

**ZUMBR
EDUCATION
DISTRICT**



*Blooming Prairie
Byron
Hayfield
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Pine Island
Stewartville
Triton*

WIOA and Olmstead Training

November 1, 2016

Jamie Patrick

WIOA and Olmstead

What does this mean for my students and their families?

How does it change what I need to do?

Workforce Innovation and Opportunities Act (WIOA)

- The bipartisan Workforce Innovation and Opportunity Act (WIOA) (Pub. L. 113-128), signed by President Obama on July 22, 2014, created a new vision for how America prepares an educated and skilled workforce that expands opportunity for workers and employers. WIOA represents the most significant reform to our public workforce development system in nearly 20 years.
- WIOA is landmark legislation that is designed to strengthen and improve our nation's public workforce system and help get Americans, including youth and those with significant barriers to employment, into high-quality jobs and careers and help employers hire and retain skilled workers.

- **Workforce Innovation and Opportunity Act: Joint Rule for Unified and Combined State Plans, Performance Accountability, and the One-Stop System Joint Provisions - Final Rule**
 - (Effective Date: October 18, 2016)
- **Workforce Innovation and Opportunity Act: Department of Labor Only - Final Rule**
 - (Effective Date: October 18, 2016)
- **State Vocational Rehabilitation Services Program; State Supported Employment Services Program; Limitations on Use of Subminimum Wage - Final Rule**
 - (Effective Date: September 19, 2016, with the exception of 34 CFR 361.10; 34 CFR 361.23; 34 CFR 361.40; and subparts D, E, and F of part 361, which become effective October 18, 2016)
- **Workforce Innovation and Opportunity Act: Miscellaneous Program Changes - Final Rule**
 - (Effective Date: September 19, 2016, with the exception that the removal of part 388 becomes effective October 1, 2016)
- **Programs and Activities Authorized by the Adult Education and Family Literacy Act (Title II of the Workforce Innovation and Opportunity Act) - Final Rule**
 - (Effective Date: September 19, 2016, with the exception of subparts H, I, and J of part 463, which become effective October 18, 2016)

Olmstead Act

1999 Supreme Court Ruling regarding ADA. In 2009, the Civil Rights Division launched an aggressive effort to enforce the Supreme Court's decision in *Olmstead v. L.C.*, a ruling that requires states to eliminate unnecessary segregation of persons with disabilities and to ensure that persons with disabilities receive services in the most integrated setting appropriate to their needs.

Department of Health and Human Services, to fashion an effective, nationwide program to enforce the integration mandate of the Department's regulation implementing title II of the ADA.

MN Olmstead Plan

The Olmstead Plan is a broad series of key activities our state must accomplish to ensure people with disabilities are living, learning, working, and enjoying life in the most integrated setting. The Plan will help achieve a better Minnesota for all Minnesotans, because it will help Minnesotans with disabilities have the opportunity, both now and in the future to:

- Live close to their family and friends
- Live more independently
- Engage in productive employment
- Participate in community life.

In short, it will offer Minnesotans with disabilities opportunities just like everyone else.

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www.dhs.state.mn.us/main/groups/olmstead/documents/pub/dhs-290464.pdf

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Olmstead Plan Workplan – Housing & Services

June 1, 2016 Plan Goals (page 48)

Executive Sponsor: Chuck Johnson (DHS) and Ryan Baumtrog (MHFA)
Lead: Erin Sullivan Sutton (DHS) and Joel Salzer (MHFA)

GOAL ONE:
By June 30, 2019, the number of people with disabilities who live in the most integrated housing of their choice where they have a signed lease and receive financial support to pay for the cost of their housing will increase by 5,547 (from 6,017 to 11,564 or about a 92% increase).

STRATEGIES:

1. Create more affordable housing
2. Improve the ability to gather information about housing choices
3. Implement reform for housing assistance programs
4. Improve future models for housing in the community

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Olmstead Plan Workplan – Employment

June 1, 2016 Plan Goals (page 52)

Executive Sponsor: Jeremy Hanson Willis (DEED) and Chuck Johnson (DHS)

Lead(s): David Sherwood Gabrielson (DEED), Erin Sullivan Sutton (DHS) and Robyn Widley (MDE)

GOAL ONE:

By September 30, 2019 the number of new individuals receiving Vocational Rehabilitation Services (VRS) and State Services for the Blind (SSB) who are in competitive, integrated employment will increase by 14,820.

GOAL TWO:

By June 30, 2020, of the 50,157 people receiving services from certain Medicaid funded programs, there will be an increase of 5,015 or 10% in competitive, integrated employment.

GOAL THREE:

By June 30, 2020, the number of students with developmental cognitive disabilities, ages 19-21 that enter into competitive, integrated employment will be 763.

STRATEGIES:

1. Implement the Employment First Policy
2. Develop an interagency data system to improve measurement of integrated employment
3. Reform funding policies to promote competitive, integrated employment
4. Develop additional strategies for increasing competitive, integrated employment among people with disabilities
5. Implement the Workforce Innovation and Opportunity Act (WIOA) and Section 503
6. Implement the Home and Community Based Services (HCBS) rule in a manner that supports competitive, integrated employment

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Olmstead Plan Workplan – Lifelong Learning and Education

June 1, 2016 Plan Goals (page 58)

Executive Sponsor: Daron Korte (MDE)

Lead: Robyn Widley (MDE)

GOAL ONE: By December 1, 2019 the number of students with disabilities, receiving instruction in the most integrated setting, will increase by 1,500 (from 67,917 to 69,417).

GOAL TWO: By October 1, 2020 the number of students who have entered into an integrated postsecondary setting within one year of leaving secondary education will increase by 250 (from 225 to 475).

GOAL THREE: By June 30, 2020, 80% of students in 31 target school districts will meet required protocols for effective consideration of assistive technology (AT) in the student's individualized education program (IEP). Protocols will be based upon the "Special factors" requirement as described in Individuals with Disabilities Education Act (IDEA) of 2004.

STRATEGIES:

1. Improve and increase the effective use of positive supports in working with students with disabilities
2. Continue strategies to effectively support students with low-incidence disabilities
3. Improve graduation rates for students with disabilities
4. Improve reintegration strategies for students returning back to resident schools
5. Increase the number of students with disabilities pursuing post-secondary education
6. Expand effectiveness of Assistive Technology Teams Project

Employment Capacity Building Cohort

- MDE/DHS/DEED cohort of schools, county social workers, VR staff to plow through what all of this means.
- Cohort to work through all of the unknowns
 - Not the students we would have referred before
- Goal Numbers to reach for employment for each year to meet Olmstead Plan targets, 188 this year.
- Primary Focus 18-21 OR students graduating.

ECBC- [DEED Presentation](#) Sept 2016

Moving forward

- Stronger connection between schools, DHS, and DEED
- No leaving school and going directly to “in center” or subminimum wage jobs (age 24)
- Goal for everyone to explore integrated competitive employment
 - DCD/MM DCD/SP SMI ASD
- Change in the way we program and refer students to VR
- Think differently from 9th grade on

This year

Target Audience- Referrals to VR by Dec:

- Students Aging out
 - 18/19 going to get their diploma
- 18-21 years old
 - Students at T2S
 - SP Students still in the building

By March of 2017:

- Be thinking about students that will age out in 2018

So we have to find them a job?

- No and Yes
 - Goal to provide Pre-ETS to work with VR to support students in gaining work experiences.
- How many districts have a Work Experience Licensed person on staff?
- What are work experiences?
 - Q on paid experiences or volunteer

What to expect from Voc Rehab Services

- WHO is the worker assigned to my building?
- How often should they be in my building working with students?
- What are they working on with students?
- Do they attend IEP meetings?
- What is a work evaluation?
- Who pays for a work evaluation?
- When should it be done?

Do we have to change the IEP?

- No
 - Pre-ETS is already part of what we do
 - VR involvement should already be under the Transition Services page
- How do we document the Pre-ETS?

Pre Employment Transition Skills

Vocabulary/Terminology

Pre Employment Transition Skills (Pre-ETS)

1. Job Exploration counseling
2. Work based learning experiences
3. Post secondary education counseling
4. Workplace readiness training
5. Instruction in self-advocacy

MCIS

- Special Education Pilot Program remainder of this year for 18-21 year old students
 - Who are those in your districts?
 - Jamie will get accounts to you
 - Document successes and barriers that remain

T2S Case Study

- Aging out in June
- Previously thought as headed to sheltered workshop
 - DCD:SP
 - Very short attention span
 - Stimming behaviors
 - Parents saying not realistic to ICE
 - Would have started a transition to a supported employment agency Spring of 2017

- Referral to VR end of 15/16 school year
 - Family filled out
 - VR counselor met with family to discuss options
 - Choice in agency to do work evaluation
 - Resident District chose agency
 - ABC/OS/PossAbilities/Cedar Valley
 - Team met again to create plan for work evaluation
 - Typically 10 days/ 4 hours a day at 2 different sites
 - We are doing 10 days/ 1 hours a day at 1 site then reassess as a team
 -

- Concerns
 - Evaluator needs to be very versed in behavior management
 - Transportation
 - Business willing to offer spot to do eval
 - Will they make it an hour

End product?

An evaluation that identifies that ability to work in an integrated setting for minimum wage, but needed areas of growth before that can happen. OR

An evaluation that identifies the student is not able to work. VR Case closed, and a certificate of exemption is given.

Resources:

Region X CTIC [Website](#)

MN Transition Resources [Page](#)

[DB101](#)

[MCIS](#)

MN [Olmstead Plan](#)

Twitter- Other Social Media- reads