, findings, and experiences of participants in the Choice Demonstration projects previously funded by the ED's Rehabilitation Services Administration (RSA). Because allowing informed choice is increasingly recognized as a best practice, the lessons learned from these early projects will serve as a valuable foundation for future efforts.

## THE NEED FOR RELIABLE AND ACCURATE INFORMATION

In order to institute workplace changes necessary to make the Federal government a model employer, accurate and reliable information is needed, including employment and disability statistics. Complying with the mandate of Executive Order 13078 to "design and implement

a statistically reliable and accurate method to measure the employment rate of adults with disabilities," the Bureau of Labor Statistics (BLS) has been working to make improvements in the Current Population Survey (CPS), which is the government's official source of labor force data. An

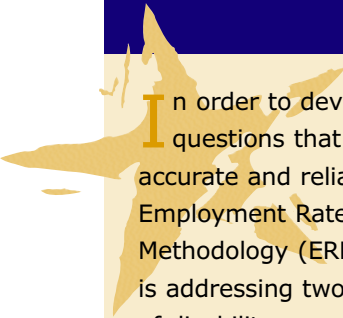
interagency Employment Rate Measurement Methodology (ERMM) Workgroup, chaired by BLS Assistant Commissioner Philip Jones and consisting of representatives from 20 Federal agencies, has been tasked with reviewing and revising questions for the survey.

- **Analysis of Federal Tax Provisions:** The Task Force conducted an evaluation of existing Federal tax policy to review the effect of existing tax provisions on employment opportunities for people with disabilities. This research included analysis of two major issues: 1) the extent to which existing tax provisions encourage private sector employers to hire people with disabilities; and 2) the extent to which existing tax provisions serve as economic incentives encouraging universal and accessible design. The research

included identification of potential areas where changes in the tax code might enhance employment opportunities for people with disabilities.

- **Youth with Disabilities:** Young people with disabilities experience significant challenges in making a successful transition to adult life, including challenges in postsecondary education, employment, and independent living. The Task Force initiated research projects focused on these issues by undertaking the following actions: 1) conducting a National

## DEVELOPING RELIABLE STATISTICS



In order to develop survey questions that provide both accurate and reliable data, the Employment Rate Measurement Methodology (ERMM) Workgroup is addressing two related facets of disability measurement: 1) the current lack of an objective and reliable standard against which to measure the accuracy and reliability of a set of disability questions; and 2) the understanding of disability as a social construct. Because of the social construct of disability (i.e., that disability as a concept is defined by the set of values, attitudes, and beliefs that society brings to bear on it, rather than existing as an objective reality that must be discovered and measured), the ERMM Workgroup will include public participation in its survey and question development and testing. Public participation, regression analyses, and re-interviews will help to further gauge the accuracy and reliability of the questions.

Using accepted standards for measuring reliability and accuracy of surveys, the ERMM Workgroup has developed a research plan for establishing a new set of questions, including identifying potential questions, conducting interviews, field-testing the questions, re-interviewing field-test respondents, and conducting various analyses on the data collected. The final goal of this important project is to identify a relatively small number of questions that will reliably and accurately classify the disability status of individuals with many different disabilities. To date, the ERMM Workgroup is in the process of modifying a set of questions that have already undergone preliminary laboratory and field-tests. Ongoing analysis of this data has generated a large set of tables, based on about 7,500 cases, containing information on the types of conditions and impairments reported by people responding to all, some, or only one of its questions.

The next phase of the project will correlate demographic and disability-related information as reported by survey respondents. Individual profiles will be circulated among members of a public panel who will then be asked to classify the disability status of the profiled individuals in light of both the information included in the profiles and the responses of others on the panel. Finally, using the information gained from the public panel, the ERMM Workgroup will determine whether there is a small set of questions that would predict the generated classifications. This new set of questions would then generate data with the reliability and accuracy needed to understand the connections between disability and employment.



“The New Freedom Initiative will help tear down barriers to the workplace, and help promote full access and integration.”



—President George W. Bush

Transition Summit on Young People with Disabilities; 2) convening national focus groups of young people with disabilities; 3) conducting a Resource Mapping Project; 4) addressing the training and employment needs of youth with disabilities in the juvenile justice system; 5) exploring the barriers and supports in postsecondary education; and 6) increasing access to electronic mentoring for young people with disabilities. The results of this research have focused on encouraging interagency collaboration, expanding work-based learning and postsecondary education opportunities, and eliciting the perspectives of young people themselves as Federal policy is developed.

- **Small Business and Entrepreneurship:** More and more, individuals with disabilities see self-employment as an unexplored area for potential employment opportunity. The Task Force collaborated with its Committee on Small Business and Entrepreneurship and with the Abilities Fund to conduct an environmental scan to identify private sector interest and involvement in expanding entrepreneurship opportunities for people with disabilities. The resulting study identified numerous attitudinal, systemic, and physical barriers, including the following: 1) access to capital; 2) stereotypes that people with disabilities are not viable candidates to own a

business; 3) Vocational Rehabilitation’s (VR) support of self-employment as a vocational goal; and 4) attitudes of business development professionals about working with people with disabilities. These issue areas will provide a framework for future policy development.

- **Health Care and Income Supports:** The implementation of TWWIA and the *Olmstead* decision provided the Task Force with new areas for research. Working with our partners from the Department of Health and Human Services (HHS) and SSA, the Task Force conducted numerous forums, focus groups, and grantee meetings to better understand the implementation of these initiatives. One result was the development of *The Employment of People with Disabilities: Tools for Advocates and States*, an aid for researching, developing, and disseminating materials to the states in support of TWWIA.

Research conducted by the Task Force was critical to understanding the multiple barriers to employment faced by people with disabilities, and to identifying best practices. Most importantly, it has reinforced the urgency for Federal agencies to work closely together to create a comprehensive approach to increasing the employment of people with disabilities.





## Business Partnerships and Assistance



**E**ven in a lean economy, companies need good employees. In this critical time of strengthening the economy, hiring workers with disabilities makes more business sense than ever before. Including people with disabilities in the candidate search broadens the talent pool for recruiters and gives companies a competitive advantage.

Employees with disabilities provide new perspectives and solutions to old problems. Companies with an eye on the bottom line have found that returning disabled employees to the workplace after an injury increases the morale of all employees and reduces training and hiring costs. And of course, increasing the taxpayer base and reducing the number of people receiving public assistance benefits everyone who pays taxes, including companies, which bear the greatest tax burden.

Another compelling reason to hire people with disabilities is the potential to increase revenues. New awareness of the market power of 53 million

consumers with disabilities is fueling corporate America's interest in hiring people with disabilities who have the expertise to develop strategies to reach that market. Companies that draw on the knowledge and talents of employees with disabilities can craft creative marketing strategies for attracting Americans with disabilities and the \$180 billion in discretionary income they command.

Keeping close watch on current and future employment needs in the private sector is therefore a critical element in developing effective disability employment policy. Accordingly, the Presidential Task Force on Employment of Adults



with Disabilities (Task Force) has been working closely with the Bureau of Labor Statistics (BLS) to keep abreast of employment trends by industry and geography. In addition, the Task Force maintains relationships with employers to identify areas of job growth and to monitor evolving employment issues that affect the hiring decisions of both large and small businesses. Understanding employers' challenges and successes helps direct crucial research and policy development that will produce achievable employment results.

- The Business Leadership Network (BLN) is an employer-led venture assisted by the U.S. Chamber of Commerce and the Department of Labor's (DOL) Office of Disability Employment Policy (ODEP) that promotes best practices to enhance employment opportunities for candidates with disabilities. The BLN raises employer awareness by leveraging employer experience to increase both career opportunities for people with disabilities and access for business to the disability community market. The vision of the BLN is for every employer in America to exemplify, as a best business practice, the inclusion of people with disabilities in their employment, product, service, and community outreach planning. Since January 2001, BLN chapters have held more than 100 training sessions to educate employers about the benefits of hiring people with disabilities.

- DOL's Employer Assistance Referral Network (EARN) connects employers who have job vacancies with qualified employment agencies who have direct access to job-ready individuals with disabilities. EARN also provides employers with technical assistance in locating appropriate organizations and information as they seek to hire qualified candidates with disabilities.

EARN, which went live in March 2001, is fully equipped to handle any disability employment-related issue an employer might have. EARN's expertise and value to job candidates and employers were recognized immediately by the Society of Human Resource Management (SHRM) and by President Bush, who took time to meet the staff in June 2001 at Secretary Chao's 21<sup>st</sup> Century Workforce Summit. EARN's successes can be attributed to the support it receives from partnerships with other Federal agencies and to its reach to over 15,000 employers nationwide. EARN has connections to over 40,000 Employment Service Providers nationwide, providing employers maximum accessibility to qualified individuals with disabilities.

- DOL's ODEP will launch a comprehensive and coordinated public awareness and education campaign to decrease stigma, eliminate attitudinal barriers, and increase



employment opportunities for adults and youth with disabilities; specifically, the campaign will target big business and industry, lenders, small businesses, families, and others. Part of this campaign will present profiles of successful entrepreneurs who have disabilities through a variety of mainstream media outlets in order to increase awareness about the self-employment potential of people with disabilities.

- Through the direction of the Department of Education (ED), state vocational rehabilitation (VR) agencies continually build relationships with employers in their localities, their states, and their regions. Without these relationships, the placement of individuals with disabilities would not occur. Many state VR agencies are becoming increasingly savvy marketing entities, fully understanding that employers seek qualified workers ready to hit the ground running in a job. As a result, VR staff members familiarize themselves with the needs of employers and seek to meet those needs through adequate and appropriate training and other support services provided to individuals with disabilities.
- On a biennial basis, ED's Rehabilitation Services Administration (RSA) conducts National Employment Conferences, marketed primarily to VR staff, for which employers are the primary trainers. Through presenta-

tions and networking, VR staff have an opportunity to learn about effective practices in the VR field and to hear directly from employers about the most important factors in the hiring and retention of any employee, with or without a disability.

- RSA has collaborated with the Social Security Administration (SSA) to provide training and technical assistance activities to state VR agencies. In February 2002, 13 state VR agencies began participating in the Ticket to Work (TTW) program under the Ticket to Work and Work Incentives Improvement Act of 1999 (TWWIIA). Under this program, most Supplemental Security Income (SSI) recipients and Social Security Disability Insurance (SSDI) beneficiaries between the ages of 18 and 64 will be offered a ticket that may be used to obtain employment services, VR services, and other support services from an employment network of their choice. State VR agencies have the option of participating in the TTW program as an employment network or remaining in the current reimbursement system. In an effort to assist state VR agencies transitioning into the new system, RSA has provided regional training sessions and videoconference technical assistance seminars.
- SSA has targeted businesses in its far-reaching TTW program marketing campaign. The

TTW program offers great potential for small and large businesses either to become employment networks or to partner with service providers as employment networks. SSA has organized workshops for employers and small business owners highlighting the opportunities for businesses to recruit a talented, diverse workforce through the TTW program.

In the *NFI* and Executive Order 13217, the President made clear his commitment to vigorous enforcement of the Americans with Disabilities Act (ADA). As one way of carrying out this commitment, several Task Force agencies involved with oversight and enforcement

responsibility concerning compliance with the ADA, Section 504 of the Rehabilitation Act, and other statutes have invested a substantial portion of their resources in working proactively with employers as partners. Providing this proactive technical assistance and education to promote the employment of people with disabilities can reduce or prevent both discrimination and litigation. Since January 2001, DOL, the Department of Justice (DOJ), and the Equal Employment Opportunity Commission (EEOC) have initiated bold programs that bring together previously competitive or adversarial groups in order to break down attitudinal barriers and facilitate voluntary compliance in hiring people with disabilities. Other agencies use public-

## Getting New Yorkers Back to Work

### PROJECT RE-EMPLOY:



To locate and assist area residents with disabilities who lost their jobs following the September 11th attacks, the National Business & Disability Council (NBDC) participated in the New York City Twin Towers Job Fairs and a Long Island Job Fair. Through the five Job Fairs, staff received résumés of more than 400 individuals with disabilities eligible for NBDC's placement assistance services. Included were individuals whose places of employment were directly impacted and persons unable to travel to temporary or new permanent locations of their present employers, as well as those recovering from the emotional effects of these traumatic events.

With seed money provided by the employees of Motorola, Philip Morris Companies, Inc., and Motorola Foundation, NBDC began providing services immediately in office space in midtown Manhattan donated by Bowne Business Solutions (a division of Bowne & Co.) and at Adecco International offices.

While every effort is being made to provide intensive assistance to enable individuals to re-enter the job market as quickly as possible, some will require vocational assessment, workplace and computer literacy, and short-term (three to six months) skills

training, as well as assistance with job seeking skills. Even so, the program has had a remarkable placement rate of 55%.

It is anticipated that in the next six to 18 months, a third wave of applicants will be individuals who may have sustained emotional (post-traumatic stress) disorders and are in need of extensive case management, individual and group counseling, and referral for other services, like financial, housing and child care assistance, prior to seeking employment. The NBDC/Motorola & Phillip Morris Companies program will be ready to assist.

private partnerships, combining experience and resources to advance common goals such as access to technology. Increased employment is the ultimate outcome.

- DOJ recently initiated an ADA Business Connection Project to increase compliance with the ADA by fostering a better understanding of its requirements in the business community and by increasing dialogue and cooperation between the business and the disability communities. The project features a new ADA Business Connection web destination on the ADA web site, providing easy access to information of interest to businesses as well as a new series of ADA Business

## “Disability Doesn’t Have to be a Strike”

The following is an excerpt of an article from the Sunday, November 25, 2001 edition of *Newsday*.

*The National Business & Disability Council at the National Center for Disability Service is streamlining the job-search process for disabled people whose jobs were affected by September 11th and the souring economy.*

*“I thought [Dolan] wouldn’t call me. He shocked me,” says hearing-impaired Charles Jones, 44, of the Bronx, who bypassed the long line at one of the job fairs with the help of a guard who is an old friend. At their meeting, he says that Dolan spent “three or four hours calling and calling and calling” on his behalf, finally landing him an interview with Schuster Meats in the Bronx. Assigned to the early morning shift, Jones leaves home at 2 a.m. so he can make it to work by 4, a commute that involves three buses. “I am so happy to be working...to me it’s like a miracle...Mike Dolan is like an angel. I handed my résumé to so many people in that place and not one called me except Mike.”*

*Mike Dolan is an Assistant Project Manager for the National Business & Disability Council*

Briefs designed to be easily printed from the web site for direct distribution to a business’ employees or contractors.

An essential part of this initiative is a series of meetings between the disability and business communities with the goal of fostering collaborative effort between the two groups to make the promise of the ADA a reality. Assistant Attorney General Ralph Boyd hosted the kick-off meeting in January 2002, which was attended by disability leaders and business and trade association representatives. The meeting raised many issues that can be addressed through collaborative efforts, and triggered several constructive initiatives that will improve access to goods and services and employment for people with disabilities. For example, one hotel company is working with a graduate business school to develop an instructional module on serving guests with disabilities for the school’s new hotel curriculum. The June 2002 meeting explored ways of ensuring adequate training about both the ADA and people with disabilities for staff in service industries, which have a high staff turnover rate.

- Under the leadership of Equal Employment Opportunity Commission Chair Cari M. Dominguez, the EEOC is expanding beyond its traditional enforcement role with regard to Federal anti-discrimination statutes to innovative education and technical assistance strategies for the employer community. The EEOC will also partner with DOJ to offer small businesses insight into the ADA relating to Title III, which covers public accommodations and commercial facilities.

In April 2002, the EEOC, in conjunction with field offices and local small business organizations, began to offer, throughout the country, free programs on disability tailored to small businesses. These interactive, customized programs offer the following information:

- information about recruitment sources for



qualified individuals with disabilities and resources for obtaining information about reasonable accommodations;

- information about tax credits and other incentives for small businesses that hire and retain qualified individuals with disabilities; and
- information about the substantive requirements of the ADA with respect to job interviews, reasonable accommodation, performance, conduct, and safety.

This free, flexible outreach program aims to increase the participation of small business chambers of commerce, associations, and development centers outside of major metropolitan areas.

The EEOC has already conducted these outreach programs in Rapid City, South Dakota; Reno, Nevada; Atchison, Kansas; Morgantown, West Virginia; Kenosha, Wisconsin; Southfield, Michigan; and Phoenix, Arizona. Many more programs are being scheduled for the summer and fall in various locations, including venues in Kentucky, Ohio, New Jersey, Indiana, Texas, Utah, Alaska, California, Massachusetts, and Florida.

- DOL's ODEP and Office of Federal Contract Compliance Programs (OFCCP) are working in collaboration with employer organizations like the National Industry Liaison Group (NILG) and BLNs to explore mutual partnerships that effectively promote the employment of people with disabilities. This collaborative effort with representatives from business, industry, and education may include the development of combined technical assistance materials, training seminars, and joint conferences, as well as the development of additional public-private partnerships to improve employment opportunities among Federal contractors for people with disabilities.

# Accomplishments and the Future



## Disability-Related Employment Accomplishments and Future Directions for Increasing the Employment of People with Disabilities

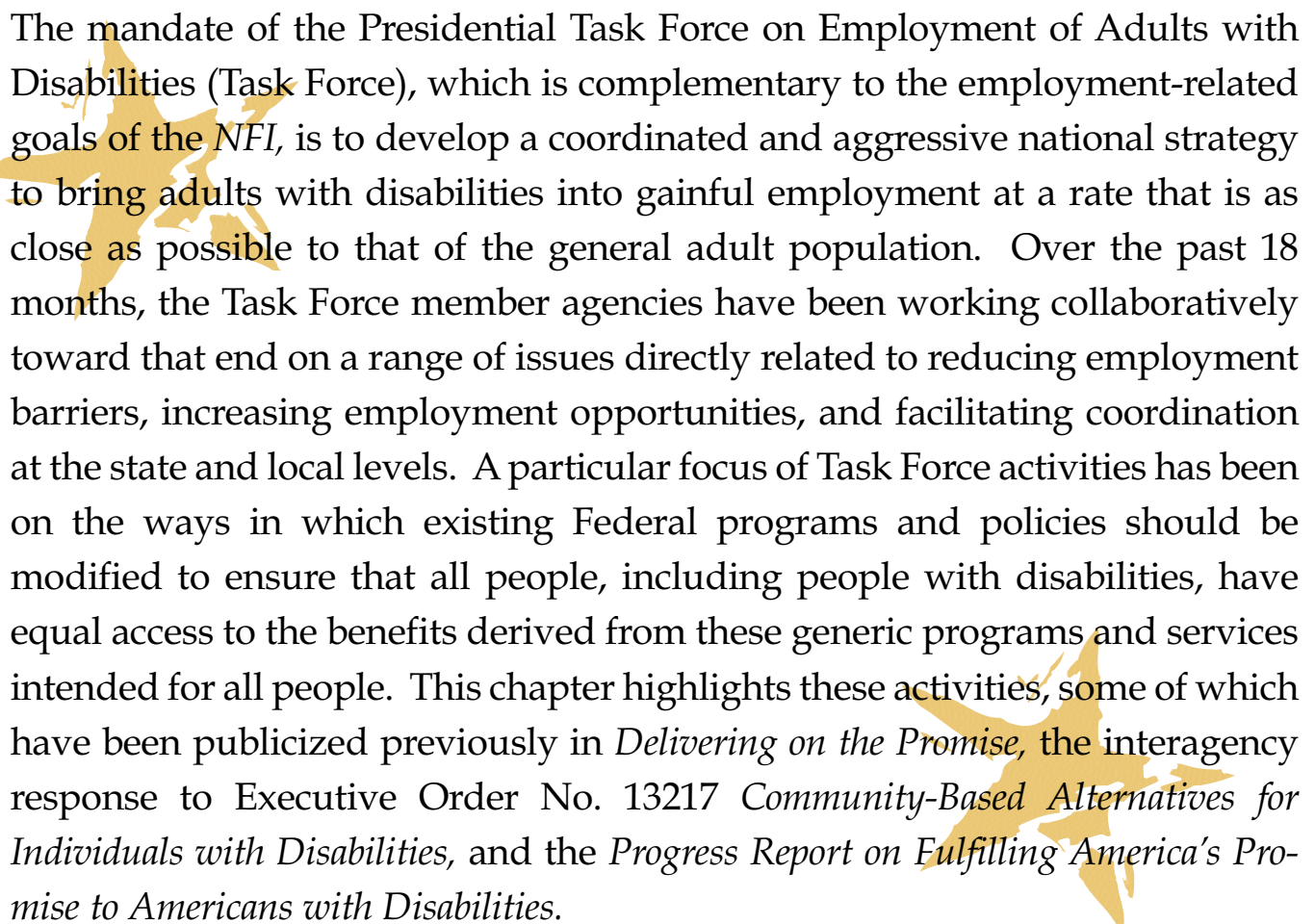
The *New Freedom Initiative (NFI)* is a comprehensive plan for removing the barriers facing people with disabilities. Through programs and proposals that promote the development of and access to assistive and universally designed technologies, expand educational opportunities, further integrate Americans with disabilities into the workforce, and help remove barriers to full participation in community life, the *NFI* seeks to ensure full inclusion of people with disabilities in American society.

*continued*

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The mandate of the Presidential Task Force on Employment of Adults with Disabilities (Task Force), which is complementary to the employment-related goals of the *NFI*, is to develop a coordinated and aggressive national strategy to bring adults with disabilities into gainful employment at a rate that is as close as possible to that of the general adult population. Over the past 18 months, the Task Force member agencies have been working collaboratively toward that end on a range of issues directly related to reducing employment barriers, increasing employment opportunities, and facilitating coordination at the state and local levels. A particular focus of Task Force activities has been on the ways in which existing Federal programs and policies should be modified to ensure that all people, including people with disabilities, have equal access to the benefits derived from these generic programs and services intended for all people. This chapter highlights these activities, some of which have been publicized previously in *Delivering on the Promise*, the interagency response to Executive Order No. 13217 *Community-Based Alternatives for Individuals with Disabilities*, and the *Progress Report on Fulfilling America's Promise to Americans with Disabilities*.



## Employment and Training Programs

The Workforce Investment Act of 1998 (WIA) provides the infrastructure for streamlining employment-related services through a One-Stop delivery system. The purpose of the One-Stop system is to establish programs and providers in co-located and integrated settings for customers seeking employment, including people with disabilities. Accordingly, ensuring that One-Stop Centers have the capacity to serve people with disabilities effectively and that relevant expertise and services are leveraged from other systems is of critical import in meeting the workforce participation goals of the President's *NFI*. In addition, improving job-training programs, such as those provided by vocational rehabilitation (VR) service agencies, continues to be a primary focus of the Administration.

Task Force agencies have also worked to ensure that traditional recruiting resources other than the One-Stop Centers are accessible and prepared to serve people with disabilities. In order to provide meaningful and effective employment opportunities for people with disabilities, and to otherwise promote their employment and economic independence, the Administration has been involved in the following activities:

### *Accomplishments*

#### **Department of Labor**

- The President's FY 2002 budget almost doubled the funding for the Department of Labor's (DOL) Office of Disability Employment Policy

(ODEP) to \$43 million, of which Congress provided \$38 million, a 66 percent increase above FY 2001. The President's FY 2003 budget includes a 24 percent, or \$9 million, increase in funding for ODEP. ODEP is focusing on eliminating barriers to employment faced by people with disabilities.

- DOL's ODEP is supporting key elements of the President's *NFI* in areas that focus on integrating Americans with disabilities into the workforce through the following grant initiatives:
  - In 2002, \$6 million will be awarded under the Working for Freedom, Opportunity and Real Choice through Community Employment (WorkFORCE) Grant Initiative to assist persons with significant disabilities in making the transition from institutional settings to the community and employment consistent with the United States Supreme Court's 1999 decision in *Olmstead v. L.C.*, 527 U.S. 581 (1999) (*Olmstead*) and Executive Order 13217.
  - In 2002, \$3.5 million will be awarded to expand the One-Stop Customized Employment Initiative and support the implementation of the Ticket to Work and Work Incentives Improvement Act (TWWIIA) through One-Stop Career Centers. These funds are to be used to award up to seven competitive grants for strategic planning and implementation activities designed to improve the employment and career advancement of people with disabilities through enhanced availability and provision of customized employment services through the One-Stop Center system.
  - In 2002, \$600,000 will be awarded to fund a technical assistance center to help community service providers operating sub-minimum wage certificate programs established under section 14(c) of the Fair Labor Standards Act (FLSA), 29 U.S.C. §214(c), to move from segregated and non-employment services toward program outcomes that lead to customized, competitive employment.



- DOL participated with the Departments of Education (ED) and Health and Human Services (HHS) and the Social Security Administration (SSA) in a cross-agency public forum on implementation of WIA from a disability perspective. The purpose of the forum was to focus on issues relating to implementation of WIA for people with disabilities, in anticipation of its reauthorization next year.
- DOL's Pension and Welfare Benefits Administration (PWBA) is expanding its education campaigns and programs to provide more education and outreach directed toward Americans with disabilities who are entering the workplace. Building on its current materials, PWBA will develop new materials addressing the importance of health benefits coverage, the important choices to be made about health benefits when entering the workforce, and specific information and questions relevant to Americans with disabilities. PWBA will also expand its materials addressing the importance of saving for a secure future and will provide information on retirement benefit plan rights to assist American workers with disabilities.
- DOL's ODEP and PWBA are conducting research on issues related to retirement savings and asset development for people with disabilities. Among other areas, this research will focus on issues of specific concern to people with dis-



abilities who receive Supplemental Security Income (SSI) disability benefits, such as asset exclusions and limits; the potential of Individual Development Accounts and other savings/asset development tools; information and ideas for entrepreneurs and small business owners with disabilities; and ideas for creating new partnerships with public and private sector organizations.

- DOL's ODEP, working within DOL and with other appropriate Federal agencies, will develop and implement an action plan to promote the full inclusion of people with psychiatric disabilities in workforce investment programs and services. ODEP will consult with HHS' Substance Abuse and Mental Health Services — (SAMHSA), the Small Business Administration (SBA), and the Office of Personnel Management (OPM), as well as other relevant stakeholders, to increase One-Stop Center employment services for people with psychiatric disabilities, including those transitioning to the community from institutions or those at risk of placement in residential facilities.
- DOL's Employment and Training Administration (ETA) is supporting President Bush's *NFI* through a number of activities designed to provide skill training and comprehensive services in the workforce investment system for people with disabilities, including the following:

➤ Since October 2000, ETA has awarded 46 Work Incentive Grants totaling \$40 million to consortia and/or partnerships of public and private non-profit entities working in coordination with the One-Stop delivery system to augment the existing programs and services and ensure programmatic access and streamlined, seamless service delivery for people with disabilities. An award to 23 entities was made in May 2002 and a third round of Work Incentive Grants will be competed in fall 2002.

➤ In 2002, ETA will award up to \$300,000 to fund three to five grants, ranging in amount from \$60,000 to \$100,000 each, to community and faith-based organizations for the purposes of developing new or enhancing existing employment training and/or other services for people with significant disabilities. Grant activities may include the purchase of, utilization of, and training in the use of electronic and information technology.

➤ ETA has awarded 12 Disability Employment Partnership Grants totaling \$5.5 million for multi-state employment and training projects serving people with disabilities. This is a direct-service demonstration grant program, working in coordination with the workforce delivery system, to develop and provide innovative training and employment services to people with disabilities. ETA has provided funds for similar grant projects with national disability organizations for approximately 25 years.

➤ ETA's *One-Stop Guide to Accessibility and Accommodation of People with Disabilities* will provide detailed guidance to the workforce delivery system on compliance with WIA Section 188 non-discrimination provisions for people with disabilities, as well as other legislative and regulatory requirements impacting the delivery of workforce services to people with disabilities. The guide is expected to provide the basis for technical assistance and training to the workforce system and will assist DOL's Civil Rights Center (CRC)

in assuring programmatic and physical access to customers with disabilities.

- ETA is renewing an Interagency Agreement with ED to provide funds for technical assistance from Disability Business and Technical Assistance Centers (DBTACs), which are funded by the National Institute on Disability and Rehabilitation Research (NIDRR) under the Office of Special Education and Rehabilitation Services (OSERS). DBTACs provide expertise on the Americans with Disabilities Act (ADA), Section 504 of the Rehabilitation Act, and other legislative and regulatory requirements affecting people with disabilities, in addition to information on assistive technology. DBTACs also developed, in coordination with ETA, a self-directed, on-line tutorial for One-Stop Center staff called *At Your Service*, which has been extremely well-received by

One-Stop staff as well as VR professionals.

- ETA has developed a *One-Stop Tool Kit* web site with links to other sites that contain critical information on laws, regulations, assistive technology, etc., necessary for effective One-Stop Center operations and program services. It includes profiles of successful Work Incentive Grant approaches and products developed under these grants that can be utilized by other workforce investment areas. It also highlights the DBTACs' *At Your Service* on-line tutorial.

### Department of Education

- The President has requested an increase of \$135 million in the FY 2003 budget to improve employment outcomes through ED's VR program (includes a \$63 million consolidation of three duplicative job training programs into the



**SUNTRUST AND MANPOWER'S PARTNERSHIP ALSO WORKS BECAUSE IN EACH COMPANY, THE COMMITMENT TO EMPLOYING WORKERS WITH DISABILITIES COMES FROM THE TOP:**

**"THE FOCUS ON HIRING QUALIFIED EMPLOYEES FROM THE DISABLED POPULATION IS, IN FACT, GOOD FOR BUSINESS. THE ENTIRE MANAGEMENT TEAM IS COMMITTED TO THIS INITIATIVE."**

**— C.T. HILL, CHAIRMAN, PRESIDENT, AND CHIEF EXECUTIVE OFFICER, SUNTRUST MID-ATLANTIC**

## PROMISING PRACTICE

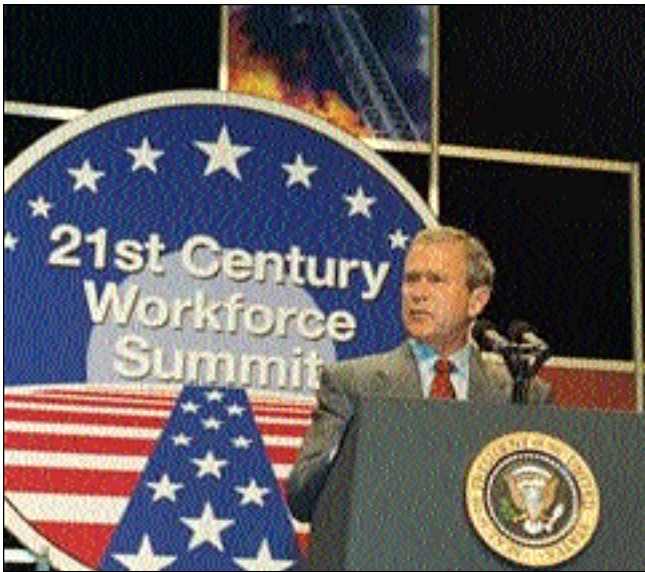
### Employer Partnership with Staffing Services

**SUNTRUST BANK MID-ATLANTIC AND MANPOWER, INC., SHARE A COMMITMENT TO INCLUDING MORE PEOPLE WITH DISABILITIES IN THE WORKFORCE.** One of the nation's largest commercial banks and one of the world's largest staffing services see employing people with disabilities as not just the right thing to do, but the smart thing to do.

"We know that there is a strong business case for hiring people with disabilities," said Katherine McCary, Vice President of Human Resources for SunTrust Bank, Richmond, Virginia, and Chair of the Virginia Business Leadership Network. "When we bring talented individuals who happen to have disabilities into our workforce, it strengthens our talent pool and helps us develop products and services that are friendlier to customers with disabili-

ties." SunTrust works with Manpower in part because of the staffing firm's commitment to the employment of people with disabilities. "When a business wants to expand its workforce diversity by hiring people who have disabilities, a staffing firm can really broaden the company's access to that population."

Manpower, which has provided staffing services to SunTrust in the Richmond area for two decades, also views the employment of workers with disabilities as good business sense. "We're always looking for applicants who can meet our customers' skill needs, and we draw an increasing number of them from the disabled population, which we find to be an underutilized recruiting source," said Millie Hewett, area Sales Manager for Manpower's Richmond operations.



VR State Grant). In addition, the President has requested \$30 million in incentive grants to states to reward VR agencies based on their performance.

- In FY 2002, ED's Rehabilitative Services Administration (RSA), a sub-agency within OSERS, has several specific initiatives that are expected to supplement the achievements it has already made toward its goal of furthering the employment of individuals with disabilities including the following:
  - RSA is working to establish extensive inter-agency collaborations between VR and related programs at the state level. The State VR Services Program is a required partner on State Workforce Investment Boards under WIA. This partnership, along with collaborations in service to individuals transitioning from welfare and other public assistance, dictates strong relationships between VR and other entities of state government.
  - As of October 1, 2001, state VR agencies could no longer consider individuals who are working in non-integrated settings (e.g., extended or sheltered employment) to have achieved an employment outcome under the State VR Services Program.
  - In FY 2002, the evaluation standard for com-

petitive employment and the standard for equal access to services for individuals from minority backgrounds were fully implemented and are being used to measure the performance of state VR agencies.

- In response to the terrorist attack on the World Trade Center, RSA assisted the New York Office of Vocational and Educational Services for Individuals with Disabilities to provide \$70,000 in emergency supplemental funding to the Center for Individuals with Disabilities of New York, located in Lower Manhattan. The money was used to assist individuals with disabilities in the distressed area, providing information and referral on support services as well as grief counseling and other on-site services.
- In FY 2002, ED's National Institute on Disability and Rehabilitation Research (NIDRR) funded extensive research related to improving employment outcomes for individuals with disabilities. NIDRR supports a number of Rehabilitation Research Training Centers (RRTCs) focusing on a variety of areas, including economic policy issues, community-based rehabilitation efforts, workplace supports, transition from school to employment, public systems promoting employment, and employment for certain sub-populations of individuals with disabilities (e.g., individuals with long-term mental illness, persons who are blind, substance abusers, and persons who are deaf or hearing-impaired). The RRTCs also investigate employment of selected geographic or ethnic populations (e.g., rural residents and American Indians), and collect disability statistics relating to the employment of persons with disabilities.
- NIDRR's Model Systems for the Rehabilitation of Individuals with Particular Injuries programs focus on a continuum of services to assist individuals with spinal cord injuries, traumatic brain injuries, and severe burn injuries.
- NIDRR's DBTACs provide information, training, and hands-on technical assistance to all parties with rights and duties under the ADA.

The centers handle about 10,000 calls per month and train approximately 70,000 people in 2,300 training sessions per year.

- NIDRR has funded and completed the following research:
  - Study on the Effects of Labor Market Characteristics and Public Policy on the Employment Status of Individuals with Disabilities; Disability and Employment Policy RRTC, Cornell University. This study found that the increased need in the labor market for more cognitive ability, education and training, and ability to manage others, as well as the decline in availability of health insurance, have a negative impact on employment rates of people with disabilities.
  - Technical Assistance Study on the Employment of Individuals to State and Federal Agencies; University of Iowa. In this study, researchers developed a model of policy guidelines that 12 states have adopted related to comprehensive work incentive policies.
  - Traumatic Brain Injury Model System (TBIMS); the Mayo Brain Injury Comprehensive Day Treatment Program and the Mayo Brain Injury Vocational Case Coordination Project, Mayo Clinic. Both programs focused on participants with brain injury who were either currently employed or were training in the community with or without support, and who had been out on their own for a year following withdrawal from services. The Mayo clinic also developed an employer education booklet entitled *Understanding After Brain Injury: A Guide for Employers*. It is available on the Mayo Clinic web site at <[www.mayo.edu/pmts/mc1200-mc1299/mc1298.pdf](http://www.mayo.edu/pmts/mc1200-mc1299/mc1298.pdf)>.

### Department of Health and Human Services

- HHS has adopted and circulated national guidelines to protect and support Temporary Aid for Needy Families (TANF) recipients with

disabilities based on the Center's Disability Policy Framework research.

- Extensive analyses of data from HHS' SAMHSA's Employment Intervention Demonstration Program (EIDP) have revealed the supports necessary for helping people with psychiatric disabilities to find and keep jobs. Begun in 1995, EIDP has produced the largest national database on employment of people with psychiatric disabilities in existence.
- SAMHSA supported the production of two excellent resources for communities working to improve employment prospects for people with psychiatric disabilities. *Work as a Priority: A Resource for Employing People Who Have a Serious Mental Illness and Who are Homeless* is available through the National Resource Center on Homelessness and Mental Illness (NRCHMI), by phone at 1-800-444-7415 and on the NRCHMI web site at <[www.nrchmi.com/pdfs/WorkAsPriorityNoPics.pdf](http://www.nrchmi.com/pdfs/WorkAsPriorityNoPics.pdf)>. The Maine site of the EIDP produced a booklet, *Business Partnerships, Employment Outcomes: The Mental Health Employer Consortium*, which describes how other communities may replicate its highly successful Employer Consortium model for engaging businesses in hiring people with psychiatric disabilities; this booklet is available from the Maine Medical Center Department of Vocational Services by calling 1-207-871-2088.



- SAMHSA has helped five communities to implement supported employment programs through the Community Action Grant program. The Community Action Grant program has helped additional communities to implement employment-related models such as Clubhouse, Assertive Community Treatment, the Village, family psycho-education, and youth transition programs.
- HHS' Administration on Developmental Disabilities (ADD) is sponsoring a number of grants activities related to employment through its National Network of University Centers for Excellence in Developmental Disabilities Education, Research, and Service. These grants focus on a wide variety of issues including the use of customized employment strategies for young adults with disabilities; improvement of the Medicaid Purchase Plan; creation of a more coordinated return to work approach; development of a personal assistance service model in cooperation with employers; development of and participation in State-to-State Coalitions to enhance their effectiveness; the development of user-friendly software that allows individuals, case managers, and policy-makers to weigh various health and long-term care options; establishment of state waivers to make personal assistant services available in the workplace and later to create a Medicaid Buy-In Program; and provision of real work experiences to youth in transition.
- ADD's Projects of National Significance Program has funded grants exploring the following issues relating to employment of individuals with disabilities: personal networking as a job search strategy in culturally diverse communities; transitional training for students with developmental disabilities in their communities; training individuals with developmental disabilities to make self-directed choices; and access to integrated employment national data on day and employment services for individuals with developmental disabilities.
- In 2001, ADD's State Councils on Developmental Disabilities assisted 5,854 adults

with developmental disabilities in 44 states to secure employment of their own choosing and worked with 35 states and 1,813 businesses to secure employment opportunities for individuals with disabilities.

- In 2001, ADD's Protection and Advocacy Systems Grant Program assisted 435 people with developmental disabilities in 30 states in their efforts to obtain and maintain employment consistent with their interests, abilities, and needs.
- HHS' SAMHSA, Administration for Children and Families (ACF), and ADD are working with the Urban League to use its affiliates as links and facilitators allowing urban residents with disabilities access to VR services and other services and supports so that residents may become employed.

### Department of the Interior

- The Department of the Interior's (DOI) Bureau of Indian Affairs (BIA) is working closely with its interagency Native American Work Group to investigate employment barriers facing Native Americans and Alaska Natives with disabilities. The work group has received numerous recommendations from tribal leaders, tribal members with disabilities, service providers, and advocates about how best to address the extraordinarily high unemployment rate of Native Americans with disabilities.





# Expanding Opportunities for Youth with Disabilities

The *NFI* is targeted at all individuals with disabilities, including young people. The educational and employment achievements of young people with disabilities lag significantly behind those of their peers without disabilities. ED reports that national high school graduation rates for students with disabilities are significantly below those of youth without disabilities. ED's National Center on Educational Statistics (NCES) reports that 88 percent of students without disabilities graduated, while OSEP reports that only 62 percent of youth with disabilities graduated. ED also estimates that only one-third of young people with disabilities receive necessary job training and assistance.

In implementing the *NFI*, the Administration is engaged in a number of activities designed to increase academic skill expectations, expand lifelong learning opportunities, improve transition results, increase access to programs and services, and ensure that young people with disabilities keep pace with the ever-increasing technical skills required by the job market. In order to serve young people with disabilities effectively and prepare them for the workplace of the 21<sup>st</sup> century, a bridge must be created between education and other adjunct systems of support – such as VR, One-Stop Career Centers, health care, income supports, transportation, housing, and postsecondary education – so that young Americans with disabilities have access to the tools necessary to allow them to transition successfully from school to adult life prepared for and expecting to contribute to both our nation's economy and their own communities.



## Accomplishments

### President George W. Bush

- President Bush issued Executive Order 13227 in October 2001 creating the Presidential Commission on Excellence in Special Education and charging the Commission with developing recommendations for improving services for students with special education needs. The Commission released its report in July 2002.
- The President requested the largest increases of any President in history for the IDEA Part B State Grants program in his FY 2002 and FY 2003 budgets.

### Department of Labor

- DOL completed a resource-mapping project that identified and critically evaluated 232 youth programs across 12 Federal agencies based on 45 characteristics representing best practices in serving youth with disabilities in transition. These best practices focused on six broad areas: student-focused planning and development; career pathways and contextual learning; family involvement; physical and mental health; business, labor, and community involvement; and structure, policy, and practices within programs. The results of this project will help agencies to understand the extent to which young people with disabilities are currently being served, to better coordinate activities within and across agencies, and to expand their capacity to provide better service delivery in the future.
- In FY 2001, \$4.95 million was awarded to fund similar projects as well as a technical assistance center (the WIA Disability Technical Assistance Consortia for Youth) to help implement the demonstration grants. In FY 2002, DOL's ODEP will award \$ 2.5 million in Innovative Demonstration Grants for Youth with



Disabilities to enhance the capacity of WIA-funded youth programs to better meet the needs of young people with disabilities.

- DOL, in collaboration with the American Association of People with Disabilities (AAPD), will again be hosting this year's celebration of National Disability Mentoring Day on Wednesday, October 16, 2002. National Disability Mentoring Day promotes the employment of students and job seekers with disabilities through job shadowing and personal mentoring with volunteers at public and private places of employment. On National Disability Mentoring Day 2001, more than 1,000 students were mentored by hundreds of public and private employers in more than 30 states.
- In 2002, ODEP and the U.S. Department of Defense's (DOD) Workforce Recruitment Program (WRP) successfully secured summer employment for 325 college students with disabilities in 31 Federal agencies.
- The Departments of Labor and Education are implementing a joint proposal to increase the high school graduation rate of participants in Job Corps Center programs by establishing a Job Corps distance-learning program through a

National High School, which will work by forming partnerships between Job Corps Centers and public schools.

- DOL and ED are developing a coordinated, interagency initiative to improve employment opportunities and earnings of current workers and new labor market entrants who currently do not possess the reading and math skills essential to successful participation in the workforce of the 21<sup>st</sup> century.

### Department of Education

- President Bush signed legislation increasing by \$1.2 billion the FY 2002 budget for ED's IDEA Part B State Grants program to raise the Federal contribution to the cost of providing children with disabilities a free and appropriate public education. Overall, ED received more than \$7.5 billion for IDEA Part B to help states and localities provide special education and related services to America's students with disabilities.
- The President requested in the FY 2003 budget an additional increase of \$1 billion for the IDEA Part B State Grants program, for a total of \$8.5 billion.

## PROMISING PRACTICE

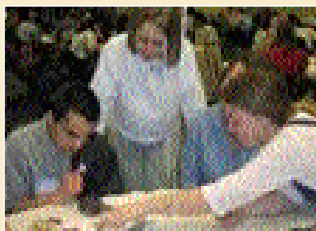
### Internships for Students with Disabilities



**IN 2001, BOOZ ALLEN & HAMILTON BEGAN ITS EMERGING LEADERS INTERNSHIP PROGRAM FOR STUDENTS WITH DISABILITIES.**

The paid internship program exposes students to a variety of career choices at Booz Allen and provides students with a crash course on job skills such as interviewing and résumé writing. For the final week, Booz Allen pays for the students to intern at a nonprofit or Federal agency where they can witness firsthand the strength of public-

private partnerships. Throughout the internship program, students were mentored by Justin Dart, successful businessman and grandfather of the Americans with Disabilities Act (ADA). Mr. Dart inspired students to be passionate advocates for the civil rights of people with disabilities while pursuing fulfilling careers. Ralph Schrader, Chief Executive Officer of Booz Allen, has a child with a disability and seeks to guarantee that the company culture is welcoming to employees with all abilities.



- The President requested an increase of \$20 million in the FY 2003 budget for the IDEA Part C Grants for Infants and Families Program, which provides crucial early intervention services for infants and toddlers from birth through two years old.
- The President's *Reading First and Early Reading First Initiatives*, established in the No Child Left Behind Act, create a comprehensive reading program for students, including those with disabilities, from preschool through third grade. While these initiatives will benefit many students identified as disabled, there will be students who do not respond to these interventions and who need more intensive instruction. ED's OSEP is supporting four additional reading projects that seek to identify the critical components necessary to ensure that children with the most severe reading disabilities who do not respond to effective classroom interventions learn to read.
- ED's OSEP funded the National Longitudinal Transition Study-2 (NLTS-2). This study examines the academic and vocational performance of secondary school students with disabilities as well as their postsecondary school and employment outcomes, and identifies other factors that influence student success.
- OSEP established the Promoting What Works project, which assists educational and other agencies in improving results for secondary-aged youth with disabilities by synthesizing, analyzing, and disseminating information in three areas: academic results improvement, secondary transition practice, and dropout prevention and intervention, including factors associated with early school exit for students with disabilities. Colorado State University is summarizing the work, which will illustrate what works in secondary school programming for youth with disabilities.
- ED's OSEP participated in transition model demonstration grants. In FY 2001, OSEP funded three grants to demonstrate effective local-level collaboration on transition planning between multiple systems such as education, VR, workforce development, employer organizations, community networks, health, youth and adult agencies, and other relevant groups.
- OSEP began focusing its monitoring resources on those requirements most closely related to improving results for children with disabilities, including promoting opportunities for participation in employment.
- ED provided \$4 million in four new five-year grants for Postsecondary Education Regional Centers for the Deaf; these centers serve individuals with a wide range of hearing loss. The Centers will form the Post-secondary Educations Program Network (PEPNet), a network promoting technical assistance coordination and collaboration. Priorities include expanding the array of educational opportunities for students who are deaf by providing technical assistance to institutions currently not serving the student population, and assisting those institutions currently providing services in improving their existing programs.
- ED established the National Center on Secondary Education and Transition (NCSET), a technical assistance center with activities that are national in scope, coordinated with other technical assistance and dissemination efforts, and aligned with other Federally-funded synthesis and research centers and institutes. The goals of the Center are to promote secondary education and transition models integrating academic, career, and community-based learning; support state and local capacity-building; promote systemic change by facilitating community-based linkages in the provision of transition services to students with disabilities; and translate research into practice by using technical assistance and dissemination mechanisms.

### Department of Health and Human Services

- HHS is implementing a 10-year national action plan for children and youth with special health care needs. This will include service delivery systems providing comprehensive screening and health care via a medial home, family par-



ticipation and satisfaction in those systems, and a focus on transitioning youth to all aspects of adulthood, including from pediatric to adult health care, employment, and independence.

- HHS' Family and Youth Services Bureau hosted the National Youth Summit in June 2002, which included a variety of presentations and workshops designed to benefit youth with disabilities.

### Social Security Administration

- In 2001, SSA held a series of Youth Preparing for Tomorrow Conferences to obtain information and views on what directions and activities SSA can undertake to assist youth who receive SSI or Social Security Disability Insurance (SSDI) to achieve positive adult outcomes.
- SSA instituted the Youth Continuing Disability Initiative involving SSI youth in Maryland and Florida ages 15 and 16 who have had a Continuing Disability Review performed by the State Disability Determination Services. This project is designed to assist youth in obtaining the information and services they need to successfully transition to work. The Youth Continuing Disability Initiative will allow SSA to examine the feasibility of such an approach on a national basis.

### Department of Commerce

- The Department of Commerce's (DOC) National Oceanic and Atmospheric

Administration's (NOAA) National Weather Service (NWS) partnered in the High School/High Tech (HS/HT) program with Virginia Polytechnic Institute and several high technology companies to promote science, engineering, and technology careers for students with disabilities. During FY 2001, 25 students from six high schools participated. NOAA research organizations in Boulder participated in the orientation meetings of the Colorado HS/HT program.

### Department of the Interior

- DOI's Bureau of Reclamation (BOR) established a partnership with the CAST for Kids National Foundation to provide opportunities for disabled and disadvantaged children to experience the great outdoors. This partnership supports a program that increases opportunities for persons with disabilities to use and enjoy Federal lands and waters.

### Department of Justice

- The Department of Justice (DOJ) continues to have as its primary goal effective enforcement of the ADA, concentrating on opening up everyday American life to people with disabilities. As indicated in its report to the President under Executive Order 13217, *Community-Based Alternatives for Individuals with Disabilities*, the Department is considering outreach to determine what specific barriers keep children in institutions and away from family settings. The Department is especially interested in helping children remain with their families, and keeping families together within communities, and seeks to assess whether the problem of children residing within institutions lies chiefly in a lack of accessibility in child care settings or other similar barriers that are covered by the ADA. The Department will collaborate with ED in undertaking this effort since ED is responsible for administering the statutes applicable to educational services for children with disabilities.



# Employment in the Federal Government

Early in his administration, President Bush announced his intention to create a results-oriented, citizen-centered, and market-based government. A key factor in the President's Management Agenda is hiring employees with different types of skills so they can bring new approaches to government management. According to Office of Personnel Management Director Kay Coles James, "The Federal government is looking for America's best and brightest. We want to remove every barrier so that individuals with disabilities know that the door is open and that they are welcome to come work for their country. As we work to bring in the best and the brightest, we must remember that the disability community can be a tremendous resource and those who are members of that community can be great assets."

As Chief Executive of the nation's largest employer, the President has taken steps to equip the Federal workplace and workforce to recruit, accommodate, retain, and promote people with disabilities. The President's commitment to supporting full implementation of Section 508 of the Rehabilitation Act, ensuring that Federal agencies participate in the Ticket to Work (TTW) program, and appointing people with disabilities to senior positions helps all people with disabilities enter the public sector. In the past 18 months, agencies have undertaken preparations for attracting people with disabilities to public service. New assistive technology centers, a centralized web-based job and accommodation resource, education for managers about hiring, and top-down support encouraging agencies to recruit applicants with disabilities are just some of the factors that will accelerate the employment of people with disabilities in the Federal government. The President recognizes that the best way to convince the private sector of the benefits of hiring people with disabilities is to demonstrate successful inclusion within his own organization.

## *Accomplishments*

### **Department of Labor**

- During FY 2001, DOL hired 39 individuals with disabilities, including four with targeted disabilities, bringing the total number of employees with disabilities to 1,076, or 6.6 percent of all DOL employees. Of all DOL employees with disabilities, those with targeted disabilities total 196 and constitute 1.2 percent of all DOL employees.

### **Department of Health and Human Services**

- HHS has an aggressive, targeted plan to substantially increase the number of individuals with disabilities who are hired by the Department for professional, administrative, and support positions, and has accomplished the following:
  - The representation of persons with targeted disabilities in the permanent workforce increased from 1.13 percent to 1.18 percent.
  - The representation of persons with all disabilities in the permanent work force increased from 5.87 percent to 6.45 percent.
  - In all employment categories, 484 persons with disabilities were hired from outside the Federal government in the first year (2001) of tracking the OPM initiative to increase hires of people with disabilities. This represented 3.5 percent of all HHS Federal hires during that period and reflects the percentage of HHS employees in Federal civilian employment.
  - In the summer of 2001, HHS hired 83 students with disabilities. Sixteen of the students hired were from the WRP for College Students with Disabilities in which HHS participates with other Federal agencies. Final numbers for the summer of 2002 are not



available yet, but 19 hires of WRP students have been reported.

- HHS' Health Resources and Services Administration (HRSA) has developed and implemented a Plan for the Employment of People with Disabilities. Under this plan, HRSA established the Section 508 Coordinating Committee, which worked to ensure that HRSA's electronic and information systems were in compliance with the law. Under the leadership of the Office of Information Technology (OIT), HRSA's Web Team ensured that HRSA's web pages were Section 508 compliant. To further implement this plan, HRSA conducted a self-identification survey on disabilities, which enabled them to assess the effectiveness of accommodations and identify future needs. HRSA has also developed and published internal policies and procedures for providing reasonable accommodations to facilitate the hiring and retention of employees with disabilities. Within the last year, HRSA has hired 15 persons with disabilities, eight of whom are veterans.
- HHS is initiating an agreement with DOD's Computer/Electronic Accommodation Program (CAP) to provide assistive technology to HHS employees with disabilities.
- HHS has committed to establish a program to recruit the expertise of talented individuals who

have direct personal experience with a major disability to work in HHS agencies for one- to two-year assignments on a full- or part-time basis, under the Intergovernmental Personnel Act (IPA). HHS will also establish a companion initiative to permit key HHS components that administer disability programs to hire, in permanent positions, a limited number of highly capable individuals with disabilities.

### Social Security Administration

- SSA is fully committed to recruiting and hiring people with disabilities. Under Executive Order 13163, *Increasing the Opportunity for Individuals with Disabilities to be Employed in the Federal Government*, SSA committed to hire 3,000 individuals with disabilities over a 5-year period beginning in FY 2001. To accomplish this goal and ensure that the Agency's recruiting message is clear and consistent and permeates all recruitment efforts, SSA developed a comprehensive plan to recruit people with disabilities; this plan includes aggressive advertising with key publications, internet-based employment-related services, and web-based recruitment clearinghouses. It also calls for establishing and maintaining recruitment relationships with state employment offices, VR agencies, and the Department of Veterans Affairs (VA). The plan targets companies in private industry that are downsizing, displaced Federal employees, and college and university recruitment offices.
- Using the strategies in this recruitment plan, SSA's FY 2001 hires totaled 5,744, of which 545, or 9.5 percent, were individuals with disabilities and 138, or 2.4 percent, were individuals with severe disabilities; these hires bring the number of employees with disabilities to 5,336, 8.1 percent of all SSA employees. Employees with targeted disabilities comprise 1,500 of all employees with disabilities, constituting 2.3 percent of all SSA employees.
- Because the success of the recruitment strategies hinges on ongoing timely evaluation and monitoring, the Deputy Commissioner for the Office of Human Resources monitors and reports SSA

component hiring data to the Commissioner and Executive Staff on a monthly basis.

- To assist employees with disabilities in their careers at SSA, the Agency has an outstanding and aggressive reasonable accommodation program. Between \$7 and \$8 million is spent annually on adaptive devices and contract services for employees with disabilities. More than 250 employees, including readers, sign-language interpreters, and personal assistants, are employed to assist and support SSA's employees with disabilities. SSA's reasonable accommodation program has been recognized by many local and national government agencies as well as civic and academic institutions including the John F. Kennedy School of Government at Harvard University, the General Services Administration, the Stevie Wonder

Vision Institute, and the City of Baltimore Mayor's Commission on Disabilities.

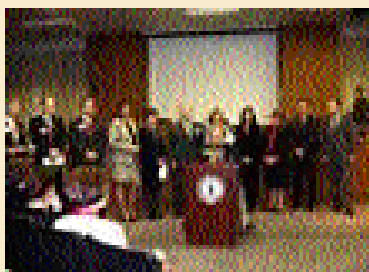
- SSA provides reasonable accommodation in all aspects of employment, including recruitment, training, promotion, reassignment, and developmental assignments. Accommodation is determined on a case-by-case basis, taking into consideration the applicant or employee, the specific disability and existing limitations, the essential functions of the particular job, the work environment, and the effectiveness of the proposed accommodation.
- Reasonable accommodation policies, practices, and other information are disseminated through training, memorandums, brochures, and presentations to Agency executives, management, and employees. SSA policies and requirements

## PROMISING PRACTICE

### Disability-Friendly Business Recognition Program



**DESIGNED TO RECOGNIZE BUSINESSES FOR OUTSTANDING SUCCESS AND COMMITMENT** to employing, accommodating, and providing products and services accessible to individuals with disabilities, the Virginia Disability-Friendly Business Recognition Program was launched in January 2002. This program is a joint venture of the Virginia Business Leadership Network, Disability Services Boards of Virginia, and the Virginia Department of Rehabilitative Services.



Virginia Lieutenant Governor John Hager announces the Disability-Friendly Business Recognition Seal program.

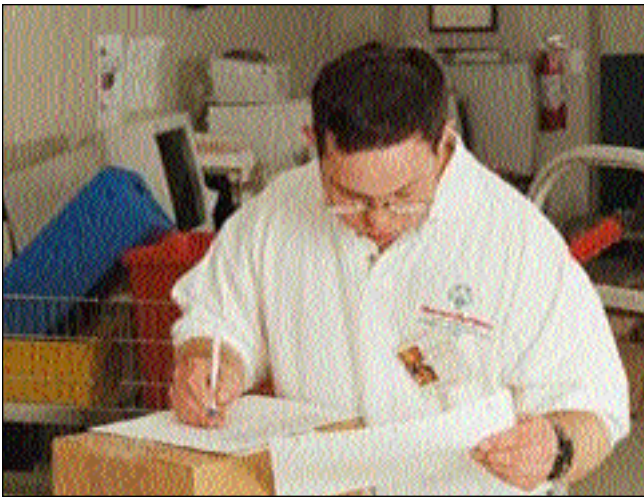
The Disability-Friendly Business Recognition Program was created to acknowledge those businesses that have instituted and promoted best practices concerning employment of and service to persons with disabilities. Specifically, it seeks to recognize businesses that have not

only met the legal requirements of the Americans with Disabilities Act (ADA), but have demonstrated a clear and conscious effort and intention to be disability-friendly.

As part of the program, deserving businesses are awarded with a Disability-Friendly Business Recognition Seal. This seal 1) stands as a symbol to patrons, staff, and others in the community of the business' commitment to hiring, accommodating and serving individuals with disabilities; and 2) encourages other Virginia employers to apply similar practices to their own companies.

In addition to receiving the Recognition Seal, businesses are highlighted in newspaper or similar media outlets and at other workforce development events.





are also contained in administrative manuals to which all offices have access. In addition, an Employees with Disabilities web page is maintained on the SSA Intranet containing a wealth of information on disability issues and concerns. The web site includes information on reasonable accommodation; issues to consider for new hires, transfers, and retirements; training information for employees with disabilities; assistive devices request information; development/accessibility standards; a library of technical and informational documents; and contact persons and their telephone numbers.

- SSA maintains an Employees with Disabilities Help Desk staffed with five technicians available to answer software-related questions. The hardware vendor answers hardware questions.

### Department of the Treasury

- The Department of the Treasury (Treasury) is committed to improving employment opportunities for people with disabilities across all career fields and grade levels in all Bureaus. To this end, in support of the Federal-wide hiring initiative for individuals with disabilities, Treasury developed its Department-wide plan to increase the number of individuals with disabilities hired. The purpose of the plan is to establish a Department-wide program for identifying employment opportunities for individuals with disabilities and to ensure that the necessary steps to recruit, hire, and retain individuals with disabilities are taken by the

Department and its Bureaus. The plan also establishes a five-year goal of hiring 12,000 individuals with disabilities, with special emphasis on individuals with targeted disabilities. Based on the first two years of effort, the Department has been successful in hiring 4,229 individuals with disabilities. This represents 35 percent of the Department's five-year hiring goal. Each Treasury Bureau also has in place a Bureau-specific recruitment plan. Of the 15 Treasury Bureaus, two – the Financial Management Service and the U.S. Secret Service – exceeded their annual hiring commitment for two consecutive years. The remaining Bureaus continue to make significant progress towards meeting their hiring commitments.

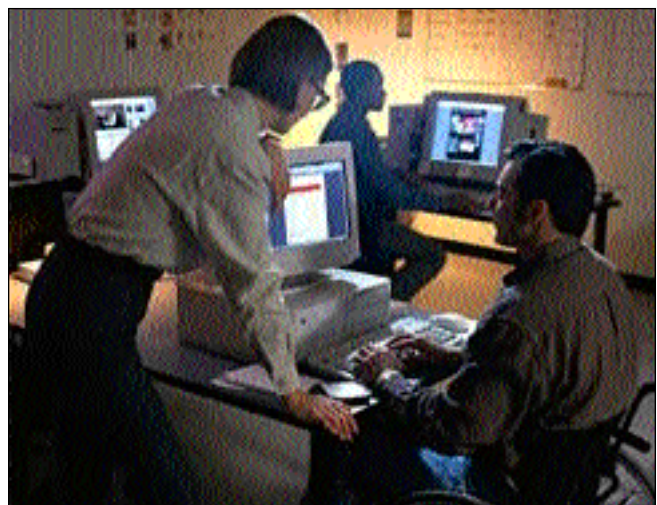
- Treasury also continues to identify services that assist in making the work environment more accessible to employees with hearing, visual, dexterity, cognitive, and communication impairments. As a result, in FY 2002, the Department entered into a partnership agreement with DOD's CAP. CAP provides a variety of accommodations, including teletypewriters (TTYs) for the deaf; scanners, magnification systems, speech recognition systems, and hands-free computer systems for individuals with dexterity disabilities; and electronic communication aids and speech output systems for individuals with communication disabilities.
- Treasury has developed and issued procedures for processing requests for reasonable accommodations Department-wide. The procedures apply to all employees and applicants for employment. Each of the Treasury Bureaus has also developed Bureau-specific procedures. In addition, the Office of Thrift Supervision established a centrally managed account to purchase assistive devices and equipment to meet the needs of employees who are or become disabled on the job.
- To ensure that Treasury's electronic and information technology is fully accessible to individuals with disabilities, Treasury established a Council to ensure Department-wide compliance with Section 508 of the Rehabilitation Act. The

Council is chartered under the Treasury Chief Information Council and meets quarterly. It is comprised of officials from the Department's Offices of Human Resources, Procurement, Facilities, Telecommunications, and General Counsel; the Treasury Webmaster; a special advisor on disability issues; and a representative from each of the Department's 15 Bureaus who is responsible for policies related to acquisition, management, and/or use of information technology resources. As a result of Council activities, Treasury has achieved the following successes:

- The Department developed a web site that provides information about Section 508 and the Department-wide Council, and related links to other resources such as the General Services Administration (GSA) and the Access Board.
- Accessibility requirements have been added to all Treasury Information Systems Manuals to ensure that those requirements are considered in all phases of new system development and deployment.
- Many of the Treasury Bureaus have established a 508 Council/Working Group to focus on Bureau-specific issues and/or have developed a Section 508 web site.
  - Bureaus reporting councils or working groups include the Internal Revenue Service (IRS), the Office of the Comptroller of the Currency, the Bureau of Alcohol, Tobacco and Firearms (ATF), the U.S. Customs Service (Customs), the U.S. Mint, and the U.S. Secret Service.
  - The IRS has developed a web-enabled 508-training site, available through the IRS School of Information Technology. The site is available to all Treasury employees and is designed to assist them in understanding Section 508 and their roles and responsibilities in implementing its requirements. IRS also produced and distributed a 56-minute training video that offers an overview of

Section 508, technical guidelines, and procurement requirements, and a seven-minute informational video for use as a marketing tool to educate the IRS workforce about available adaptive technology products and services.

- In addition to a very comprehensive Section 508 web page, Customs published design standards for web accessibility for use by Intranet site developers, and developed and issued standard operating procedures to employees involved in procurement activities.
  - Customs is in the process of developing a managers' desk manual to provide supervisors and managers with guidance on recruiting, hiring, motivating, retaining, and accommodating persons with disabilities. Customs is also developing a book of etiquette to assist staff in communicating with persons with disabilities. Both documents are proposed for publication in the near future.
  - Recognizing the reality of a shrinking labor pool and the largely untapped pool of eager, willing, and able people with disabilities available to government employers, Customs expanded its Disability Employment Program. Each of the Service's 22 service areas was asked to appoint at least one Disability Employment Program Manager. Their primary function will be to target and recruit qualified persons with disabilities for the variety of employment







opportunities that Customs offers. All appointments are scheduled to be completed during FY 2002.

- Anticipating the increased presence of people with disabilities in the workforce over the coming years, Customs is conducting a facility accessibility review of each of its 375 plus facilities. The reviews are being conducted in accordance with new directives and procedures developed by Customs for monitoring accessibility at Customs facilities nationwide. The procedures, developed by the Office of Equal Employment Opportunity (EEO), in concert with the Customs National Logistics Center, delineate responsibility and accountability for ensuring that all Customs facilities are reviewed for accessibility on an annual basis.
- The IRS has begun development of a video and CD-ROM for release during FY 2002 that focuses on recruitment and employment of individuals with disabilities. The video will feature several employees with disabilities in different career fields in their places of work and will depict reasonable accommodations made for IRS employees. Copies of the video and CD-ROM will be provided to career offices at IRS partnership colleges and universities. In addition, copies will be warehoused for use by the full-time IRS recruiters specifically targeted for recruitment of college students with disabilities. Partnerships are being explored with organizations and companies for the purpose of educating taxpayers with disabilities about the various

assistive technologies available to them.

- The IRS Offices of the Chief, EEO, and Diversity have convened a new intraorganizational committee to develop a comprehensive approach for addressing strategic issues relating to persons with disabilities. The committee is the focal point responsible for implementing an aggressive Service-wide review and providing IRS and National Treasury Employees Union (NTEU) senior leadership with recommendations on strategic actions, including procedural changes and budget initiatives, that must be taken to advance opportunities for employees, applicants, and taxpayers with disabilities.

### Department of Commerce

- In FY 2001, DOC hired 589 people with disabilities. This compared favorably with DOC's total goal of 3,000 to be achieved by 2005. During the last quarter of FY 2001, \$137,626 worth of assistive technology was ordered for employees with disabilities, at no cost to the Department.
- DOC implemented a Memorandum of Understanding with DOD's CAP to obtain for DOC employees with disabilities the assistive technology necessary for successfully accomplishing their job duties.
- DOC began establishing partnerships with disability organizations in mid FY 2002 in order to make the information in DOC's automated vacancy announcement and application system more accessible to prospective applicants with disabilities.
- DOC provided staff who volunteered to serve as recruiters for the WRP; these volunteers interviewed and evaluated students with disabilities at colleges across the nation. In FY 2001, five recruiters interviewed students at 18 colleges in 19 days. In FY 2002, seven recruiters interviewed students at 28 colleges in 29 days.
- DOC's Bureau of the Census (Census) conducted the following activities to promote the hiring and retention of people with disabilities.

- Census developed a recruiting video containing vignettes from Bureau employees with disabilities who share their successful work experiences.
- The Bureau partnered with the Task Force's Employment Rate Measurement Methodology Work Group to: provide technical advice in developing appropriate survey questions, programming for numerous detailed tabulations of disability questions, and analysis of the effectiveness of existing sets of survey questions; and to contribute to the development and progress of the research agenda.
- Census' National Processing Center (NPC) distributed pagers to all hearing-impaired employees to alert them to the Telecommunications Device for the Deaf

(TDD) telephone calls, fire drills, or other situations requiring their immediate attention. The NPC Security Office initiated a code to notify all pagers of conditions requiring disabled employees to follow emergency procedures. These safety codes and pagers are tested several times each year. All NPC hearing-impaired employees have a TDD telephone at their workstations as another safety measure.

- Census established contact with colleges, universities, and state and local organizations as a recruiting source for applicants with disabilities.
- DOC's International Trade Administration (ITA) has built partnerships with colleges and universities as a recruiting source for applicants with disabilities.

## PROMISING PRACTICE

# A Sweeping Approach to Systems Change



**THE KENTUCKY BUSINESS LEADERSHIP NETWORK (KYBLN)** developed a comprehensive approach to attaining its mission of "expanding diversity in the workplace through dynamic exchanges of information..." Led by Bank One, KYBLN members agreed on three means most likely to effect positive change in workplace diversity, particularly concerning the employment experiences of people with disabilities: 1) grass roots dialogue regarding the capability of persons with disabilities; 2) one-on-one professional consultation within the workplace; and 3) facilitated contact between job seekers with disabilities and employers.

An important part of KYBLN's approach was the development of a web site containing practical information for the web site's primary users: Ken-

tucky job seekers with disabilities, employers, and employment agencies. Following the launching of the KYBLN web site, members began work on an On-Line Career Center at the site. Prior to actual completion of the Career Center, a pilot effort was developed to test its efficacy. The result of this effort was KYBLN's first placement. Bank One in Lexington, Kentucky, hired Cynthia Dixon, who was referred by her Department of Vocational Rehabilitation (DVR) counselor.

KYBLN's strategy for 2002-03 is to bring the Career Center to fruition, expand membership via business luncheons, develop chapters throughout the Commonwealth, and begin state-wide informational forums for businesses that have hired or are interested in hiring employees with disabilities.

- ITA has attracted disabled veteran applicants through advertisements in the Pentagon's *Pentagram* newspaper, the Pentagon television station, and newsletters at military bases.
- DOC's NOAA established a standing Disabilities Subcommittee of the NOAA EEO Council to address disability issues and achieve a positive, innovative, and respectful workplace for people with disabilities.
- NOAA has networked with state VR services to recruit candidates, and has strengthened ties with various universities and disability organizations as recruitment sources.
- DOC's Western Regional Administration Center solicited applications from the University of Washington Neurological Rehabilitation Services and hired two applicants through this effort.

### Office of Personnel Management

- On May 15, 2002, OPM launched the Federal



Long Term Care Insurance Program. Employees with disabilities who would otherwise be uninsurable will be offered coverage under this program. The program requires short-form underwriting for employees. A small number of employees (less than five percent), including some with disabilities, may not be eligible for coverage because of their health status. However, OPM required that alternative policies be made available to employees who are declined coverage.

- On May 31, 2002, OPM launched a comprehensive and user-friendly web site on Federal employment of adults with disabilities for use by applicants, current employees, managers, and human resources professionals. This One-Stop source of information is located at <[www.opm.gov/disability](http://www.opm.gov/disability)>. The web site contains a training module for managers on reasonable accommodation, as well as new guidance to make it easier for people with disabilities to apply for Federal jobs by obtaining an initial certification of disability.
- OPM has made significant progress in ensuring that qualified people with disabilities and employees who become disabled after appointment have equal opportunities to be placed, hired, and advanced within the agency. In FY 2001, over 14 percent of new hires were people with disabilities.

### Small Business Administration

- SBA's five-year hiring goal, starting in FY 2001, is 300 employees with disabilities, equaling eight percent of the Agency's workforce. In FY 2001, SBA's target goal was 60; 92 individuals were actually hired. In FY 2002, SBA's goal is 120; to date, they have hired 119 individuals, for a two-year total of 211 individuals. Accomplishment to date against the two-year goal of 180 new employees with disabilities is 117 percent, and accomplishment to date against the five-year goal is already 70 percent.
- At the end of FY 2001, SBA's permanent workforce totaled 3,347 employees. Of that number,

a total of 260 employees, or 7.76 percent, were disabled; 34 of those employees had targeted disabilities. SBA showed a distribution of individuals with disabilities throughout the professional, administrative, technical, and clerical categories. The largest concentrations of employees with disabilities were found in grades GS-7, 12, 13, and 14, with a total of 184 employees at those grade levels. This represents 70.76 percent of SBA's disabled permanent workforce.

- SBA works with all Federal agencies to establish procurement goals under their procurement preference programs, which reserve three percent of total Federal procurement for veterans with service-connected disabilities, and monitors agency accomplishments against those goals. In addition, SBA monitors and evaluates remediation plans to further help agencies meet their goals. In FY 2001, \$554 million in Federal procurement contracts were awarded to veterans with service-connected disabilities.

### Department of the Interior

- All DOI Bureaus have initiated efforts to remove physical and programmatic barriers in all of their facilities and programs in an attempt to integrate Americans with disabilities into the workforce. By identifying and removing barriers, DOI has worked to ensure that applicants and employees with disabilities can be readily accommodated and integrated into the work environment.

### Department of Agriculture

- From April 2001 through May 2002, the U.S. Department of Agriculture (USDA) hired 1,350 individuals with disabilities as a result of the Five-Year Hiring Plan implemented in compliance with Executive Order 13163.
- USDA hired a total of 53 students with disabilities via the WRP for College Students with Disabilities in FY 2001, and established a Department-wide goal to hire 50 students via the WRP during FY 2002.

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- USDA serves on the interagency WRP for College Students with Disabilities Steering Committee and is providing a total of five recruiters to the WRP including three new recruiters in FY 2002.
  - USDA developed and implemented reasonable accommodation procedures in compliance with Executive Order 13164, and required training for appropriate USDA officials regarding these procedures.
  - USDA developed recruitment and hiring resources within the disability community including state and private rehabilitation programs and other community-based programs that provide job placement services to persons with disabilities.
  - USDA is developing working agreements with state rehabilitation agencies in the District of Columbia, Virginia, and Maryland, and has provided training to staff and clientele of these agencies regarding employment with USDA and the Federal government.

### Food and Drug Administration

- The Food and Drug Administration (FDA) conducted a Special Emphasis Briefing for Special Emphasis Representatives nationwide. Employment issues affecting employees with disabilities were an integral part of the briefing in order to ensure implementation of the employment goals in the agency's Plan on Employment of People with Disabilities.
- Under an interagency agreement between FDA and USDA's Technology Accessibility Resources Gives Employment Today (TARGET) Center, FDA employees nationwide receive one-on-one assessments of reasonable accommodation needs, particularly in the areas of computer accommodation and ergonomics. They also receive information concerning assistive technology available to meet their needs.



# Implementation of Ticket to Work

The landmark TWWIA legislation provides incentives to work for the more than 7.5 million Americans with disabilities receiving benefits under Federal disability programs. Prior to the implementation of TWWIA, recipients of disability income and health benefits felt they could not engage in substantial work without losing their benefits, a consequence that contributed to a dismal employment rate for people with disabilities. As part of the *NFI*, the President is committed to ensuring the Act's swift implementation and to breaking the pattern of dependence.

## Accomplishments

### President George W. Bush

- President Bush has promoted swift implementation of TWWIA, which provides incentives to work for more than 7.5 million Americans receiving benefits under Federal disability programs.

### Department of Labor

- DOL has worked to inform its local workforce system partners of the benefits of the Ticket.
  - DOL's ETA developed a Training and Employment Notice (TEN) on TWWIA. This TEN will provide the workforce investment system with information on how to prepare for the introduction of the Ticket by explaining how tickets work generally, and by providing guidance to states for the early implementation on what to do when presented with a Ticket.

### Social Security Administration

- SSA issued TWWIA regulations that went into effect for the first 13 states in the planned rollout on February 5, 2002. The rollout will be completed for all 50 states by the end of 2003. SSA has been involved in a number of related activities:
  - Ticket to Work and Self-Sufficiency Program: For individuals who receive SSDI and/or SSI benefits, the TTW Program expands the universe of service providers available for assistance in finding and retaining employment. SSA published final regulations in the Federal Register on December 28, 2001. In addition, SSA produced internal operating instructions, developed public information materials, launched systems processing enhancements, and began actual implementation of Phase One of the TTW Program by mailing tickets to eligible beneficiaries in the initial 13 states from February through June 2002. To date, nearly two million tickets have been mailed and approximately 3,500 tickets have been assigned to employment networks and state VR agencies for employment-related services. SSA will continue with Phase Two of the TTW implementation later in 2002 by mailing tickets to eligible beneficiaries in 20 additional states and the District of Columbia.
  - Benefits Planning, Assistance, and Outreach (BPAO) Program: TWWIA authorized SSA to award cooperative agreements in every state and U.S. Territory, to provide SSDI and SSI disability beneficiaries with access to BPAO services.
    - SSA awarded BPAO cooperative agreements to 116 entities in all 50 states as well as the District of Columbia and five U.S. Territories.



- The BPAO program awardees hired individuals called Benefits Specialists to provide information on work incentives and benefits planning and assistance, as well as to conduct outreach efforts to eligible beneficiaries. Additionally, the Benefits Specialists developed partnerships with other Federal, state, and private agencies and nonprofit organizations to serve beneficiaries with disabilities.
- Protection and Advocacy: SSA awarded 57 grants to Protection and Advocacy systems nationwide to assist individuals who receive SSDI and/or SSI benefits. The purpose of this program is to provide information and advice about obtaining the VR, employment, and advocacy services that a beneficiary needs in order to secure or regain employment. The grantees have been serving individuals with disabilities under this program since April 2001.
- State Partnership Initiatives (SPI): The SPI

program is a major component of the Federal government's overall efforts to improve employment opportunities for individuals with disabilities, and includes joint funding and project management between SSA, ED, DOL, and HHS. The SPI program helps states develop integrated service delivery systems and overcome barriers to employment for individuals with disabilities.

### Office of Personnel Management

- OPM and SSA co-sponsored the Federal Forum on Ticket to Work in April 2002. The purpose of the Forum was to educate Federal employers about the TTW program.

### Department of Justice

- DOJ joined with SSA and the Equal Employment Opportunity Commission (EEOC) to publish and distribute *A Guide for Persons With Disabilities Seeking Employment*. The primary target audience for the guide is those individuals seeking to return to work under TWWIA.

## PROMISING PRACTICE

### Full Integration of Disability into Company Capabilities



**GENERAL MOTORS** espouses complete integration of accessibility and disability from engineering to marketing — a soup to nuts approach. GM Mobility Center hires and includes employees with such disabilities as arthritis, hearing disabilities, and spinal cord injuries in key decisions on vehicle features, adaptive equipment, and marketing strategy. GM has established an Affinity Group of employees and retirees with and without disabilities to identify and address issues inside and outside the Corporation to create a disability-friendly culture and to entice skilled candidates with disabilities to consider jobs at GM. The group advises many GM divisions, including the

UAW-GM Paragon project, a labor/management partnership to enhance vehicle design to accommodate all customers' needs.

An important aspect of being a responsible employer and caring company is providing broader transportation assistance to the disability community. GM partnered with ICAN, a leading internet-based community for people with disabilities, to sponsor a section featuring bulletin boards and chat rooms, as well as resources concerning issues ranging from vendors for additional modifications and GM financial assistance, to other manufacturers' vehicles and rebates and government funding sources.



# Microenterprise, Entrepreneurship, And Economic Independence For People With Disabilities

The President's *NFI*, DOL's ODEP, SBA, and other Federal partners play a pivotal role in promoting small business ownership and microenterprise development among people with disabilities. With the majority of new jobs being created by small and medium sized businesses, self-employment has become one of the fastest growing employment options in the United States. The entire structure of the U.S. labor market is changing, with contingent, contracted, and self-employment and microenterprise all on the rise. Small business ownership is not meant for everyone, either with or without a disability, but it can be a desirable vehicle and real option for achieving economic independence. Three factors in particular appear to make small business ownership a particularly attractive alternative for individuals with disabilities:

*"The role of government is not to create wealth, the role of government is to create an environment in which people who have a dream of owning their own business are able to do so if they've got the good idea and are able to work hard for it.*

*We must remember that small businesses create most of the new jobs in America. And therefore, we've got to put forth good policy that encourages the entrepreneurial spirit to flourish."*

- President George W. Bush, May 8, 2001, the White House East Room, at an event honoring the "Small Business Person of the Year."

- Unmatched flexibility to work around a disabling condition. The effects of a disability are often mitigated — or even eliminated — without any loss in productivity when an individual has the latitude to work around medical routines. Transportation barriers, for example, disappear when the commute is across the hall rather than across town.
- The reality of employment discrimination. Thirty-six percent of working people with disabilities report that they have experienced employment discrimination. More than half of the employed people with disabilities who have experienced job discrimination (51 percent) say they have been refused a job due to disability. Self-employment eliminates or drastically reduces the likelihood of unemployment because of employment discrimination.
- The most direct route to social and economic empowerment. Entrepreneurship enables many people with disabilities to circumvent artificial barriers to career advancement that are prevalent in the workplace. Sixty percent of working people with disabilities report that they are underemployed, and 28 percent of working people with disabilities who have experienced job discrimination indicate that they were passed-over for a promotion due to their disability.

The Task Force, with its existing coordinating structures and interagency agreements in place across the Federal government, has been working to support the goals of the *NFI* and ODEP. Over the past 18 months, these Federal partners have implemented multiple initiatives. Each acknowledges the importance of entrepreneurship and small business ownership as a route to economic independence for people with disabilities.

## Accomplishments

### Presidential Task Force on Employment of Adults with Disabilities

- The Task Force convened the first National Leadership Summit on Disability & Entrepreneurship in Washington, D.C. in January 2002. Summit delegates comprised approximately 35 individuals who were carefully selected because of their capacity to direct resources and shape service delivery to advance microenterprise development opportunities for Americans with disabilities. During the two-day meeting, Summit delegates explored how they could use their resources and influence to promote entrepreneurship among people with disabilities.

### Department of Labor

- DOL's ODEP is working with SSA to explore ways to include in its TTW program provisions that would allow individuals with disabilities to use their tickets to undertake a business venture. Using the TTW opportunity, an individual could develop an employment plan that included the purchase of small business planning services and specialized technical assistance. Such a plan could also help to purchase needed inventory, provide operating capital, and secure equipment. Additionally, tickets could be used as owner equity to leverage other financing needed to adequately capitalize the business.
- ODEP is working with the Association for Enterprise Opportunity to create linkages between its nearly 400 microlenders and the disability community. In addition, ODEP is working with the Association of Small Business Development Centers to ensure that its products and services are accessible and marketed to potential entrepreneurs with disabilities.
- ODEP, working within DOL and with other appropriate Federal agencies, will develop and implement an action plan to promote self-employment and small business development among people with disabilities, particularly those with the most significant disabilities.

- During FY 2001, the ODEP-funded Small Business Self-Employment Service provided technical assistance to 1,046 individuals with disabilities and others and provided referrals to appropriate resources for further assistance. An additional 71,810 individuals visited the service's web site for information.

### Small Business Administration

- SBA developed an innovative Internet TV-based training to educate SBA administrators on the business operations of successful entrepreneurs with disabilities. The program, known as the Alpha Entrepreneur project, will research and interview entrepreneurs with disabilities nationwide for selection as case studies that will be featured in multi-media, robust Internet TV-based training and collaborative training manuals to educate SBA personnel. The program will be a comprehensive, accessible, and interactive educational package that will provide special insight into the culture and successful approaches of entrepreneurs with disabilities.
- SBA and VA signed a Memorandum of Understanding, as a result of which services offered by SBA in the areas of pre-business plan workshops, concept assessments, business plan preparation, comprehensive feasibility studies, entrepreneurial training, and mentoring will be advertised to veterans with disabilities.





- SBA is actively promoting the increase of employment opportunities for entrepreneurs with disabilities. The Veterans Business Outreach Program provides entrepreneurial development services such as business training, counseling, and mentoring to veterans with service-connected disabilities who own or are considering starting a small business. Currently, SBA has selected four organizations, one of which is privately owned by a disabled veteran, to participate in this program and to serve as Veterans Business Outreach Centers.
- Because Federal law has established a government-wide goal for participation by small business concerns owned and controlled by veterans with service-connected disabilities at not

less than three percent of the total value of prime and subcontract awards, SBA works with all Federal agencies to establish procurement goals under this program, and is monitoring agency accomplishments against those goals. In addition, SBA monitors and evaluates remediation plans to further help agencies meet their goals. In FY 2001, \$554 million in Federal procurement contracts were awarded to veterans with service-connected disabilities.

- Because self-employment is a very viable option for individuals with disabilities, SBA has increased marketing of the Microloan Program and microenterprise-oriented technical assistance via outreach through The Abilities Fund, Project Leadership, and state-based outreach.



**E**lectronic and information technology have fundamentally changed the way we work and the requisite skills and knowledge needed to fully participate in the 21<sup>st</sup> century workplace. Technology is leveling the work environment by removing physical and communication barriers while opening an enormous range of employment opportunities. Moreover, technology represents a critical potential opportunity for meaningful and stable careers for people with disabilities because of its status as a high-growth industry. Accordingly, ensuring access to technology – including assistive technology, universally designed technology, jobs in the technology industry, technology transfers, etc. – is an important component in the overall strategy to increase employment opportunities for people with disabilities. Through the *NFI*, the Bush Administration is working to ensure that Americans with disabilities are prepared to work



in the field of technology and have affordable access to the best technologies of today and even better technologies in the future.

### *Accomplishments*

#### **President George W. Bush**

- President Bush secured \$65 million for FY 2002, allowing ED to work toward the following goals:
  - jumpstarting research in the area of assistive and universally designed technologies at centers that conduct advanced research in the field; and
  - supporting NIDRR in its work to coordinate Federal disability research programs and to assist small businesses in the development and transfer of new technologies.

- The President secured \$3 million in the FY 2002 budget, substantially increasing the funding for ED's NIDRR Interagency Committee on Disability Research to coordinate the many Federal disability research programs.
- The President secured \$37 million in the FY 2002 budget for ED's NIDRR to award matching grants to states to help people with disabilities purchase assistive technology through low interest loans and other means.
- In FY 2002, President Bush secured \$20 million for ED's Rehabilitation Engineering Research Centers, which conduct advanced research in the field of assistive technology.
- The President secured \$5 million in the FY 2002 budget for the Assistive Technology Development Fund to assist small businesses in the development and transfer of new technologies.
- Responding to President Bush's promise of full implementation of Section 508 of the

Rehabilitation Act, the Administration expedited Section 508 implementation and produced extensive technical guidance and training materials that will be helpful, not only to Federal agencies in complying with Section 508, but also to others interested in accessible technologies, such as private businesses, state and local governments, manufacturers and vendors, and individuals with disabilities.

### Department of Labor

- In FY 2002, DOL's ODEP will award two to five competitive grants totaling \$500,000 to assist states in developing statewide HS/HT infrastructure and operations and integrating the HS/HT programs into the youth services provided through the One-Stop Center System. HS/HT is a series of nationally established programs designed to provide young people with disabilities with an opportunity to explore careers or further education leading to technology-related careers. In FY 2001, a total of \$600,000 was awarded to 12 organizations to develop demonstration HS/HT program sites

## PROMISING PRACTICE

### Using Information Technology to Enhance Employment

THE CALIFORNIA BUSINESS LEADERSHIP NETWORK (CABLN), LED BY IBM, IS STRUCTURED TO BE RESOURCE-LEAN AND TIME EFFICIENT.

Collaboratively staffed by IBM, the California Governor's Committee for Employment of Disabled Persons, and the California Department of Rehabilitation, it relies heavily on the use of current information technology. While lead companies host quarterly Educational Forums, members throughout the state are kept up-to-date on news, resources, and events through regular e-mailings.

A wealth of information has been compiled and is continually updated on the organization's web site at <[www.cabln.org](http://www.cabln.org)>. The web site contains information to assist CABLN members in employing people with

disabilities more successfully. Comprehensive information and links to other web sites are available on such topics as disability-specific issues, employment issues (e.g. recruiting, interviewing, supervising, etc.), legal issues, tax incentives, and best business practices. The web site also provides profiles and contact information for services provided by community-based organizations. Lastly, in keeping with the intent to maximize the use of information technology, CABLN has also partnered with RECRUITABILITY.org, an internet-based résumé and job-posting site for people with disabilities.





that would align the HS/HT program with WIA's youth-related programs. An additional \$165,000 was awarded to five grantees to allow 11 existing HS/HT sites to move into alignment with WIA youth programs.

- ODEP will establish an on-line registry, similar to America's Job Bank, on the DisabilityDirect.gov web site where local or community-based organizations that help locate personal assistance can be identified.
- ODEP is expanding its DisabilityDirect.gov web portal to better serve the needs of people with disabilities. In recognition that people with disabilities, and their families, employers, and service providers need access to the multitude of resources that the *NFI* represents in a centralized location, ODEP will work with other Federal agencies to expand its Disability Direct.gov web site to encompass all facets of the *NFI*.
- In June 2001, DOL's ETA awarded approximately \$2.8 million in Disability IT Grants to six organizations to develop and provide information technology skills training for people with disabilities in partnership with the IT business community and local One-Stop Center system.
- ETA has supported the American Indian Disability Technical Assistance Center's development of a culturally appropriate IT training curriculum in consultation with Tribal governments, Tribal Colleges, Tribal VR Programs, DOL's Indian and Native American

Employment and Training Program Office, and the Information Technology Association of America.

- In June 2002, DOL's Women's Bureau, in collaboration with ODEP and the University of Washington's Women and Girls In Technology initiative, sponsored a technology conference call involving more than 70 participants. The conference call focused on barriers facing women with disabilities relating to technology, and the use of technology as a way to enable women with disabilities to become active participants in the workforce. Participants also discussed resources available to assist employers in responding to workplace needs, as well as the accessibility implications of Section 508 of the Rehabilitation Act, 29 U.S.C. §794d.
- The Women's Bureau, in collaboration with ODEP, will develop an on-line community resource guide that will be available on the DisabilityDirect.gov web site. This guide will provide consumers and workforce professionals with a listing of community and faith-based services for women available in their local communities.

### Small Business Administration

- SBA also completed Section 508 compliance requirements for public web sites, including "e-government" programs, such as HUBZone Empowerment Contracting, PRO-Net®, Tech-Net, and SUB-Net for entrepreneurs with disabilities.

### Department of the Interior

- With the important addition of the National Business Center's Accessible Technology Center (ATC) and the inclusion of Section 508 into Departmental policy in January 2002, DOI has made a significant commitment to create more accessible office environments. These actions encourage increased employment of persons with disabilities and greater job opportunities for current employees with disabilities. The ATC also provides education and training for

the DOI community about assistive technology and the way it can improve accessibility and productivity for people with disabilities as well as members of the general public with disabilities who access DOI web sites. This Internet training gives employees the information they need to create web pages that are accessible to people with disabilities, and in so doing, comply with Section 508 of the Rehabilitation Act.

- DOI's BIA and DOL have formed a partnership with the Information Technology Association of America (ITAA) and the Southwestern Indian Consortium (AIHEC) to establish a new public-private partnership to close the digital divide within Native American communities. This initiative will reach into even the most remote and

isolated areas of the country, delivering both web-based employment opportunities and education and job training, increasing access to technology and the Internet, developing culturally appropriate technology curricula for use by tribal colleges, creating distance learning and telecommunications infrastructure and delivery capability, and eventually expanding this collaborative model throughout all Native American communities.

### Department of Justice

- DOJ has developed a web page that provides technical assistance regarding accessible technology pursuant to Section 508, available at [www.usdoj.gov/crt/508/508home.html](http://www.usdoj.gov/crt/508/508home.html).



## Telecommuting

Telework and telecommuting are terms used interchangeably for a wide variety of work arrangements. Teleworkers/telecommuters may be employees or independent contractors who may work full-time or part-time. In addition, teleworkers/telecommuters may work either from home or from a telecenter all of the time, or may alternate between the two.

In general, telework/telecommuting provides opportunities for both employees and employers seeking alternative employment options. For employers, telework/telecommuting can be useful in solving business problems by decreasing certain overhead costs, satisfying fluctuating demands for additional office and parking space, and increasing employees' loyalty, productivity, and retention by helping them balance work and family demands. Certain employees value teleworking because it can eliminate long



commutes and because of its flexibility. For people with significant disabilities, teleworking/telecommuting is often more than a convenience, sometimes presenting the most viable opportunity to work by eliminating potential problems related to a lack of reliable and available employment supports such as transportation and personal assistance. Accordingly, in the *NFI*, President Bush established teleworking-related objectives and priorities that the Task Force member agencies have been implementing through a variety of activities.

### Accomplishments

#### President George W. Bush

- President Bush secured \$20 million in the FY 2002 budget in matching telework grants to states to help people with disabilities purchase

equipment to work from home. ED's RSA will administer the fund.

- The Bush Administration supported measures that would provide tax incentives for company purchases of equipment allowing employees to work from home.
- The President's FY 2003 budget includes a proposal to allow individuals with disabilities to exclude from taxable income the value of computers, software, and other equipment provided by the individual's employer for telecommuting purposes.

### Department of Labor

- DOL's ODEP will award a competitive grant of \$1 million to support the implementation and evaluation of three pilot demonstration projects involving DOL and two other Federal agencies over a period of 24 months. This initiative is designed to evaluate the extent to and the man-



ner in which various home-based telework/telecommuting arrangements can enhance the employment of people with disabilities.

- DOL's ODEP, the Office of the Assistant Secretary for Policy (ASP), and the Office of the Assistant Secretary for Administration and Management (OASAM) will promote teleworking by identifying current positions within DOL that can be relocated or restructured to provide possible home-based or other off-site working opportunities. Jobs under consideration for restructuring include those appropriate for call center operations, as well as contact center work such as claims processing, loan processing, debt collection, audit resolution, and a variety of miscellaneous financial transactions and grant/contract management activity.

### Office of Personnel Management

- OPM promotes telework on an ongoing basis in presentations to the Federal human resources community as a mechanism for offering excellent flexibility to remove the commuting barrier for those whose disabilities prevent them from driving or taking mass transit to a Federal office building.

### Equal Employment Opportunity Council

- As a participant in the President's Telework Initiative, EEOC is incorporating an ADA reasonable accommodation component into the Administration's support of telework.





# Veterans' Issues

The men and women who have responded to our nation's call to defend our country by placing themselves in harm's way have traditionally faced difficulties when they have returned to civilian life as individuals with disabilities. A 1996 DOL survey showed that only 33 percent of Vietnam veterans with service-connected disability ratings of 60 percent or higher were employed or in the job market. Moreover, more than 500,000 veterans experience homelessness annually. A large percentage of this segment of the homeless population become homeless due to disabilities, chronic illness, and histories of mental illness or substance abuse. Because of these dire statistics, it is critical that Federal disability policy address not only the issues of education, training, and job placement, but also those issues unique to veterans with disabilities, including rebuilding the veteran's self-esteem and self-sufficiency.

VA's Vocational Rehabilitation and Employment Program (VR&E) has conducted several activities designed to increase employment opportunities for veterans with disabilities. The VR&E Program uses a wide range of strategies to promote the employment of veterans with disabilities, including the following:

- local analysis of labor market information to forecast economic considerations in specific geographical locations;
- creation of a recognition program for employers who hire veterans with disabilities;
- implementation of a comprehensive marketing plan similar to the employment recruiter approach;
- membership in employment-based networks; and
- focus on local partnerships.

## Accomplishments

### Department of Veterans Affairs

- In FY 2001, VR&E rehabilitated over 10,000 veterans with disabilities by assisting them to achieve and maintain suitable employment and to attain maximum independence in daily living.
- The VR&E Program has improved the rate of rehabilitation from 41 percent at the end of FY 1998 to 65 percent in FY 2001. During this same time, VA has seen the rehabilitation rate of veterans with disabilities who have serious employment handicaps increase from 35.8 percent to 64 percent. Of those rehabilitated, 6,241 obtained employment in the professional, technical, and managerial fields with average annual earnings at the time of rehabilitation of \$31,111.
- The VR&E web site is being redesigned to be Section 508-compliant.
- VR&E is launching a major initiative to make substantial improvements in VA's ability to assist veterans with disabilities seeking self-employment.

*"Our Nation's veterans, particularly those disabled in military service to our country, epitomize America's strength and courage. My commitment to their successful transition to civilian life transcends gratitude. It is the focus of my two decades of public service."*

— Secretary of  
Veterans Affairs Anthony J. Principi



• VR&E will establish a national pilot resource center to assist VR&E staff and veterans with the development of self-employment programs. To accomplish this initiative, VR&E is undertaking the following tasks:

- developing a set of training materials to improve the ability of VR&E staff to deliver self-employment services;
- researching best practices for VA staff;
- sponsoring a network of veteran education programs to insure veterans are well informed about self-employment issues;
- performing a longitudinal study of program participants to identify best practices and opportunities to improve services; and
- strengthening its strategic partnerships with VA's Center for Veterans' Enterprise, SBA, ED's RSA, and DOL's ODEP.

A major feature of the initiative will be the

selection and employment of a network of nine self-employment specialists who will be strategically placed across the country to support the self-employment needs of veterans.

- The VR&E Program convened a panel of nine individuals distinguished in the field of rehabilitation and charged them to examine VA's rehabilitation program in comparison with state of the art practices and service delivery in the larger field of rehabilitation. Panel members included representatives from professional rehabilitation and employment organizations, rehabilitation academia, veterans' services organizations, and ED's RSA. Following nine months of study, the panel submitted its final report, which outlined five areas to further improve the quality of VR services to veterans with disabilities.
- To acquire sound strategies for the delivery of employment services, VR&E collaborated with public, private, and academic experts from the fields of economics, employment of persons with disabilities, rehabilitation, and commerce. This one-day symposium provided VR&E with the necessary expertise to develop action items to improve employment outcomes for veterans with disabilities.





# Transportation

Lack of access to available and affordable transportation continues to be one of the principal barriers to successful employment of Americans with disabilities. The Departments of Transportation and Labor have taken the lead through increasingly substantive efforts to expand transportation options for people with disabilities, including efforts related to enhancing employment. Several Federal agencies, including DOL's ODEP, will be developing new policies and programs to address this critical issue.

In his 2003 budget to Congress, President Bush included \$145 million in funding for two new grant programs promoting innovative transportation solutions for people with disabilities. This funding would provide states with \$100 million to fund competitive matching grants to promote innovative transportation solutions for people with disabilities in order to integrate them more fully into the workplace. Community-based organizations, non-profits, and other transportation providers would receive funding to conduct a range of activities, including purchasing specialty vans, promoting ridesharing options, developing community assessment plans, and expanding existing transportation resources. The second grant program would include \$45 million to fund 10 pilot projects that use innovative approaches to overcoming the transportation barriers faced by Americans with disabilities. These projects, which will be developed in close consultation with disability organizations and transportation providers, will address both technological and institutional solutions for overcoming mobility barriers.



*“Look at how we can create an environment where we recruit talent from every segment of American society, and where every employee can realize his or her fullest potential.”*

— Secretary of Transportation  
Norman Y. Mineta, May 28, 2002

## Accomplishments

### Department of Labor

- DOL's ETA funded the development of a comprehensive document for states and localities to expand transportation services entitled *Linking People to the Workplace*, produced by the Community Transportation Association of America.
- The Departments of Labor and Transportation sought input from the disability community on the role of transportation and employment in their respective legislative mandates. The impending reauthorizations of both the Transportation Equity Act of the 21<sup>st</sup> Century (TEA-21) and WIA afford a unique opportunity to re-examine Federal transportation policy for Americans with disabilities, particularly as it relates to increasing the employment of those individuals. On June 26 and 27, 2002, the Departments co-sponsored a national Summit on Employment and Transportation for People with Disabilities.

### Department of Transportation

- DOT's Bureau of Transportation Statistics (BTS) is conducting a national survey to collect data on how individuals with disabilities use trans-



portation, what barriers they encounter, and their overall satisfaction with the transportation system. Expected outcomes from the survey include benchmark information on the transportation experiences of people with disabilities; comparison data between people with disabilities and non-disabled persons relative to their transportation use; and statistics on utilization of adaptive equipment.

- Through its Job Access and Reverse Commute Program, DOT has funded over 200 state and local grantees in 44 states to provide new employment transportation services for low-income persons, including persons with disabilities. This competitive grants program funds additional transportation services to jobs and job training sites and addresses unmet needs of persons with disabilities.



## Health Care

For many people with disabilities, adequate health care coverage is the primary consideration when evaluating job offers. Until recently, people with disabilities had to make an impossible choice: maintaining their current health benefits by remaining unemployed, or risking the loss of those benefits by going back to work. With the rollout of the breakthrough TWWIA and with Medicaid Buy-In programs, progress has been made to remove unintended disincentives to work. Federal agencies have pooled expertise and are examining their programs to address the remaining barriers to providing healthcare supports. Agencies are tackling important issues such as improving the Medicaid Buy-In models and are exploring options to increase coverage for those with mental health disabilities in the workplace.

- DOT created an interagency working group to coordinate the numerous Federal programs that fund transportation for persons with disabilities. The working group is producing a resource guide identifying Federal programs that fund transportation for persons with disabilities and is developing examples of best practice transportation services in getting persons with disabilities to work and employment support services that local officials can use in city planning.
- DOT's Federal Transit Administration (FTA) hosted two invitational dialogues (March and June 2002) with the key leadership from the disability and transportation communities to identify recommendations for local, regional, and national activity.



## Accomplishments

### Department of Education

- ED's OSEP has collaborated with HHS' SAMHSA and other partners on transition models.

### Department of Health and Human Services

- To date, 22 states have chosen to design and implement Medicaid Buy-In programs for working persons with disabilities. Several additional states have enacted legislation to create such programs. In the last year, Department of Health and Human Services Secretary Tommy G. Thompson announced the approval of three additional Medicaid Buy-Ins: the state plans of Washington, Wyoming, and Pennsylvania now allow people with disabilities who return to work to retain their Medicaid.

- HHS is providing information about state-specific buy-in approaches on the SAMHSA web site (available at <[www.cms.hhs.gov/twwiia/statemap.asp](http://www.cms.hhs.gov/twwiia/statemap.asp)>) and on a web site sponsored by the Center for the Study and Advancement of Disability Policy, the University of Iowa's Law, Health Policy & Disability Center, and George Washington University's Center for Health Services Research and Policy (available at <[www.uiowa.edu/~lhpd/work](http://www.uiowa.edu/~lhpd/work)>).
- In support of *NFI*, HHS' SAMHSA is providing grants to states that want to develop health care coverage for workers with disabilities.
- SAMHSA has approved two technical assistance centers focusing on assisting state efforts relating to Medicaid Buy-In programs and infrastructure development. Technical assistance on Medicaid Buy-In programs and other employment-related Medicaid supports is available for state policymakers and program staff from the Center for Workers with Disabilities and from the National Consortium for Health Systems Development.
- HHS's HRSA and Maternal and Child Health Bureau are working with the nation's health care delivery systems to bring the pediatric model of comprehensive care to the adult system, thereby improving the access to and quality of care provided to youth and adults with special health care needs and disabilities.
- HHS' SAMHSA, together with the Annie E. Casey Foundation and other Federal partners, announced the availability of FY 2002 funds for cooperative agreements to develop, implement, stabilize, and document models of comprehensive programs to support youth with serious emotional disturbances or serious mental illness as they enter adulthood. The issues central to this transition period include completion of secondary education, transition to postsecondary education and training, entrance into the workforce, independent living, and community participation.
- In October 2001, SAMHSA, in partnership with



the Task Force and several corporate sponsors, held a National Summit on Best Practices for Mental Health in the Workplace.

- HHS' Office of the Assistant Secretary for Planning and Evaluation (ASPE), in collaboration with SAMHSA, contracted to fill a critical gap in knowledge regarding the employment of persons with significant disabilities and the design and implementation of Medicaid Buy-In programs for workers with disabilities. The overall project purposes included the following:
  - examining and describing the early implementation experiences of states;
  - informing and providing technical assistance to state policy makers;
  - informing Federal policy makers concerning the experiences of states implementing Medicaid Buy-In programs, and
  - informing other stakeholders in the state, including persons with disabilities, service providers, and employers, about the range of policy options and tradeoffs possible in developing and improving Medicaid Buy-In programs.



Obtaining affordable, accessible housing that is relatively close to available jobs is often a critical component of employment. Increasingly, available jobs are located outside of areas containing affordable housing. Conversely, very good ideas such as assisting individuals to own their own homes will mean little if people do not have the steady income that comes with employment to make a down payment or pay the mortgage every month. According to recent studies, there is an insufficient number of accessible rental units in many housing markets in the nation. As more people with disabilities leave institutions to enter community life, this housing shortage will become even more acute. Many of these issues are being addressed by the Department of Housing and Urban Development (HUD), DOJ, and other Federal agencies.

### *Accomplishments*

#### **President George W. Bush**

- In order to increase homeownership rates for people with disabilities, President Bush supported a program that permits people with disabilities to use Section 8 rent subsidy vouchers to make mortgage payments to buy their own homes.
- To increase the availability of accessible and affordable housing for individuals with disabilities, the Administration has 1) recently awarded a major national education and outreach grant to help communities ensure that more apartments and condominiums are built to be accessible to people with disabilities and 2) launched a program through HUD to provide training and technical assistance to the building industry on the Fair Housing Act's accessible design and construction requirements.
- While homeownership is important, the Bush Administration recognizes that there is also a dire need for accessible, high-quality, tenant-

based housing for people with disabilities. The Administration is working to expand rental choices for people with disabilities and to increase enforcement of the Fair Housing Act through the following budget requests:

- The President requested \$40 million in the FY 2003 budget for HUD to fund approximately 6,000 Section 8 tenant-based rental vouchers for non-elderly disabled families.
- The President requested \$250 million, a \$10 million increase, in the FY 2003 budget for HUD's Section 811 program that provides funding for construction and ongoing rental housing assistance for people with disabilities.
- In support of *NFI*, the President requested \$6 million for HUD to fund 1,000 Section 8 rental subsidy vouchers for people with disabilities who are transitioning from institutions into the community.

#### **Department of Labor**

- DOL's ODEP will collaborate with ETA, HUD, and DOT to develop strategies to encourage integration of housing and transportation services for people with disabilities within One-Stop Career Centers.

#### **Department of Housing and Urban Development**

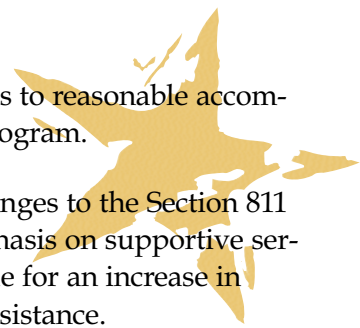
- Under its Fair Housing Initiatives Program, HUD recently awarded a major national education and outreach grant to help communities ensure that more apartments and condominiums are built to be accessible to people with disabilities.
- HUD's 2002 Super Notice of Funds Availability (SuperNOFA) encourages grant applicants to add accessibility design features beyond those required by civil rights laws and regulations. Such features eliminate barriers limiting the

access of persons with disabilities to housing and other facilities and encourage visitability.

- Working in coordination with DOJ, HUD is devoting substantial resources to investigations and enforcement actions against developers, architects, and site engineers who design and/or construct multi-family housing that does not comply with the accessibility provisions of the Fair Housing Act. In addition, these agencies are developing technical assistance to improve housing providers' understanding of the Fair Housing Act.
- HUD is enhancing its guidance to Public Housing Agencies, private landlords, and persons with disabilities participating in the housing choice voucher program by reminding providers of their responsibility to provide reasonable accommodations to persons with disabilities in the housing choice voucher program. Similarly, the guidance will inform persons with

disabilities of their rights to reasonable accommodations under the program.

- HUD is considering changes to the Section 811 statute to decrease emphasis on supportive services, which will provide for an increase in emphasis on housing assistance.
- In order to provide more housing choices under the Housing Choice Voucher Program, HUD is considering legislation to allow the share of a family's rent to exceed 40 percent of the family's annual income, rather than 40 percent of the family's adjusted annual income.
- HUD has developed voluntary agreements with the District of Columbia Housing Authority to make six percent of its housing stock (approximately 510 units) fully accessible to persons with mobility impairments, and an additional two percent (approximately 170 units) of its housing stock accessible to residents who have



## PROMISING PRACTICE

### Win-Win Partnership with Chambers of Commerce



**THE EASTERN SHORE BUSINESS LEADERSHIP NETWORK (ESBLN) IS SPONSORED BY THE SALISBURY AREA CHAMBER OF COMMERCE.** The Chamber adopted the ESBLN following a presentation to the Board of Directors in early 2000 by several members who had recognized the program as a service to businesses. The Chamber established the ESBLN Committee as a standing committee under the Vice-President of Business Affairs. In addition, the Chamber has promoted the mission of the ESBLN by providing space in its monthly newsletter to highlight both employment candidates with disabilities and success stories. The Executive Director of the Chamber has participated in several nationally broadcast

forums on the subject of disability and employment hosted by the U.S. Chamber of Commerce.

In 2001, the ESBLN expanded its service area to cover all of the Delmarva Peninsula, which includes the state of Delaware, nine Maryland counties, and two Virginia counties. With encouragement from the Salisbury Area Chamber, three other Delmarva Chambers became sponsors of the ESBLN.

ESBLN's philosophy holds that a social goal is reachable through the positive business outcome of helping employers recruit and retain qualified workers. The business community response to the ESBLN has been positive and continues to be productive and rewarding for employers and candidates who have disabilities.





visual or hearing disabilities. A similar voluntary agreement has been developed with the Boston Housing Authority to make 700 of its housing units fully accessible to persons with disabilities.

- HUD has signed a Memorandum of Understanding with IRS and DOJ that will help multifamily properties operating with Low-Income Housing Tax Credits comply with disability requirements under the Fair Housing Act.
- HUD has signed an historic Fair Housing Partnership Accord with the National Association of Home Builders (NAHB) to educate and train persons in the housing industry about their responsibilities to provide accessible housing to persons with disabilities. HUD and NAHB will aggressively promote design and construction requirements for accessibility in all multifamily housing, including apartment buildings, condominiums, and cooperatives. HUD is also working with the International Code Council and disability rights organizations to make local building codes consistent with the accessibility requirements of the Fair Housing Act.

### Department of Justice

- DOJ has devoted substantial resources to enforcing the Fair Housing Act's requirements that apartments and condominiums be designed and built to be more accessible to persons with disabilities. Thirteen lawsuits are cur-

rently pending in Idaho, Indiana, Illinois, Kansas, North Carolina, Tennessee, and California.

- DOJ has committed resources to enforcing actions under the Fair Housing Act where local governments have used their land use and zoning authority discriminatorily to prevent group homes and other living facilities for persons with disabilities from being placed in residential communities.
- DOJ has committed resources to enforcement actions under the Fair Housing Act where housing providers, including retirement communities, use restrictive criteria to prohibit residence by or deny full use of facilities to persons with disabilities.
- DOJ is working with Treasury and HUD to provide training and technical assistance to State housing finance agencies, developers, and investors, to help ensure that low income housing financed with federal tax credits complies with the accessibility requirements and other nondiscrimination requirements of the Fair Housing Act. Properties that fail to comply risk losing their tax credits.
- DOJ has made a commitment to intervene or participate as *amicus curiae* in private lawsuits against public housing authorities and other recipients of federal funds that have failed to provide accessible housing as required by Section 504 of the Rehabilitation Act. The Division is also encouraging HUD to make litigation referrals for public housing authorities with a history of longstanding noncompliance with Section 504 requirements.
- DOJ is working with HUD to develop technical assistance materials explaining the rights of persons with disabilities and the obligations of housing providers under the Fair Housing Act and Section 504 of the Rehabilitation Act.



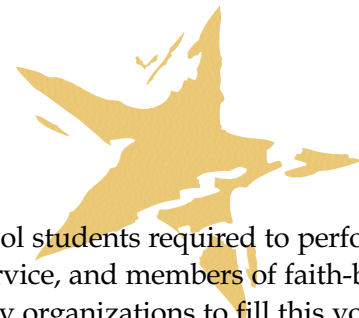
# Personal Assistance

As more people with significant disabilities enter the workforce and aging baby boomers enter their 60s, the already critical need for personal assistants and other direct care staff and community service workers will become even more pronounced. The inability to attract and retain dedicated people in these fields is in part related to the fact that these workers tend to earn very low pay, work long hours, and often receive no benefits. There is an urgent need to address the areas of recruiting, training, retaining, promoting, and improving the earnings and/or benefits of personal assistants and other community service workers. Task Force member agencies are engaged in many activities to address this worker shortage.

## *Accomplishments*

### **Department of Labor**

- DOL's ODEP and ETA are working with internal and external agencies to identify and propose options for increasing the availability of personal assistants for people with disabilities and for providing some path of career progression for personal assistants and other direct care staff. Consultations are underway with OPM, ED, HHS, and other appropriate Departments with the overarching goal of developing a cross-agency/cross-department plan to increase the availability and quality of personal assistants, and of identifying options for the education, training, and career advancement for personal assistants and other direct care staff and community service workers. In designing this plan, consideration is being given to patterning some activities after those currently underway at ETA's Bureau of Apprenticeship and Training (BAT) to increase the number and employment status of professional childcare providers. The possibility of encouraging the use of Senior Community Service Employment Program participants, volunteers from the National Service Corporation's programs, former welfare recipi-



ents, high school students required to perform community service, and members of faith-based and community organizations to fill this void is also being explored, as is the potential role of partnerships with community and faith-based service providers.

### **Department of Health and Human Services**

- HHS' SAMHSA has developed a technical assistance project, Understanding the Adequacy and Availability of Community-Based Personal Assistance Services, whose purpose is to evaluate the size and scope of the shortage of personal assistance services and to explore policies and practices that influence the recruitment and retention of qualified personal assistance services workers. The work will include the following:
  - the development of practical, useful, community-based products that can be used to address workforce shortage issues;
  - the creation of an electronic database (with querying capabilities) of resources, contacts, and tools to be used by Federal, state, and local organizations in designing and implementing policies and programs to increase the availability of personal assistance services workers;
  - the development of a foundation for future research in community-based personal assistance services and supports;
  - the identification of areas needed for additional research or for policy or programmatic changes; and
  - immediate assistance to new projects funded under the Systems Change grants related to workforce development in community-based care settings.



# Community Living

In the *Olmstead* decision, the Supreme Court held that unnecessary segregation of people with disabilities in institutions is a form of discrimination under the ADA, and that individuals with disabilities have a civil right to receive services in the community in certain circumstances. Under this decision, states are required to provide community-based services for persons with disabilities who would otherwise be entitled to institutional services, provided that 1) treatment professionals determine that such placement is appropriate, 2) the affected persons do not oppose such placement, and 3) the state can reasonably accommodate the placement, taking into account the resources available to the state and the needs of others with disabilities. The Supreme Court stated that institutional placements of people with disabilities who can live in, and benefit from, community settings perpetuates the unwarranted assumptions that persons so isolated are incapable or unworthy of participating in community life, and noted that "...confinement in an institution severely diminishes everyday life activities of individuals, including family relations, social contacts, *work options*, *economic independence*, educational advancement, and cultural enrichment."<sup>2</sup>

On June 18, 2001, President Bush issued Executive Order 13217, *Community-Based Alternatives for Individuals with Disabilities* (the *Olmstead* Executive Order), which calls upon participating agencies to undertake a range of activities to promote community-based living for qualified individuals with disabilities and to ensure swift implementation of the *Olmstead* decision. These activities broadly fall into three categories: (1) coordinated technical assistance to states; (2) the identification of specific barriers in federal law, regulation, policy and practice; and (3) enforcement activities,

including the investigation and resolution of complaints brought under Title II of the ADA. Federal partners have undertaken a wealth of activities in this area in an ongoing fulfillment of the *Olmstead* decision.

## Accomplishments

### President George W. Bush

- The President requested \$15 million in funding for HHS' SAMHSA for grants to states and communities to develop, implement, and assess integrated services for individuals with co-occurring mental illness and substance abuse disorders. Some of these individuals are re-entering society from confinement in the criminal justice system.
- Recognizing the important role of the Centers for Independent Living in helping people move into the community and locate services, the President requested an increase of \$7 million, or 11 percent, for the Centers. The community-based Centers are run by and for people with disabilities and provide services such as outreach, advocacy, and personal assistance services referral.
- The President has requested \$14 million in his FY 2003 budget for four HHS demonstration projects to support community-based alternatives for and independent living by people with disabilities. These projects were announced in *Delivering on the Promise* and represent a commitment of \$216 million in funding over the next five years and \$750 million over 10 years.

### Department of Education

- ED's RSA is providing collaborative assistance to the National Endowment for the Arts (NEA) for a program designed to expose interested individuals with disabilities to careers in the arts.

<sup>2</sup> *Olmstead*, 119 S.Ct. 2176, 21789, 2187 [emphasis added].

## Department of Health and Human Services

- HHS has committed to four demonstration projects to support community-based alternatives for adults and children with disabilities.
- HHS established the Medicaid Infrastructure Grant program to support state efforts to enhance employment options for people with disabilities. It is authorized for 11 years, and \$150 million in funding has been appropriated for the first five years of the program. The minimum grant award to an eligible state is \$500,000 per fiscal year. To date, SAMHSA has awarded grants to 38 states.
- HHS played a leading role in Federal agencies' response to Executive Order 13217. As directed by the Executive Order, HHS coordinated comprehensive self-evaluations and extensive public input activities by agencies to identify barriers in their policies, programs, regulations, and statutes to community integration and to develop action steps to address these barriers.
- HHS awarded \$70,000,000 in system change grants to expand the range of community-based services available to individuals with disabilities; such grants affect an individual's ability to acquire appropriate supports and services so that they may return to or remain in the community, as well as seek and secure employment.
- HHS' HRSA's Maternal and Child Health Bureau co-sponsored a Summit on Children with Special Health Care Needs, which showcased community and state successes, models, and best practices related to building community systems for children and youth with special health care needs. Other sponsors included Family Voices, the American Academy of Pediatrics, and the March of Dimes.
- HHS' Centers for Disease Control and Prevention (CDC) and ED's NIDRR will hold a Conference on Health and Disability in September

2002. The conference will focus on health and wellness for people with disabilities, with the goals of improving quality of life, addressing long-term health care, and supporting inclusion in community living. Participants will include a diverse group of people with disabilities, service providers, employers, and state government officials.

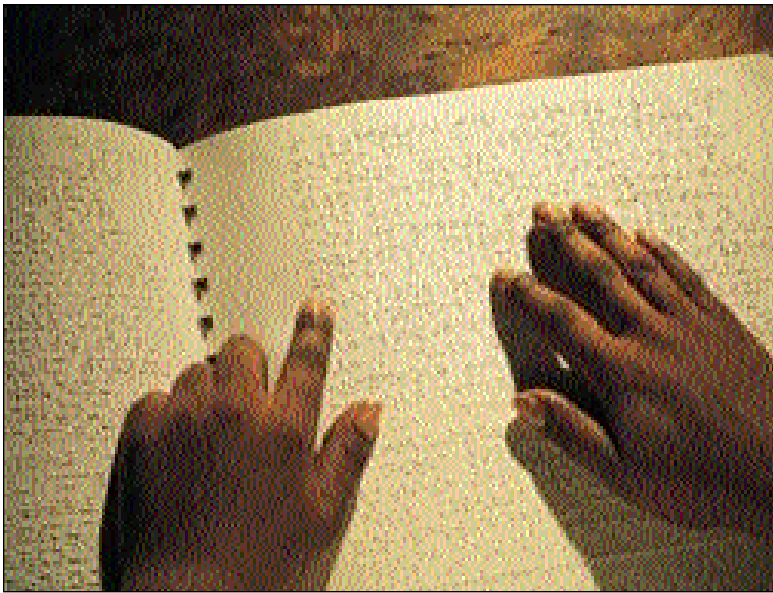
- HHS has committed to a variety of activities to provide additional support for family members and other informal caregivers of people with disabilities. For example, HHS will use the Administration on Aging's (AoA) National Family Caregiver Support Program (NFCSP) to assist states in the implementation of *Olmstead*. Launched in February 2001 and currently funded at an annual appropriation of \$125 million, the NFCSP provides innovative and flexible service options for families and other informal caregivers of older persons, as well as for older caregivers of relative children, including children with developmental disabilities. The goal of the program is to help families maintain their loved ones at home and in the community.

## Department of Justice

- In its report to the President, DOJ identified 38 action items necessary for swift implementation of the *Olmstead* decision. Consistent with the President's Executive Order's mandate to issue







## Department of the Interior

- DOI is in the process of evaluating existing facilities and programs and developing action plans for eliminating accessibility barriers in order to ensure that persons with disabilities have equal access.

- DOI continues to work with the U.S. Architectural and Transportation Barriers Compliance Board (The Access Board) in the finalization of national standards for the design of accessible outdoor recreation facilities, including boat docks, fishing piers, beaches, trails, picnic areas, and campgrounds. The proposed standards are currently in varying stages of becoming official, and, when completed, will provide enormous guidance in ensuring that individuals with disabilities will have greater access to the full range of recreation opportunities provided to the rest of the society.

- DOI's BOR created and is using a computerized Accessibility Data Management System to assess access deficiencies and to plan and track accomplishments. They have also established a corporate approach to managing their accessibility program that includes a 10-year plan for evaluations and action plans and a long-term schedule for the required modifications.

- The individual Bureaus within DOI are seeking creative solutions to providing optimum levels of access while continuing to preserve and protect the natural and cultural significance of national resources.

- The Bureau of Land Management (BLM) Cascade Streamwatch Project, the premier environmental education center in the Pacific Northwest, is a model accessibility project with its trails, interpretive exhibits, and innovative interpretive sites accessible to a range of visitors, including those with hearing and visual impairments.

- BLM's field office in Carson City, Nevada recently received a state Tourism

technical assistance and participate in alternative dispute resolution, the Department will give priority to the following initiatives:

- DOJ and HHS will create a pilot project to refer appropriate *Olmstead*-related complaints received by HHS to an ADA mediation program established by DOJ. The mediation program has more than 450 professional mediators trained in the ADA and available nationwide.

- DOJ is developing three technical assistance pieces on the implementation of the *Olmstead* decision. The first piece, which will be developed in consultation with HHS, ED, and DOL, will provide guidance to states as they create comprehensive plans for community placement of persons with disabilities. DOJ is also developing two "Know Your Rights" pieces, one for people currently residing within institutions and the other for persons at risk of institutionalization.

## Department of Housing and Urban Development

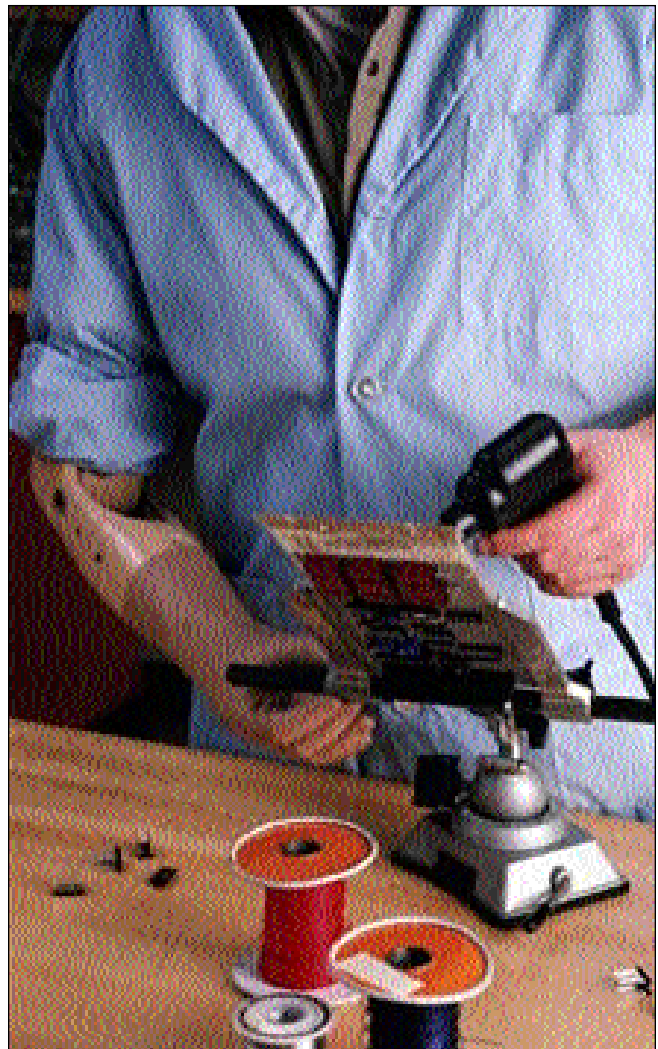
- In June 2001, HUD announced a pilot program in 11 states called Project Access, which will facilitate the successful transition of non-elderly persons with disabilities from institutional settings to community living.

Development Award for its improvements to the Grimes Point Archeological Site, a popular petroglyph area. An accessible interpretive area was established, which includes picnic tables, shelters, and a trail to the petroglyphs.

- The Fish and Wildlife Service (FWS) issued its *Implementation Guidelines for Accessibility*, and updated accessibility review guidelines for evaluations of FWS programs and facilities. The FWS also issued an information packet on compliance with Section 508 of the Rehabilitation Act.
- The National Park Service's (NPS) Lowell National Historical Park has recently completed the design and construction of three wheelchair accessible canal boats and docks. This project provided structural access to one of the most significant experiences at this park, which had previously been denied to persons with mobility limitations.
- NPS' Shenandoah National Park has constructed the Limberlost Trail, the first accessible trail in the park. This trail winds gently for 1.3 miles, with a well-packed crushed greenstone surface and no more than an eight percent grade. The trail provides a unique opportunity for all visitors, including those who use wheelchairs, to have an outdoor experience that represents the significance of Shenandoah National Park.
- DOI's NPS designated \$5 million from the FY 2001 20 percent Fee Demonstration Fund to finance projects that improve accessibility in non-collecting parks. Final approval was given to 120 projects in over 150 parks. These projects will improve access to visitor centers, campgrounds, boat docks, picnic areas, in-park transportation systems, and educational programs.
- NPS has established and maintains a cooperative agreement with Indiana University for the operation of the National Center on Accessibility. This Center, in conjunction with the NPS Accessibility Management Program,

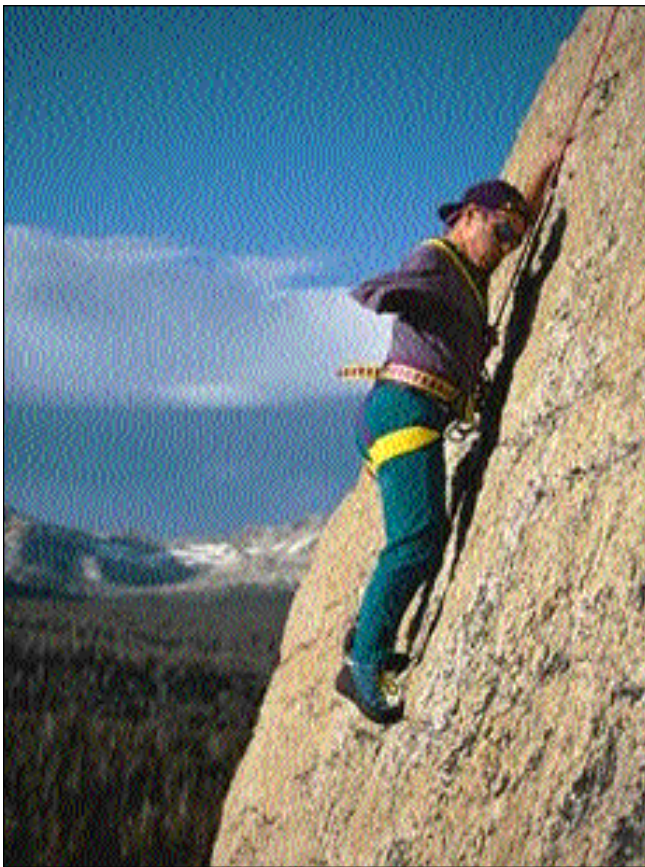
provides a nationwide program of continuing education, technical assistance, and research and demonstration regarding accessibility to the park and recreation environment for persons with disabilities. Over the past several years, this program has provided accessibility training to over 10,000 park and recreation professionals throughout the nation.

- In conjunction with its Accessibility Data Management System (ADMS), DOI's BOR has developed a Public Access System that will connect to DOI's Recreation.gov system. These systems will provide people with disabilities full access to information about the accessibility of facilities and programs on Federal lands. This enables people with disabilities to have full access to community life by offering information about the accessibility of facilities for their use and enjoyment.



# Civil Rights

Twelve years ago, Congress passed and President George H.W. Bush signed one of the most significant civil rights laws since the Civil Rights Act of 1964 — the ADA. In doing so, America opened its doors to a new age for people with disabilities. Two and a half years ago, amendments to Section 508 of the Rehabilitation Act of 1973 were enacted ensuring that the Federal government would purchase electronic and information technology that is open and accessible for people with disabilities. President George W. Bush believes that the ADA has been an integral component of the movement toward full integration of individuals with disabilities but recognizes that there is still much more to be done. Accordingly, a number of Task Force member agencies have engaged in activities promoting the enforcement of the ADA, Section 508, and other important civil rights laws designed to promote the inclusion of people with disabilities.



## Accomplishments

### Department of Labor

- DOL's ETA and CRC collaborated on the development of a Training and Employment Information Notice (TEIN) on the implementation of the Section 188 regulations that was subsequently disseminated to the entire workforce development system, and is still the definitive guide on the non-discrimination provisions of WIA.
- Several agencies within DOL will be conducting disability-focused reviews and evaluations of implementation of Section 188 of WIA, the nondiscrimination and equal opportunity obligations. Under the leadership of the CRC, these evaluations will enable DOL to identify additional areas in which Federal training and technical assistance activities are needed to eliminate barriers and to prevent disability discrimination in WIA programs.

### Department of Education

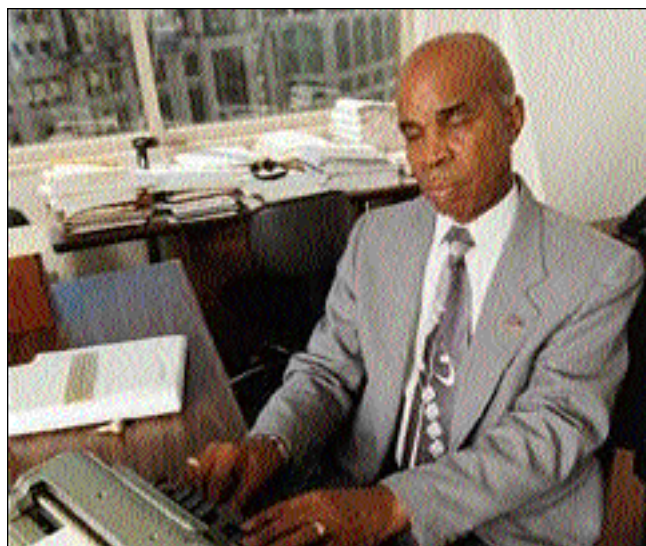
- ED's OCR prepared a resource document for nationwide distribution targeted to parents and students that clarifies the rights of students with disabilities who are in transition from high school to postsecondary education and the obligations of postsecondary schools.
- OCR is conducting ongoing technical assistance and training initiatives, through its regional offices, to stakeholders regarding transition of students from secondary school to post-secondary institutions and improved vocational education services to students with disabilities so that they can progress further in education and employment.

### Department of Health and Human Services

- HHS' Office for Civil Rights (OCR) is working to resolve more than 400 administrative com-

plaints filed with OCR in approximately 36 states that allege a violation of the ADA's integration regulation and the *Olmstead* decision. As part of its response to Executive Order 13217 and the *NFI*, OCR has pledged to more fully disseminate information about complaints that have been successfully resolved as a result of OCR's intervention.

- OCR will be the lead agency in HHS' work with DOJ on a pilot project to refer appropriate *Olmstead*-related complaints received by HHS to DOJ's ADA mediation program.
- OCR staff are also aiding approximately 40 states in undertaking efforts to develop the working plans for community integration discussed in the *Olmstead* decision. In several states, OCR played a key role in bringing together state officials and people with disabilities, advocacy organizations, and other stakeholders to address issues of community integration. OCR has also worked with expert consultants to provide on-site technical assistance to states involved in collaborative planning efforts, and is developing technical assistance products to guide states in these efforts.
- OCR and HUD sponsored a nationwide teleconference entitled Understanding HUD's Section 8 Vouchers. The conference call, which attracted more than 600 participants, was designed to assist states, consumers, and others involved in *Olmstead* implementation by providing 1) information to help address the critical shortage of accessible and affordable rental housing for people with disabilities; 2) best practices for maximizing choice and consumer control; and 3) strategies for expanding access to Section 8 vouchers for people with disabilities.
- OCR staff nationwide have been engaged in extensive outreach and public education activities regarding the ADA and the *Olmstead* decision. For example, OCR served on the planning committee and as trainers in a national training effort funded by HHS and ED to equip stakeholders from each of the states and territories



with the necessary tools to engage in the development of comprehensive, effectively-working *Olmstead* plans. OCR regional offices in the relevant locations participated as trainees and networked with stakeholders in each of these workshops.

### Department of Housing and Urban Development

- HUD has two education, outreach, and technical guidance efforts underway that will assist in assuring greater compliance with the Fair Housing Act's accessible design and construction requirements, thereby increasing the available accessible housing options for persons with disabilities:
  - The Project for Accessibility Training and Technical Guidance will provide training and direct technical guidance to builders, architects, other design professionals, and other building industry groups, as well as organizations representing persons with disabilities and other interested persons.
  - The second project, which is currently being awarded through a competitive grant under the Department's Fair Housing Initiatives Program (FHIP) Education and Outreach national component, will provide focused technical guidance to assist states and units of local government in ensuring that building codes, whether newly adopted or revised, are



consistent with the accessibility requirements of the Fair Housing Act.

- HUD and DOJ have recently completed training of field staff on conducting Title VI and Section 504 compliance reviews. The training included on-site work and conducting compliance reviews under the supervision of experienced staff. In FY 2001, HUD committed to increasing the number of compliance reviews it conducts pursuant to Section 504 and Title VI of the Civil Rights Act of 1964 by at least 25 percent, and has included a specific goal for this purpose in its Business and Operating Plan (BOP).

### Department of Justice

- To promote voluntary compliance with the ADA, DOJ initiated Project Civic Access. Rather than focusing on individual entities within a community, Project Civic Access is a national effort to ensure that all aspects of towns and cities are fully accessible to people

with disabilities. As of March 2002, the Department has reached 21 agreements with cities and towns across the country.

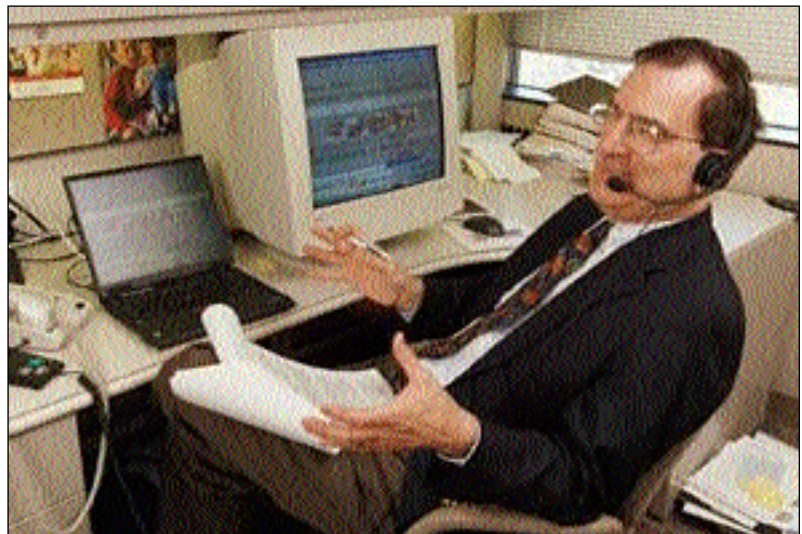
- DOJ has been involved in a number of cases relating to employment issues affecting people with disabilities, including the following:
  - The Baltimore City Public School System agreed to pay \$55,000 as part of a consent decree to resolve a disability discrimination charge filed by a blind elementary school teacher who uses a service animal. She alleged that the school system offered her a teaching position after two interviews during which she had used a cane. After she mentioned that she would soon be picking up her new service animal, the school principal allegedly withdrew the offer rather than allow her to bring a dog in the building. The charging party later found employment as a teacher with another school system. The EEOC's regional office in Baltimore investigated the employee's ADA charge, found reasonable cause to believe that the school system had violated the ADA, attempted to conciliate the matter, and then referred it to DOJ. Under the consent decree in *U.S. v. Baltimore Public School System*, the system will ensure that all personnel who participate in employment decisions are trained in the requirements of the ADA. The school system will also designate an employee to serve as an ADA coordinator for employment matters and to serve as a liaison with people with disabilities. The coordinator will attend annual ADA training. The school system will also post notices about the ADA in every school or other location in which its employees work.
  - The Arizona State Compensation Fund agreed to pay \$150,000 in compensatory damages to resolve a charge that was filed with the EEOC by a former employee with severe depression and subsequently referred to DOJ for litigation. The complainant alleged that the Fund unlawfully terminated her after failing to grant her the reasonable

accommodation of additional leave without pay that she needed in order to stabilize her condition. The former employee, who worked with the State Fund for a number of years while managing her depression, took three months of unpaid leave under the Family and Medical Leave Act (FMLA) to recover from a severe episode of depression. The employee stayed in communication with her supervisor while on leave and, toward the end of that leave, after consulting with her doctor, advised her supervisor that she planned to return to work soon. The complainant alleged that shortly after the expiration of her FMLA leave, the State Fund terminated her instead of granting her a brief additional period of unpaid leave as a reasonable accommodation. The employee's termination came just one day after she submitted to her employer a release from her physician clearing her to return to work the following week.

- DOJ signed a settlement agreement with the Nevada Governor's Committee on Employment of People with Disabilities to resolve a complaint of retaliation. The employee alleged that the Governor's Committee, for whom she worked for 23 years, barred her from public meetings, harassed her, and terminated her because she publicly criticized the committee and the State for failing to provide appropriate auxiliary aids, including sign language interpreters, for people who are deaf or hard of hearing. The complaint was referred to the Department by the EEOC. Under the agreement, the state agreed to reinstate her, to grant her back pay, to pay a lump sum totaling \$87,000, and to provide administrative leave for a brief period until she was able to retire with full benefits.
- DOJ reached a settlement agreement with Leesburg, Virginia resolving a Title I charge filed with the EEOC by a deaf individual. The charge

alleged that the individual was a well-qualified applicant for the position of groundskeeper, having worked as a groundskeeper for over 20 years. The town allegedly passed him over and hired an individual with no experience because hiring officials did not believe that a deaf individual could perform the job. The settlement agreement requires the town to comply with the ADA in its hiring decisions and pay the charging party \$25,000 in back pay and damages. Because he was employed elsewhere, the charging party did not seek a permanent position with the town.

- The Supreme Court ruled in *EEOC v. Waffle House, Inc.* that an employee's private agreement with his employer to submit all employment disputes to binding arbitration does not limit the remedies that the EEOC may seek in a lawsuit enforcing that employee's rights under the ADA. The U.S. Court of Appeals for the Fourth Circuit had ruled that the EEOC could bring a lawsuit for general relief, such as an order requiring the defendant not to engage in discriminatory practices, but could not obtain victim-specific relief, such as damages, back pay, and reinstatement. EEOC sued on behalf of an individual who was fired from his job at a Waffle House in West Columbia, South Carolina, allegedly because of his seizure disorder. DOJ's brief before the Supreme Court argued that EEOC's authority to sue to enforce Title I





in the public interest is independent of the individual's authority to sue, and that the EEOC may seek all remedies authorized by the statute including victim-specific relief. The Court agreed with DOJ, and held that the EEOC's authority cannot be limited by an arbitration agreement to which it is not a party.

- DOJ reached an agreement with the Honolulu Police Department regarding the hiring of individuals who use hearing aids. Previously, the Honolulu Police Department automatically excluded all police recruits who use hearing aids even though it retained veteran officers who continued to perform their jobs effectively after they began to use hearing aids. Under the agreement, police recruits who use hearing aids will be tested on an individual basis to determine whether their ability to hear with a hearing aid meets state standards for police officers.
- DOJ entered into a settlement agreement with the City of Inkster, Michigan, resolving a complaint of employment discrimination referred to the Department by the EEOC. The City of Inkster refused to provide the charging party, a police sergeant, with an accommodation under its policy prohibiting reassignment of employees to existing light duty positions if the employees have non-duty related injuries. The City of Inkster

agreed to remove this restriction on reassignment to light duty positions, restore the complainant's sick leave hours to his leave bank, and provide ADA training to employees responsible for responding to requests for reasonable accommodation.

- DOJ's Employment Litigation and Disability Rights Sections joined together to produce a newsletter to be distributed to EEOC field offices, which is designed to keep EEOC staff informed of the Department's work in the area of employment law with an emphasis on the outcomes of those cases referred to the Department from EEOC. In addition, in August of this year, Department staff will help lead trial advocacy skills training for EEOC staff attorneys from across the country.

### Equal Employment Opportunity Commission

- EEOC has primary responsibility for the non-discrimination in employment section of the ADA. EEOC received over 16,000 charges alleging disability discrimination in the past year, securing \$47.9 million in 2001 for individuals with disabilities through administrative enforcement (pre-litigation).
- In its litigation role, EEOC was successful in resolving several important ADA cases. After first seeking to resolve these charges administratively, the Commission brought suit in the following cases that furthered the goal of employment of people with disabilities:
  - *EEOC v. Wal-Mart Stores, Inc.* EEOC settled 13 ADA lawsuits against Wal-Mart in a comprehensive settlement. EEOC alleged that, through the use of a Matrix of Essential Job Functions in its application and hiring process, Wal-Mart made disability-related pre-employment inquiries of job applicants and then excluded them based on disability at its facilities throughout the United States. The cases were resolved through consent decrees in which Wal-Mart agreed to monetary relief as well as to the following:

- All individuals identified in the pending suits who were discharged or not hired will be offered employment, and all individuals filing claims determined to be eligible for relief and qualified for a job will be given preference for job openings at Wal-Mart distribution centers.
- Wal-Mart will appoint an ADA Coordinator to oversee compliance, replace its existing ADA policies with a consolidated policy including reasonable accommodation and internal ADA complaint procedures, replace its Matrix of Essential Job Functions with accurate job descriptions, and institute training and evaluation procedures for managers related to their ADA responsibilities.

➤ *EEOC v. Schofield Foods, Inc., d/b/a Quality Foods IGA.* EEOC alleged that a grocery store discharged a 15-year-old part-time bagger/stocker because she was HIV-positive. The case was resolved through a consent decree providing the charging party with \$1,000 in back pay and \$89,000 in compensatory damages. The decree also provided that Schofield Foods would send the charging party a letter, signed by the defendant's president and two managers, expressing its regret regarding the incidents that precipitated the lawsuit.

➤ *EEOC v. GMRI, Inc., d/b/a The Olive Garden.* EEOC alleged in this ADA action that the defendant, a nationwide restaurant chain, subjected a dishwasher to daily physical and verbal abuse because of his mental retardation, and finally discharged him because of his disability. The case was resolved through a consent decree providing monetary relief and requiring the Olive Garden to do the following: 1) reasonably accommodate employees with mental retardation by involving the employee's guardian (and, where the guardian consents, the employee's job coach) in resolving performance-related issues; and 2) revise and expand the anti-harassment

policy in its handbook and post the revised policy in each of its 478 restaurants.

- EEOC developed a Fact Sheet on Obtaining and Using Employee Medical Information as Part of Emergency Evacuation Procedures. This Fact Sheet, issued in response to post-September 11th concerns about the evacuation of people with disabilities, clarifies that Federal disability discrimination laws do not prevent employers from obtaining and appropriately using medical information necessary for a comprehensive emergency evacuation plan.







# Future Directions for Increasing Employment of People with Disabilities

We are now at a time when the intensive four-year effort of the Task Force has resulted in a new level of coordination among agencies to increase the employment of adults and young people with disabilities. This will assist Federal efforts for many years to come.

Through the efforts of the Task Force, the discussion among Federal agencies has shifted. It is clear that only a coordinated effort among all relevant Federal agencies will significantly affect the low employment rate of individuals with disabilities. As discussed in this report, there remain a number of components in this strategy that Federal agencies will need to implement in the coming years. With the assistance of ODEP, Federal agencies will continue to form partnerships to remove barriers and increase employment opportunities for people with disabilities.

The mission of ODEP is to provide leadership in the effort to increase employment opportunities for adults and youth with disabilities. To accomplish this mission, ODEP has formulated strategic goals in the areas of national leadership, workforce development systems, and promoting attitude and practice change. With ODEP's assistance, the Federal government will continue to implement a coordinated strategy to increase the employment of adults and young people with disabilities. This strategy includes promoting the Federal government as a model employer,

increasing access to assistive and accessible technologies, ensuring access to generic programs and services, promoting choice and innovation at the state and local levels, investing in young people with disabilities,

promoting and protecting the rights of individuals with disabilities, implementing an accurate measure on disability employment, and most importantly, ensuring accountability in the conduct of policy and the use of Federal dollars.



*"We must reach out to those who have been denied the right to a productive, meaningful work life because of a disability."*  
— Secretary of Labor Elaine L. Chao

People with disabilities today are more knowledgeable, more empowered, and more likely to achieve their full potential than at any other time in our nation's history. A solid foundation has been laid. The critical pieces are in place for ensuring that people with

disabilities are employed at a rate as close as possible to that of the general population. The future direction is in place to ensure that the promises of the ADA — equality of opportunity, full participation, independent living, and economic self-sufficiency — are fulfilled.





# 2001-2002 Accomplishments at a Glance



## February 1, 2001

President Bush announces his ***New Freedom Initiative (NFI)*** focusing on removing barriers faced by people with disabilities in the areas of technology, education, employment and living in the community.

**January 2001** The Small Business Administration (SBA) launched its Section 508-compliant web site and Americans with Disabilities Act (ADA) Guide.

**February 5, 2001** The Social Security Administration (SSA) officially launches the Ticket to Work (TTW) Program in 13 states: individuals with disabilities who receive Social Security Disability Insurance (SSDI) or Supplemental Security Income (SSI) disability benefits will receive a Ticket that may be used to obtain vocational rehabilitation (VR), job training, and other support services. The program will be in operation nationwide by January 2004.

**February 20, 2001** To increase accessible transportation options, Department of Transportation (DOT) Secretary Norman Y. Mineta announces a final rule to streamline the regulatory process for

modifications in passenger vehicles that are adapted for use by people with disabilities.

## February 25, 2001

Department of Health and Human Services (HHS) Secretary Tommy G. Thompson announces start-up grants for states to involve consumers and other partners in developing new programs for persons with disabilities in support of President Bush's *NFI*. The \$50,000 awards are the first payments in the \$50 million Real Choice Systems Change Grant Program, aimed at improving the home- and community-based services available to children and adults living with disabilities.

**February 2001** The Department of Education's (ED) National Institute on Disability and Rehabilitation Research (NIDRR) issues *First National Study of People with Disabilities Who Are Self Employed*, available on the Research and

Training Center's Rural Rehabilitation Services web site located at [ruralinstitute.umt.edu/rtrural/SelEm/SelEmRePrgRpt.htm](http://ruralinstitute.umt.edu/rtrural/SelEm/SelEmRePrgRpt.htm).

## March 19, 2001

HHS' Substance Abuse and Mental Health Services Administration (SAMHSA) announces availability of funds to plan, design, and assess culturally appropriate mental health systems of care for American Indian/Alaska Native children, youth, and their families in need.

## March 21, 2001

HHS' SAMHSA announces availability of funds to build statewide networks to improve services available for children and adolescents with serious emotional disturbances and their family members, and to create or strengthen coalitions among family members, service providers, and policy makers.

## March 22, 2001

HHS' SAMHSA announces availability of funds to improve mental health services for people who are racial and ethnic minorities living with HIV/AIDS.





**March 29, 2001**

Department of Labor (DOL) Secretary Elaine L. Chao launches the **Employment Assistance Referral Network (EARN)**, a national information referral service for employers who are seeking to hire workers with disabilities: information is available by phone at 866-Earn Now or on EARN's web site at:

[www.earnworks.com](http://www.earnworks.com).



**March 26-27, 2001** HHS' SAMHSA sponsors Spring to Action: A National Mental Health Symposium to Address Discrimination and Stigma, bringing together Federal and state officials and over 350 mental health policy makers, researchers, consumers, advocates, and family members to develop a blueprint for action for states and local communities to address the continuing negative impact that stigma has on the lives of people with mental illness.

**April 4, 2001** SSA, the Equal Employment Opportunity Commission (EEOC), and the Department of Justice (DOJ) jointly released *A Guide for People with Disabilities Seeking Employment*. Available on the EEOC web site at <[www.eeoc.gov/press/4-4-01.html](http://www.eeoc.gov/press/4-4-01.html)>, this document explains to individuals with disabilities who are receiving Social Security disability benefits and who want to become employed what their rights are under the Americans with Disabilities Act (ADA).

**April 12, 2001** Secretary of Labor Chao announces the award of \$2.8 million by DOL's Employment and Training Administration (ETA) to six organizations that provide intensive skill training in the Information Technology (IT) sector; these funds will support programs addressing IT skill shortages and leading to career opportunities for individuals with disabilities.

**April 17, 2001** HHS' SAMHSA releases *Challenging Stereotypes: An Action Guide*, a new how-to guide to fight discrimination in the media against people with mental illness.

**May 2, 2001** DOL's Office of Disability Employment Policy (ODEP) holds Employment Fair for People with Disabilities in Washington, D.C.

**May 9 – 11, 2001** In order to include a broad disability perspective, ED's Rehabilitative Services Administration's (RSA) VR program actively participated in the three WIA readiness workgroups, led by DOL's Employment and Training Administration (ETA), and

played a significant role in the development of products and strategies to advance WIA implementation. The workgroups were held: on May 9-11 in Philadelphia, Pennsylvania; June 27-29 in Washington, D.C.; and August 22-24 in Chicago, Illinois.

**May 2001** HHS sponsors New Opportunities for Community Living, a conference targeted toward states, consumers, providers, and advocates to share information and ideas on home- and com-

munity-based systems change initiatives.

**Spring 2001** The Bush Administration forms the Interagency Section 508 Steering Committee and Working Group to coordinate technical guidance and training on the implementation of Section 508 requirements.

**June 8, 2001** ED's NIDRR's dissemination project, ABLEDATA, is named by Forbes magazine as one of its "Best of the Web" sites in the Summer 2001 issue; ABLEDATA is available at <[www.able-data.com](http://www.able-data.com)>.

**June 10-12, 2001** HHS sponsors Independent Choices: A National Symposium on Consumer Direction and Self-Determination for the Elderly and Persons with Disabilities to con-

**June 19, 2001**

President Bush signs **Executive Order 13217, Community-Based Alternatives for Individuals with Disabilities**

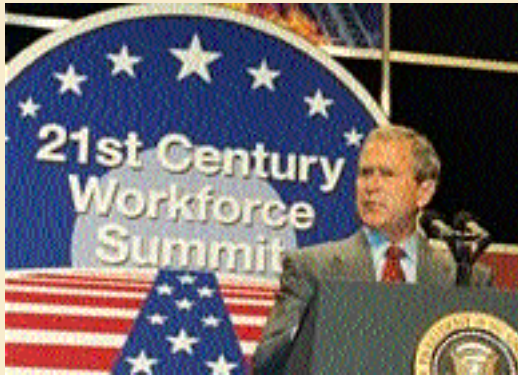
directing his agencies to swiftly implement the Supreme Court's decision in *Olmstead v. L.C.* 119 S. Ct. 2176 (1999)(*Olmstead*). The Executive Order charges six agencies — DOJ, HHS, ED, DOL, the Department of Housing and Urban Development (HUD), and SSA — with evaluating their agency policies and programs to determine whether any should be revised to improve the availability of community-based services for qualified individuals with disabilities.

*Community-Based Alternatives for Individuals with Disabilities*



## June 20, 2001

Secretary of Labor Chao hosts the first **National Summit on the 21st Century Workforce**, highlighting the *NFI* and increasing the numbers of people with disabilities in the workforce. In addition, Secretary Chao launched a new public service announcement to combat negative stereotypes of people with disabilities, featuring Harrison Ford, Angela Bassett, Stevie Wonder, and Christopher Reeve.



vey experiences of existing programs and demonstration projects and identify future directions for policy development, research, and demonstration projects that promote effective and responsible consumer-directed service systems for the elderly and people with disabilities.

**June 19, 2001** President Bush tours an assistive technology lab at the Department of Defense (DOD), and announces his strong support of the implementation of Section 508 of the Rehabilitation Act which requires Federal agencies to ensure that their electronic and information technologies are accessible to people with disabilities.

**July 16** OCR and HUD sponsored a nationwide teleconference entitled Understanding HUD's Section 8 Vouchers. The conference call, which attracted more than 600 participants, was designed to assist states, consumers, and others involved in *Olmstead* implementation by providing; 1) information to help address the critical shortage of accessible and affordable rental housing for people with disabilities; 2) best practices for maximizing choice and consumer control; and 3) strategies for expanding access to Section 8 vouchers for people with disabilities.

**July 26, 2001** The Bush Administration announces nationwide assessment of barriers to community living faced by 53 million Americans with disabilities, with a comprehensive report and recommendations for removing barriers to be delivered to the President by October 16. The nationwide assessment is a first step in carrying out Executive Order 13217 directing Federal agencies to assist states in expanding community-based services for people with disabilities; additionally, it will include a national public comment meeting in Washington this summer, a written comment process announced in the Federal Register, and a series of toll-free teleconference sessions to help people throughout the country to easily share their observations and ideas.

**July 26, 2001** Secretary of Transportation Mineta signs DOT's new Accessibility Policy Statement, signifying his commitment to the

enforcement of ADA standards and ensuring that transportation is not only safe and efficient, but also usable by all individuals.

**July 26, 2001** HHS announces \$9 million in new grants to 18 states and the District of Columbia to carry out the Ticket to Work and Work Incentives Improvement Act (TWWIIA) by helping people with disabilities to become and remain competitively employed. The grants will enable states to increase services and supports to workers, as well as to help others return to work without the fear of losing health coverage.

**August 15, 2001** HHS holds National Teleconference Call to gather public comments on the implementation of President Bush's Executive Order, *Community Alternatives for People with Disabilities*.

**August 21, 2001** EEOC settles disability bias suit for \$650,000 against United Blood. This suit

## July 26, 2001 11th Anniversary of the Americans with Disabilities Act



contended that United Blood's medical leave policies illegally required termination of a class of employees with disabilities after 120 days without consideration of whether an extension would be a reasonable accommodation in accordance with the ADA.

**September 5, 2001** HHS holds a Listening Session to gather public comments on the implementation of President Bush's Executive Order on *Community Alternatives for People with Disabilities*.

**September 28, 2001** Secretary of Health and Human Services Thompson announces \$64 million in new grants to states so that they can ensure that people with disabilities or long-term illnesses can live in the most integrated setting suited to their needs, exercise meaningful choices about their living arrangements, and exercise more control over the providers of the services they receive. The four Systems Changes for Community Living grants are: 1) Real Choice Systems Change grants to help states design and implement effective and enduring improvements in community long-term support systems to enable children and adults of any age who have disabilities or long-term illnesses to live and participate in their communities; 2) Community-

Integrated Personal Assistance Services and Supports grants to support states' efforts to improve personal assistance services that are consumer-directed or offer maximum individual control; 3) Nursing Facility Transitions grants to support state program initiatives and to support nursing facility transitions in centers for independent; and 4) National Technical Assistance Exchange for Community Living grants to provide technical assistance, training, and information to states, consumers, families, and other agencies and organizations.

**October 1, 2001** Secretary of Labor Chao announces \$11.3 million in Federal grants to support increasing the number of Americans with disabilities into the workforce by developing innovative programs and technical assistance that will improve employment

outcomes for adults and youth with disabilities; programs include: Customized Employment for Adults with Disabilities, Workforce Investment Act (WIA) Disability Technical Assistance Consortia for Youth and Adults with Disabilities, Innovative Demonstration Grants for Youth with Disabilities, and High School/High Tech (HS/HT) Programs.

**October 1, 2001** National Child Health Day focused on the theme All Aboard the 2010 Express: A 10-Year Action Plan to Achieve Community-Based Service Systems for Children and Youth with Special Health Care Needs and Their Families. The Action Plan includes transition to all aspects of adulthood, including from pediatric to adult health care, employment, and independence. HHS mailed more than 5,000 kits to states and communities

to help them plan events around this theme.

**October 1, 2001** ED regulations for the State Vocational Rehabilitation Services Program go into effect, eliminating sheltered or non-integrated employment outcomes under the Program.

**October 3, 2001**

**President Bush proclaims National Disability Employment Awareness Month.**

**October 3, 2001** President Bush establishes Presidential Commission on Excellence in Special Education to collect information and study issues related to Federal, state, and local special education programs with the goal of recommending policies for improving the education performance of students with disabilities.

**October 24, 2001**

### **NATIONAL DISABILITY MENTORING DAY —**

Twenty-five federal agencies and businesses in more than 30 states participate in National Disability Mentoring Day.





**October 5, 2001** ED announces \$8.7 million in special education grants to establish nine centers to study issues related to reading, behavior, and learning disabilities. Six will focus on improving reading skills and behavior among students in grades K-3, and a seventh will coordinate the evaluation of the effectiveness of the centers. Another center will target learning disabilities, while still another will work to identify effective practices to meet the needs of very young children with or at risk for behavioral problems.

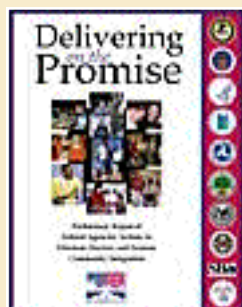
**October 5, 2001** ED awards more than \$7.8 million to 24 states and territories to help reform and improve services for children with disabilities.

### December 2001

Agencies presented

### ***"Delivering on the Promise"***

a preliminary report to the President in response to Executive Order 13217.



**October 10, 2001** ED's Office of Special Education and Rehabilitation Services (OSERS) holds the first in a series of public meetings with special education experts, educators, parents, and advocates to gather information on the current status of special education and needs of students with disabilities in connection with the upcoming reauthorization of the Individuals with Disabilities Education Act (IDEA). Subsequent meetings were held over the next several months.

**October 16, 2001** OSERS holds the first in a series of public meetings to gather information on the status of special education and needs of students with disabilities in Mobile, Alabama. Subsequent meetings were held throughout the country over the next several weeks.

**October 19 – 20, 2001** The Presidential Task Force on Employment of Adults with Disabilities (Task Force) co-sponsors Conference on Asian Americans and Pacific Islanders with Disabilities, held in Oakland, California.

**October 24, 2001** Secretary of Labor Chao created and convened a 15-member Youth Advisory Committee to advise the Secretary of Labor and her designees, including the Office of

### December 17, 2001

**Secretary of Labor Chao announces President Bush's nomination of Dr. W. Roy Grizzard, Jr., as the first Assistant Secretary for the new Office of Disability Employment Policy.**

the 21<sup>st</sup> Century Workforce and ODEP, on education, employment, health, and rehabilitation issues affecting young people with disabilities.

**October 29, 2001** HHS announces \$20 million in additional assistance to eight states and the District of Columbia to support critically needed mental health and substance abuse services following the September 11 terrorist attacks.

**November 19, 2001** A national event in Broward County, Florida, for Child Health Day showcased the efforts of one community of excellence to put in place a family-centered, comprehensive, coordinated system of care for children and youth with special health care needs.

**December 12-13, 2001** HHS holds a National Summit on Children and Youth with Special Health Care Needs in Washington, D.C., showcasing community and state successes, models, and best practices related to building community systems for children with special health care needs. The Summit was co-sponsored by HRSA,

the Maternal and Child Health Care Bureau, Family Voices, the American Academy of Pediatrics, the March of Dimes, and other organizations.

**December 17, 2001** EEOC announced that a \$6.8 million consent decree with retail giant Wal-Mart Stores was signed by Federal District Court Judge Garland Burrell in Sacramento, California. The decree resolves the EEOC's lawsuit which alleged that Wal-Mart's pre-employment questionnaire, Matrix of Essential Job Functions, violated the ADA. Parties to the decree also have agreed to settle 12 other ADA lawsuits filed against Wal-Mart in 11 states. More information is available on EEOC's web site at <[www.eeoc.gov/press/12-17-01.html](http://www.eeoc.gov/press/12-17-01.html)>.

**January 2002** DOJ begins the ADA Business Connection, an intensive outreach and technical assistance initiative aimed at assisting small businesses in complying with the ADA and integrating individuals with disabilities into the workforce.

**January 10-11, 2002**

National Leadership Summit convenes to discuss microenterprise development and self-employment opportunities and options for people with disabilities.

**January 28, 2002** SSA's final TWWIA regulations go into effect.

**January 30, 2002** DOJ announces agreements with 21 local governments requiring physical modifications to facilities and improvements in communications so that people with disabilities have better access to the localities' programs, services, and activities.

**February 14, 2002** HHS' SAMHSA announces availability of \$13 million for the development of community-based mental health services for children and their families.

**February 20, 2002** HHS' SAMHSA announces availability of funds to develop comprehensive transition programs serving youth with serious emotional disturbances or serious mental illnesses as they enter adulthood.

**March 4-5, 2002** Secretary Chao convenes first meeting of the Youth Advisory Committee in Washington, D.C. The final meeting of the Youth Advisory Committee will be August 10-12, 2002.

**March 13, 2002** The Federal Transit Administration (FTA) and Project Action held a National Dialogue on Accessible Transportation to foster communication between the transit industry and the disability community in identifying accessibility issues and creative, effective solutions.

**March 11-14, 2002** SSA, DOL, and HHS, in coordination with the Task Force and others, co-sponsor the 2002 National Workforce Inclusion Conference in Los Angeles for state and Federal programs supporting employment of people with disabilities. Information about this conference is available on the State Partnership Systems Change Initiative web site at <[spiconnect.org](http://spiconnect.org)>.

**March 19, 2002** OSERS holds the first of its public meetings on implementation of the Rehabilitation Act in New York City; subsequent meetings are held throughout the country over the next several months.

**March 25, 2002** Secretary of Health and Human Services Thompson presented President Bush with reports from nine Federal agencies outlining more than 400 specific solutions that the agencies can implement to support community living for the nearly 54 million Americans living with dis-

abilities. The reports stem from the first comprehensive Federal review of barriers preventing people with disabilities from living in their communities instead of in institutions.

**March 25, 2002** HHS announces award of additional \$55 million to the Systems Change Grants for Community Living program to enable states to improve their community long-term care systems for people with disabilities and long-term illnesses.

**April 1, 2002** EEOC announced a series of workshops designed to share information on the employment of individuals with disabilities with small businesses nationwide. Information on these workshops is available on EEOC's web site at <[www.eeoc.gov/press/4-1-02.html](http://www.eeoc.gov/press/4-1-02.html)>.

**April 18, 2002** The Office of Personnel Management (OPM) and SSA co-sponsored the Federal Forum on Ticket To Work. The Forum educated Federal employers about the TTW Program

**March 20, 2002**

**The White House releases**

**The No Child Left Behind Act: Ensuring that Students with Disabilities Receive a High-Quality Education.**



**April 29, 2002** President Bush signs a new executive order creating the Mental Health Commission, which will recommend improvements to the public systems that serve adults and children with serious mental or emotional disorders. The Commission is charged with reviewing the quality and effectiveness of public and private providers and governments in delivering services to persons with serious mental illness and children with serious emotional disturbances, and with designing policies that govern-

**May 1, 2002**

**Secretary of Labor Chao announces the award of \$5.5 million to 12 organizations for multi-state programs to expand career opportunities for individuals with disabilities under the ETA's Disability Employment Grant program.**





ments at all levels can implement.

**May 2002** The Treasury Department (Treasury) posts its new Treasury Procurement Section 508 web site.

**May 6 – 8, 2002** ED and its OSERS-funded National Technical Assistance Center for Asian/Pacific Islanders with Disabilities and Proyecto Vision: Training/ Technical Assistance Center for Latinos with Disabilities co-sponsor Providing Culturally Competent Disability Services to Persons Born in Other Countries: International Conference in Washington, D.C.

**May 9, 2002** Secretary of Health and Human Services Thompson, Secretary of Labor Chao, Department of Housing and Urban Development

(HUD) Secretary Mel Martinez, Department of Education (ED) Secretary Rod Paige, and Office of Personnel Management (OPM) Director Kay Coles James released a progress report on accomplishments since the *NFI* was launched in February 2001. The report also outlines next steps that the Administration will take toward meeting the New Freedom goals.

**May 15, 2002** Office of Personnel Management Director James launched the Federal Long Term Care Insurance Program, under which approximately 20 million Federal employees and members of the uniformed services, including people with disabilities, can apply for coverage.

**May 20, 2002** ED releases its 23rd Annual Report to Congress on the Implementation of IDEA.

**May 29 – 31, 2002** ED's NIDRR co-sponsors Bridging Gaps: Refining the Disability Research Agenda for Rehabilitation and the Social Sciences in Washington, D.C.

**May 30 – June 1, 2002** ED's NIDRR and HHS' SAMHSA co-sponsor Building on Family Strengths: Research and Services in Support of Children and their Families.

**May 31, 2002**

**Office of Personnel and Management Director James launched a comprehensive and user-friendly web site on Federal employment of adults with disabilities, available on the OPM web site at:**



[www.opm.gov/disability](http://www.opm.gov/disability)

**June 6, 2002** SSA's Disability Research Institute holds its annual symposium, entitled SSA Disability Benefits: Apply, Qualify...Return to Work.

**June 21, 2002** DOL, ED, SSA, and HHS hold a public interagency forum on the reauthorization of WIA and issues relating to the employment of people with disabilities.

**June 25-27, 2002** The first RSA and ETA co-sponsored One-Stop reviews begin in New Hampshire, to be followed by two additional reviews this fiscal year, in Minnesota in July, and in Oregon in September.

**June 26-27, 2002** The Departments of Labor and Transportation co-sponsor a National Summit on Employment and Transportation in

Washington, D.C. Secretary Chao was the keynote speaker for the Summit. The 150 participants included transportation leaders, disability advocates, riders with disabilities, state transportation and employment administrators, local transportation authorities and providers, and local workforce development staff.

**July 9-12, 2002** DOL holds Workforce Innovations 2002 in Nashville, Tennessee, which includes workshops on assistive technology and TTW implementation, as well as site visits to a local Technology Access Center funded by ED.

**May 10, 2002**  
**Secretary of Labor Chao announces the award of \$20 million to 23 state and local workforce investment areas to expand career opportunities for people with disabilities through enhanced service delivery in the One-Stop Center system.**

**\$20M**



## Summary of Disability-Related Legislative Initiatives\*



### **National Vocational Rehabilitation Act of 1920**

Established Federal/State system of rehabilitation services.

### **Social Security Act of 1935**

Established Federal/State system of health services for “crippled” children; permanently authorized civilian rehabilitation program.

### **Wagner-O’Day Act of 1938**

Authorized Federal purchases from workshops for people who are blind.

### **Randolph-Sheppard Act of 1938**

Authorized Federal program to employ people who are blind as vendors on Federal property.

### **Vocational Rehabilitation Act of 1954**

Authorized innovation and expansion grants, and grants to colleges and universities for professional training.

### **Wagner-Peyser Act Amendments of 1954**

Required Federal/State employment security offices to designate staff members to assist people with severe disabilities.

### **Social Security Amendments of 1956**

Established Social Security Disability Insurance Trust Fund; provided for payments to eligible workers who became disabled.

### **National Defense Education Act of 1958**

Authorized Federal assistance for preparation of teachers of children with disabilities.

### **Mental Retardation Facilities and Community Mental Health Centers Construction Act of 1963**

Provided grants for construction of mental retardation research centers and facilities; provided for training of educational personnel involved with youth with disabilities; authorized grants to states for construction of community mental health centers.

\* Adapted from Kay F. Schriener and Andrew I. Batavia, “Disability Law and Social Policy,” *Encyclopedia of Disability and Rehabilitation*, New York: Simon & Schuster Macmillan, 1995, with summaries of legislation enacted since 1995 contributed by Carri George, Rebecca Ogle, Bobby Silverstein, and the Department of Justice’s 1997 publication, *A Guide to Disability Rights Laws*. This chart includes laws and amendments to laws significant to the context of this report and is not intended to be exhaustive or all-inclusive.

### **Mental Retardation Facilities and Community Mental Health Centers Construction Act Amendments of 1965**

Established grant program to cover initial staffing costs for community mental health centers.

### **Social Security Act Amendments of 1965**

Established Medicaid program for elderly people and for blind persons and other persons with disabilities.

### **Elementary and Secondary Education Act of 1965**

Authorized Federal aid to states and localities for educating deprived children, including children with disabilities.

### **Elementary and Secondary Education Act Amendments of 1966**

Created National Advisory Committee on Handicapped Children; created Bureau of Education for the Handicapped in U.S. Office of Education.

### **Fair Labor Standards Amendments of 1966**

Established standards for employment of workers with disabilities, allowing for subminimum wages.

### **Elementary and Secondary Education Amendments of 1967**

Authorized regional resource centers; authorized centers and services for deaf-blind children.

### **Handicapped Children's Early Education Assistance Act of 1968**

Established grant program for preschool and early education of children with disabilities.

### **Vocational Education Act Amendments of 1968**

Required participating states to earmark 10 percent of basic vocational education allotment for youth with disabilities.

### **Architectural Barriers Act of 1968**

Required most buildings and facilities built, constructed, or altered with Federal funds after 1969 to be accessible.

### **Developmental Disabilities Services and Facilities Construction Amendments of 1970**

Expanded services to individuals with epilepsy and cerebral palsy; authorized new State formula grant program; defined "developmental disability" in categorical terms; established State-level planning council.

### **Urban Mass Transportation Act Amendment of 1970**

Authorized grants to states and localities for accessible mass transportation.

### **Javits-Wagner-O'Day Act of 1971**

Extended purchase authority to workshops for people with severe disabilities in addition to blindness; retained through 1976 preference for workshops for people who are blind.

### **Social Security Amendments of 1972**

Extended Medicare coverage to individuals with disabilities; established Supplemental Security Income program for elderly people and for blind persons and other persons with disabilities.

### **Small Business Investment Act Amendments of 1972**

Established the "Handicapped Assistance Loan Program" to provide loans to nonprofit sheltered workshops and individuals with disabilities.

### **Rehabilitation Act of 1973**

Prohibited disability discrimination in Federally assisted programs and activities and Federal agencies; required affirmative action programs for people with disabilities by Federal agencies and some Federal contractors; established the Architectural and Transportation Barriers Compliance Board.

### **Education Amendments of 1974**

Required states to establish plans and timetables for providing full educational opportunities for all children with disabilities as condition of receiving Federal funds.

### **Headstart, Economic Opportunity, and Community Partnership Act of 1974**

Required that at least 10 percent of children enrolled in Headstart be children with disabilities.

### **Housing and Community Development Act of 1974**

Established Section 8 housing program for low-income families, including individuals with disabilities and/or their families.

### **Developmental Disabled Assistance and Bill of Rights Act of 1975**

Described congressional findings regarding rights of persons with developmental disabilities; established funding for protection and advocacy systems; added requirement that State plan include deinstitutionalization plan; required states to develop and annually review rehabilitation plans for all clients.

### **Education for All Handicapped Children Act of 1975**

Required states to establish policy assuring free appropriate public education for children with disabilities as condition for receiving Part B funds; established procedural safeguards, procedures for mainstreaming children with disabilities to the maximum extent possible, and procedures for nondiscriminatory testing and evaluation practices.



### **Rehabilitation, Comprehensive Services, and Developmental Disabilities Amendments of 1978**

Established National Institute of Handicapped Research; established National Council on the Handicapped; authorized grant program for independent living services; replaced categorical definition of developmental disability with functional definition; established minimum funding level for protection and advocacy services.

### **Civil Rights Commission Act of 1978**

Expanded jurisdiction of Civil Rights Commission to disability discrimination.

### **Department of Education Organization Act of 1979**

Established Office of Special Education and Rehabilitative Services in new cabinet-level Department of Education.

### **Civil Rights of Institutionalized Persons Act of 1980**

Empowered Department of Justice to bring suit against states for allegedly violating rights of institutionalized persons with disabilities.

### **Job Training Partnership Act of 1982**

Authorized training and placement services for “economically disadvantaged” individuals, including persons with disabilities.

### **Education of the Handicapped Act Amendments of 1983**

Authorized grants for training parents of children with disabilities.

### **Child Abuse Prevention Treatment Act Amendments of 1984**

Required states’ child protection agencies to develop procedures for responding to reports that newborns with disabling conditions were being denied treatment; established conditions for requiring such treatment.

### **Developmental Disabilities Act of 1984**

Shifted emphasis to employment in priority services; required Individual Habilitation Plan for consumers; increased minimum funding for protection and advocacy services.

### **Rehabilitation Act Amendments of 1984**

Established Client Assistance Programs as formula grant programs; made National Council on the Handicapped an independent agency.

### **Consolidated Omnibus Budget Reconciliation Act of 1985**

Expanded the definition of “habilitation” for Home and Community-Based Waiver recipients with developmental disabilities to cover certain pre-vocational services and supported employment for previously institutionalized individuals; authorized states to cover ventilator-dependent children under the waiver program if they would otherwise require continued inpatient care.

### **Education of the Handicapped Act Amendments of 1986**

Authorized a new grant program for states to develop an early intervention system for infants and toddlers with disabilities and their families, and provide greater incentives for states to provide preschool programs for children with disabilities between the ages of three and five.

### **Handicapped Children’s Protection Act of 1986**

Authorized courts to award reasonable attorneys fees to parents who prevail in due process proceedings and court actions under Part B of the Education of the Handicapped Act.

### **Employment Opportunities for Disabled Americans Act of 1986**

Made the Section 1619(a) and 1619(b) work incentives a permanent feature of the Social Security Act; added provisions to enable individuals to move back and forth among regular SSI, Section 1619(a) and Section 1619(b) eligibility status.

### **Education of the Deaf Act of 1986**

Updated statute establishing Gallaudet College and changed name to Gallaudet University; authorized Gallaudet University to operate demonstration elementary and secondary schools for deaf children; established Commission on Education of the Deaf.

### **Rehabilitation Act Amendments of 1986**

“Severe disability” definition expanded to include functional (as well as categorical) criteria; defined “employability” for first time; added formula grant program for supported employment; renamed research branch the National Institute on Disability and Rehabilitation Research.

### **Air Carrier Access Act of 1986**

Prohibited disability discrimination in provision of air transportation.

### **Protection and Advocacy for Mentally Ill Individuals Act of 1986**

Authorized formula grant program for statewide advocacy services for persons with mental illness, provided directly by, or under contract with, the protection and advocacy system for persons with developmental disabilities.

### **Developmental Disabilities and Bill of Rights Act Amendments of 1987**

Raised minimum allotment levels for basic State grant program and protection and advocacy systems; increased minimum allotment for university-affiliated programs, basic State grant program, and protection and advocacy systems.

### **The Technology-Related Assistance for Individuals with Disabilities Act of 1988**

Provided grants to states to develop statewide assistive technology programs.



### **Fair Housing Act Amendments of 1988**

Added persons with disabilities as a group protected from discrimination in housing and ensured that persons with disabilities are allowed to adapt their dwelling place to meet their needs.

### **Omnibus Reconciliation Act of 1989**

Included major expansion in required services under Medicaid's Early and Periodic Screening, Diagnosis and Treatment Program (EPSDT).

### **Television Decoder Circuitry Act of 1990**

Required new television sets to have capability for close-captioned television transmission.

### **Americans with Disabilities Act of 1990**

Prohibited disability discrimination in employment, public services and public accommodations operated by private entities; required that telecommunication services be made accessible.

### **Rehabilitation Act Amendments of 1992**

Changed eligibility requirements and procedures for determining eligibility; strengthened requirements for interagency cooperation; strengthened consumer involvement requirements, and provided that ADA Title I Standards shall be applied to determine whether there has been non-affirmative action discrimination under the Rehabilitation Act.

### **Family and Medical Leave Act of 1993**

Allowed workers to take up to 12 weeks of unpaid leave a year to care for newborn and adopted children and family members with serious health conditions or to recover from serious health conditions.



### **National Voter Registration Act of 1993**

Required states to liberalize their voter registration rules to allow people to register to vote by mail, when they apply for driver's licenses or at offices that provide public assistance and programs for individuals with disabilities such as vocational rehabilitation programs.

### **Goals 2000: Educate America Act of 1994**

Provided framework for meeting national educational goals and carrying out systemic school reform for all children with disabilities.

### **Telecommunications Act of 1996**

Required telecommunications manufacturers and service providers to ensure that equipment is designed, developed and fabricated to be accessible to and usable by individuals with disabilities, if readily achievable.

### **Health Insurance Portability and Accountability Act of 1996**

Improved access to health care for some Americans by guaranteeing that private health insurance is available, portable, renewable, and limited pre-existing condition exclusions.

### **Mental Health Parity Act of 1996**

Included a provision that prohibits insurance companies from having lower annual or lifetime caps for treatment of mental illness than for treatment of other medical conditions.

### **Personal Responsibility and Work Opportunity Reconciliation Act of 1996**

Required work in exchange for time-limited assistance; Temporary Assistance to Needy Families (TANF) replaced the former welfare programs, ending the Federal entitlement to assistance; states, territories, and tribes receive a block grant allocation with a requirement on states to maintain a historical level of State spending known as maintenance of effort.

### **Balanced Budget Act of 1997**

Section 4733 provided a new Medicaid buy-in option for people with disabilities. This provision gives states the option to allow individuals with disabilities who return to work the ability to purchase Medicaid coverage as their earnings increase up to 250 percent of poverty, based on an individual's net rather than gross income.

### **Individuals with Disabilities Education Act Amendments of 1997 (IDEA)**

Formally called P.L. 94-142 or the Education of All Handicapped Children Act of 1975, IDEA requires public schools to make available to all eligible children with disabilities a free, appropriate public education in the least restrictive environment appropriate to their individual needs.

### **Workforce Investment Act of 1998**

Required consolidation of several Federal education, training, and employment programs; reauthorized Rehabilitation Act programs through Fiscal Year 2003 and linked those programs to State and local workforce development systems; expanded Section 508 to ensure that all Federal departments and agencies procure, use and maintain accessible electronic and information technology.



### **Quality Housing and Work Responsibility Act of 1998**

The Quality Housing and Work Responsibility Act of 1998, affecting HUD-funded public and assisted housing, eliminated previously required Federal preferences shown to people with disabilities and some other groups but left any such previous preferences intact or optional at the local level. Public housing agencies, which provide HUD-funded public and assisted housing, must also develop Annual Plans and 5-Year Plans reflecting their preferences and other matters such as changes in the "disability-related tenant composition" of the housing those agencies offer and accessibility issues. Public housing agencies must also certify that their plans and implementation comply with all Federal civil rights and fair housing laws including those which cover persons with disabilities in addition to covering other protected classes.

### **Assistive Technology Act of 1998**

Authorized State grant programs and protection and advocacy systems to address the assistive technology needs of people with disabilities; authorized the development of alternative financing mechanisms to assist people with disabilities in purchasing assistive technology.

### **Ticket to Work and Work Incentives Improvement Act of 1999**

Allowed for Medicaid and/or Medicare benefits for many people with disabilities who go to work; provided for a "ticket to work and self sufficiency" which allows Social Security beneficiaries with disabilities choice and expanded options in pursuing employment and employment supports.

## For More Information, Please Contact:

U.S. Department of Labor ♦ Office of Disability Employment Policy  
200 Constitution Avenue, N.W., Room S1303 ♦ Washington, D.C. 20210  
(202) 693-7880 main voice ♦ (202) 693-7888 main fax ♦ (202) 693-7881 main TTY  
[www.dol.gov/odep](http://www.dol.gov/odep)