

United States Senate

COMMITTEE ON HEALTH, EDUCATION, LABOR & PENSIONS

Tom Harkin, Chairman

High Expectations: Transforming the American Workforce as the ADA Generation Comes of Age

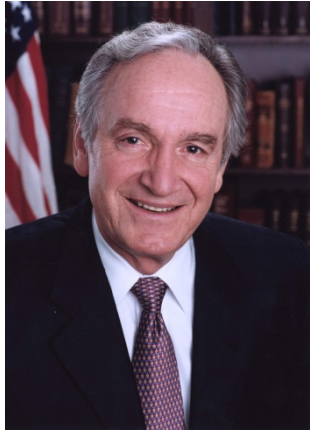


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Contents

OPEN LETTER FROM CHAIRMAN HARKIN.....	2
THE ADA GENERATION	10
FOUR AREAS OF OPPORTUNITY	15
OPPORTUNITY ONE: HIGH SCHOOL.....	16
OPPORTUNITY TWO: TRANSITION.....	19
OPPORTUNITY THREE: LONG TERM SUPPORT PROGRAMS	23
OPPORTUNITY FOUR: WORKPLACE SUPPORTS	26
EMPLOYMENT AND THE ADA GENERATION	30
A GOAL AND RECOMMENDATIONS	31

OPEN LETTER FROM CHAIRMAN HARKIN



In July 2012, I released a report titled “Unfinished Business: Making Employment of People with Disabilities a National Priority.” In it, I described the ongoing crisis of persistently low labor force participation rates of people with disabilities, and outlined what I see as some historic opportunities to improve this situation. My greatest source of optimism about growing the disability labor force comes from the generation of people with disabilities who have come of age after the passage of the American with Disabilities Act (ADA). These youth and young adults, or the “ADA Generation” as I call them, have attained unprecedented education levels in inclusive settings and have an expectation to be included as valued members of the American workforce. As Chairman of the U.S. Senate Committee on Health, Education, Labor and Pensions (HELP Committee), I am concerned that America is failing to fully leverage the talents of this generation and the investment we have made in these young people. Let’s not waste this historic opportunity to welcome these talented and motivated youth and young adults into the competitive labor force.

Building on “Unfinished Business,” this report examines the lives of the young people who make up the ADA Generation. This report shares their firsthand experiences in education, with disability benefit programs, with transition programs, and in the workforce. The most recent data available describing the education and employment situation for youth and young adults with disabilities are presented. Fueled with the optimism of these young people, I renew my call for the leadership in Congress, the Administration, and the business community to prioritize the employment of people with disabilities, including the members of these young people with disabilities. And, to this call, I add a series of recommendations for bipartisan reforms intended to improve the programs that support the ADA Generation as they pursue their employment goals.

There has been great progress since the signing of the ADA more than twenty-three years ago. The ADA (passed in 1990), along with the Individuals with Disabilities Education Act (IDEA)

(passed in 1975), ushered in a series of changes in American society designed to enhance accessibility and opportunity for children and adults with disabilities who, for far too long, had been excluded from community life. Unlike previous generations, today's youth and young adults have grown up with public transportation systems that have elevators and lifts; sidewalks that include curb ramps; and sports arenas, concert venues, museums, and movie theaters that have accessible seating and provide information and entertainment in a variety of accessible formats. Approximately 13 percent of all public school students receive education services under IDEA, and between 1996 and 2005 the percentage of students with disabilities exiting school with a standard high school diploma increased from 43 to 57 percent.^{i ii}

We have made tremendous investments in the members of the ADA Generation and they are prepared to embrace bright futures. However, despite the wonderful progress in physical and communication accessibility, and in the access to education these laws enabled, there is still a great deal of work to be done to fully realize the equality of opportunity promised by the ADA. The sad reality is that more than two-thirds of Americans with disabilities are not in the labor market, and disability employment has not increased since 1990. As of August 2013, there was a gap between the labor force participation rate of young adults age 25 to 34 with disabilities and their non-disabled peers that exceeded 40 percent. This employment gap persists across all ages, from teenagers to 35 year olds, and the disparities are particularly large for racial and ethnic minorities with disabilities. There are also significant disparities in the labor force participation rates for young veterans who became disabled as a result of their military service.

However, there is one bright spot. There is a relatively small gap in the labor force participation rates of individuals with disabilities and their peers in the 16 to 19 year old age range. This light in an otherwise dark room presents an important opportunity. Whereas the employment rate for 25 to 34 year olds with disabilities has been only half that of their peers, the gap in the labor force participation rate for 16 to 19 year olds with disabilities and without disabilities has been on average only ten to 15 percent. If we can ensure youth in this age group are hired at the same rate as their peers, and provide them with the support they need to remain successful in the workplace, we can make tremendous progress toward providing equal opportunity to all.

In this report, I identify four key areas of opportunity to improve our support for members of the ADA Generation as they seek competitive employment. These areas are:

- Increasing support for high school students as they plan for their transition into the workforce;
- Improving the transition of the ADA Generation as they enter postsecondary education and the labor market;
- Changing the assumptions in disability benefit programs that discourage young people with disabilities from working; and
- Leveraging employer demand, correcting misconceptions about employing people with disabilities, building strong pipelines from school to the competitive workforce, and establishing supportive workplaces.

Opportunity One: High School: Improving transition planning and activities from high school is essential to increasing disability employment. While most high school students receive some transition planning as required by the IDEA, this planning could be significantly improved by ensuring the participation of all relevant school staff, along with out-of-school partners such as State Departments of Developmental Disability, Departments for the Blind and Visually Impaired, and Social Security Agencies, and securing support from state Departments of Vocational Rehabilitation, all as early as possible in the transition planning process. As part of their transition, students should have access to early work experiences and internships, which are highly correlated with positive employment outcomes after high school. Transition planning needs to occur earlier in students' high school careers to ensure they have the opportunities to take full advantage of the services and supports they need. That is why I support decreasing the age at which the IDEA requires schools to begin planning for student transitions from 16 years of age to 14 years of age. This is also why Senator Alexander and I included, in the Workforce Investment Act reauthorization recently approved by the HELP Committee, a requirement that state vocational rehabilitation agencies spend at least 15 percent of their vocational rehabilitation funds providing services to youth in transition, including pre-employment transition services to youth in high schools.

Opportunity Two: Transitions: We know that higher education is a critical factor in attaining employment, particularly for youth with disabilities. However, only 15 percent of high school graduates with disabilities attend a four year college. If we can link our talented young people to appropriate postsecondary opportunities, including certificate programs, career and technical training opportunities, community colleges, and two and four year degree programs, they will enter the labor market more attractive to employers and more prepared to succeed. We should also learn from states like Washington that have successfully adopted “Employment First” policies. These state plans expect that all youth with disabilities are able to work in the competitive, integrated workforce, including those with the most significant disabilities. After adopting Employment First as a state policy, King County in Washington increased the percentage of youth with intellectual and developmental disabilities transitioning to competitive employment from six percent to 56 percent in just five years.ⁱⁱⁱ

Opportunity Three: Changing the Incentives of Disability Benefit Programs: Two programs – Social Security Disability Insurance and Supplemental Security Income – and their linkages to personal care supports through Medicaid, and Medicare, play significant roles in providing supports and services to Americans with disabilities. For many of the youth of the ADA Generation, tapping these supports comes with a great cost. While the Affordable Care Act will provide many young people with disabilities health care coverage, particularly through the opportunity to purchase coverage through the state exchanges, that coverage may not include the personal care supports that states provide through their Medicaid Community and Home Based Waiver programs. In order to receive such services and benefits, young people with disabilities are often forced to commit to, at an impossibly early age, a lifetime in poverty without work. SSI and SSDI rely on an outdated definition of disability that assumes those with disabilities cannot work, and makes the eligibility for support services contingent upon young people proving with medical evidence that they cannot and will not be able to work and earn enough to support themselves. Specifically, a young person must claim they will not be able to “engage in substantial gainful activity,” to quote the language from 1956 in the Social Security Act. This requirement creates disincentives for young people with disabilities who are compelled to choose between forgoing benefits and launching a career, or forgoing work in order to receive benefits and attend to their daily support and healthcare needs. We need to modernize these programs so

that federal policy is to encourage, not discourage, work. This is a problem for all working-age adults with significant disabilities, but it is particularly egregious for young people who have a lifetime of work, and a lifetime of opportunities, ahead of them.

Opportunity Four: Workplace Supports: In order to increase the labor participation rate for the ADA Generation, we must overcome barriers preventing the business community from hiring people with disabilities. At the same time the business community is looking for skilled employees, we are graduating members of the ADA Generation who have had more access to and more success in education than any previous generation. We need to build pipelines and facilitate matches between employers and young people, coordinate state Vocational Rehabilitation services with pre-kindergarten through 12th grade and post-secondary education programs to create a national pipeline of talent, and ensure that supported employment services remain in place for the duration of an employee's career.

The new final rule enforcing Section 503 of the Rehabilitation Act, which requires federal contractors to engage in affirmative efforts to identify, recruit, promote and retain qualified workers with disabilities, creates a unique opportunity to increase employer demand in a sector that employs more than 20 percent of the American labor force. My hope and expectation is that the Department of Labor will work with the Departments of Education, Health and Human Services and others to help build pipelines that will connect young people with disabilities with federal contractors who are hoping to hire them.

We must also correct misconceptions that hold employers back from hiring young people with disabilities. Research shows that employers overestimate the costs of providing workplace accommodations, underestimate the productivity of workers with a disability, and hold low expectations for the workplace performance of members of the ADA Generation. In reality, approximately 80 percent of workplace accommodations cost less than \$1,000.^{iv} Studies show that hiring employees with disabilities can increase business productivity and decrease absenteeism. Finally, young people with disabilities often thrive in competitive environments and leadership positions, providing employers with additional, valued employees.

ADA Generation Goals and Recommendations

In April of 2011, the US Chamber of Commerce and I established a goal of increasing the workforce participation of people with disabilities by more than 20 percent, from 4.9 million workers to six million workers by 2015. In August 2013, young adults ages 16 to 35 compromised approximately six percent of the 4.9 million individuals with disabilities in the workforce. Based on these numbers, I believe we should set a goal of increasing the workforce participation of young adults with disabilities by 250,000 new workers by 2015.

To accomplish this goal, we must provide members of the ADA Generation with opportunities such as quality internships, part-time jobs, and other work experiences while they are still in school. One of the critical strategies to reach this goal is to require State Vocational Rehabilitation agencies, schools, Medicaid providers, and other key partners to work with young people with disabilities, starting at age 14, to identify and develop labor force skills. This includes having access to:

- Work-based learning experiences including internships, summer employment, and competitive, paid employment in integrated settings;
- Intensive transition planning, which includes the student's family, to determine what post-secondary education and training is needed to meet their independent living, employment, health care, and other support needs;
- Benefits counseling that informs youth of the availability of waivers and work incentives that will enable them to retain benefits and be healthy and independent as they begin to seek full-time work opportunities in the labor force.

We must do a better job at enrolling youth in Vocational Rehabilitation services early in their high school careers, and ensure that our young people are presented with a variety of postsecondary opportunities that will help them develop critical skills. We should create a coordinated pipeline to match our talented young people, in whom we have invested so much, with employers. We should modernize our government programs so that people with disabilities can enter the workplace, contribute to their communities, and invest in their futures without putting their essential benefits and supports at risk. And we should ensure that states see

competitive, integrated employment as the first option for all our young people, no matter how severe their disability.

In the Chairman's role, in the coming months, I will work on a bipartisan basis with the members of the Committee to explore ways to increase the flexibility that our federal and state agencies have to meet the above goals. We need to create a combination of policies, incentives and flexibility that will promote partnerships among states and businesses to increase early connections to work for young people with disabilities and implement the intensive planning needed for youth to have successful, live-long careers.

To create both the opportunities and the incentives for young people to work, I am setting an aggressive legislative agenda. I will work to pass the reauthorization of the S. 1356, the Workforce Investment Act of 2013, which was approved by the HELP Committee in July with a bipartisan vote of 18-3. S. 1356 would require state and federal vocational rehabilitation partners to ensure that young people with disabilities have access to quality pre-employment transition services, and access to good jobs and post-secondary opportunities when they leave high school. I will introduce a bill to ensure that youth transitioning from Section 504 and special education services will have full access to pre-employment training and supports. And we need to address the issue of allowing young people with disabilities to accrue capital, just as all other youth are able to do so. One way to do this is by amending the restrictions on savings for those who are eligible for the SSI and SSDI programs. Legislation such as S. 313, the Achieving a Better Life Experience Act, or ABLE Act, which will create tax-free savings accounts so that members of the ADA Generation can invest in their futures without losing critical benefits, is one way to address this issue. Finally, I will work with my colleagues on the HELP Committee to introduce the Entrepreneurs with Disabilities Act, which will make it easier for business owners to be successful in the marketplace.

By shining a spotlight on the barriers to participating in the labor force for the current generation of youth and young adults with disabilities, and moving beyond the data to share some personal stories, this report is intended to draw attention to and prompt action in support of the individual employment goals these young adults are working hard to achieve. I encourage leaders from the public and private sectors to join with me in taking steps to ensure that the goals of the ADA are

within grasp of our nation's youth and young adults with disabilities. These four goals – 1) equality of opportunity; 2) full participation; 3) independent living; and 4) economic self-sufficiency – are the birthright of this generation and we must work together to ensure this promise is met.



Tom Harkin, Chairman
Senate Committee on Health, Education, Labor and Pensions

THE ADA GENERATION

The youth and young adults of “the ADA Generation” came of age after Congress passed the Americans with Disabilities Act (ADA) in 1990. The young people with disabilities who make up the ADA Generation have benefitted greatly from the letter and spirit of that historic civil rights law. Compared to prior generations, the members of the ADA Generation have increased access to education, public venues and transportation, workplace accommodations, and telecommunications.

While older generations of Americans with disabilities were often excluded from community life, the ADA Generation is able to navigate through their communities with greater ease than ever before. Young adults with disabilities have grown up with public transportation systems that often have built-in accessibility features; sidewalks that include curb ramps; and sports arenas, concert venues, museums, and movie theaters that have accessible seating and provide information and entertainment in a variety of formats. Members of the ADA Generation have seized the opportunity to fully participate in their communities and experience the same enriching opportunities as their non-disabled peers.

The members of the ADA Generation have also grown up with unparalleled opportunity to access education in inclusive settings. The passage of the Education for All Handicapped Children (now known as the Individuals with Disabilities Education Act, or IDEA) in 1975 ensured that youth with disabilities attend schools that emphasize inclusion and have high expectations for all students’ education and employment outcomes. The IDEA provides youth with disabilities a tailored program, the Individualized Education Program (IEP), which spells out the learning accommodations and supports they need to be successful in school. In 2011, about 13 percent of public school students, or 6.5 million total, received education services under IDEA, and about 72 percent of students with disabilities earned credits in general education classrooms.^v

The positive impact of this individualized focus can be seen in the recent data on the performance of youth with disabilities in public schools. Between 1997 and 2006, the number of

students with disabilities leaving high school with a standard diploma increased from 43 to 57 percent.^{vi} Members of the ADA Generation are also obtaining undergraduate and graduate degrees at higher rates than students with disabilities who came before them.^{vii}

Perhaps most importantly, there has been a substantial change in attitudes. More and more Americans now see accessibility and accommodations as essential elements of an inclusive society, and not “special treatment” for a narrow population. The ADA Generation has grown up in an America that promises them full participation, equal opportunity, independent living, and economic self-sufficiency, and they have high expectations for themselves. They have the same hopes and dreams as other young Americans: to live independently, find competitive integrated employment that speaks to their motivations and interests, join the middle class, and contribute their considerable talents and skills to their communities.

The ADA Generation in the workforce

The members of the ADA Generation know that being employed is part of being an adult in our society. These young adults are eager to work, but more than two-thirds of Americans with disabilities are not in the labor market. In fact, despite the increased access and opportunity under the ADA, employment outcomes for people with disabilities have not improved since 1990. The progress in disability employment is stagnant even though research shows that when adults with disabilities are integrated into an inclusive workforce, employers suffer no loss in productivity and employee retention rates increase.^{viii} Higher rates of employment are beneficial to those with disabilities and their communities. Higher workforce participation is associated with lower incidences of crime, a greater sense of community, and an increased sense of collective responsibility.^{ix}

Our young people with disabilities are entering the workforce at a time when employment rates are declining precipitously for all youth.^x Approximately 2.2 million teenagers and 4.3 million youth ages 20 to 24 are neither in school or working. Even in these historically stark times for youth employment, the situation is dramatically worse for youth with disabilities. In June of 2013, there was a 40.8 percent gap between the employment rate of young adults age 25 to 34 with disabilities and their non-disabled peers.^{xi}

Table 1: Labor Force Participation Rates by Age and Disability, 16-19 Year Olds, June 2008-June 2013

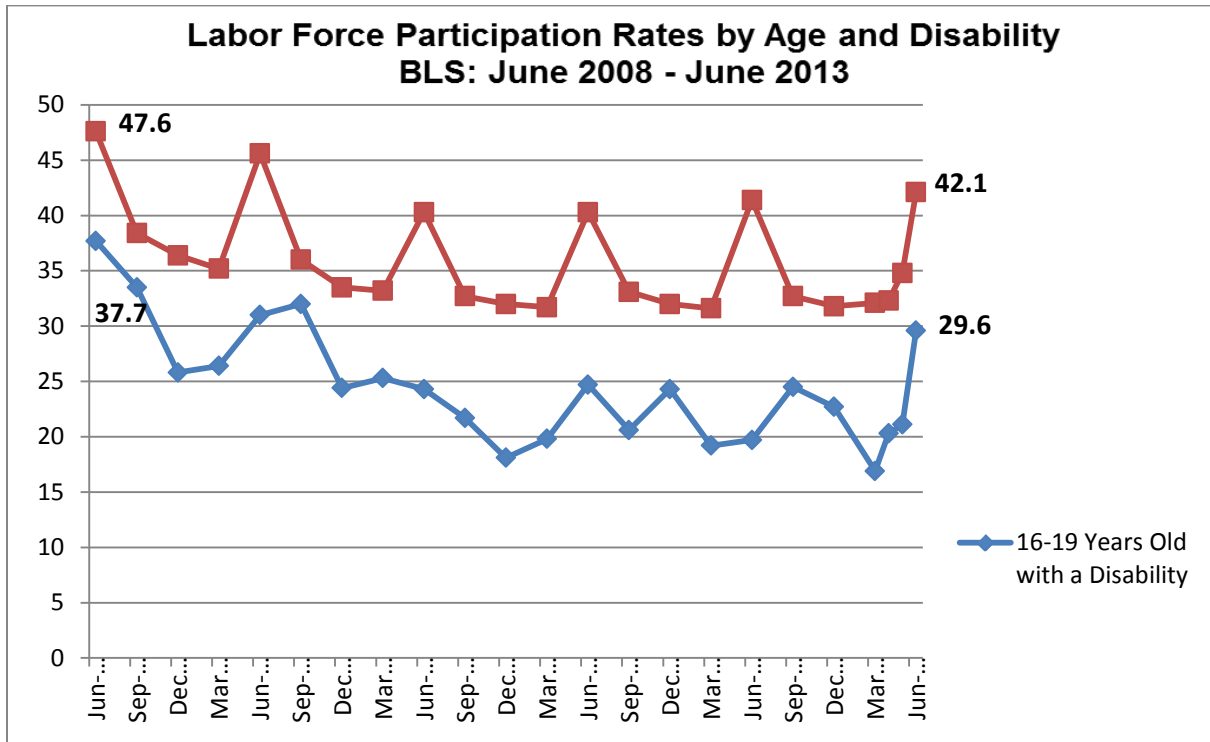


Table 2: Labor Force Participation Rates by Age and Disability, 20-24 Year Olds, June 2008-June 2013

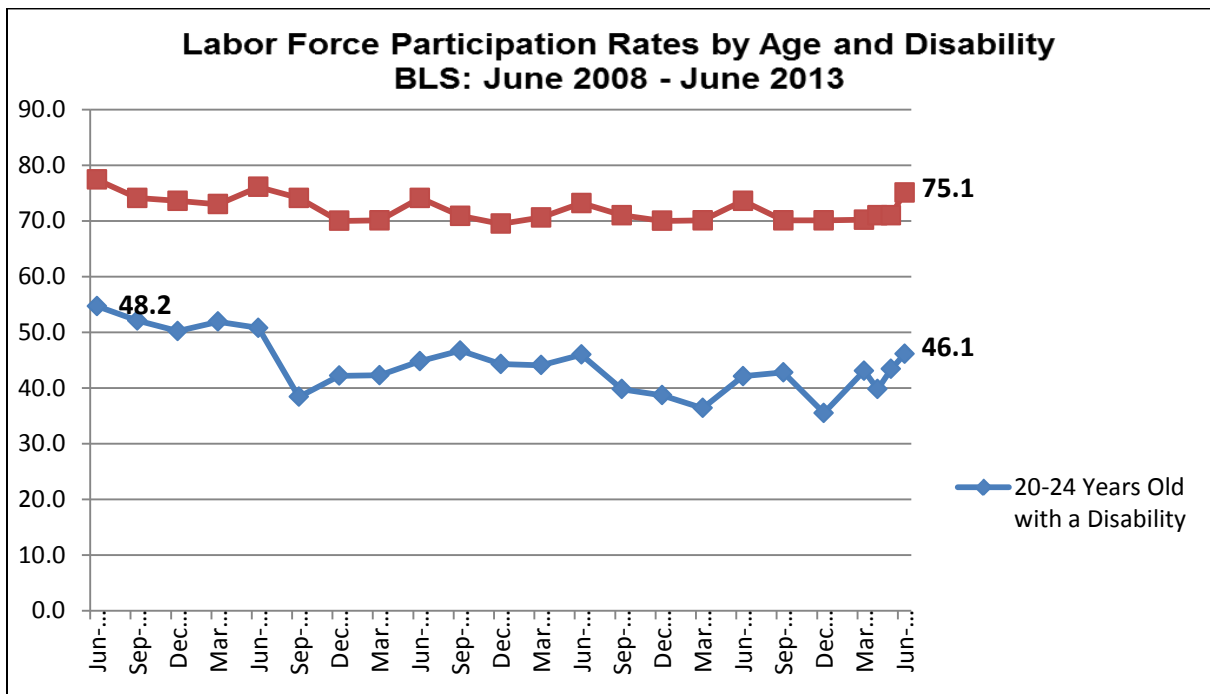
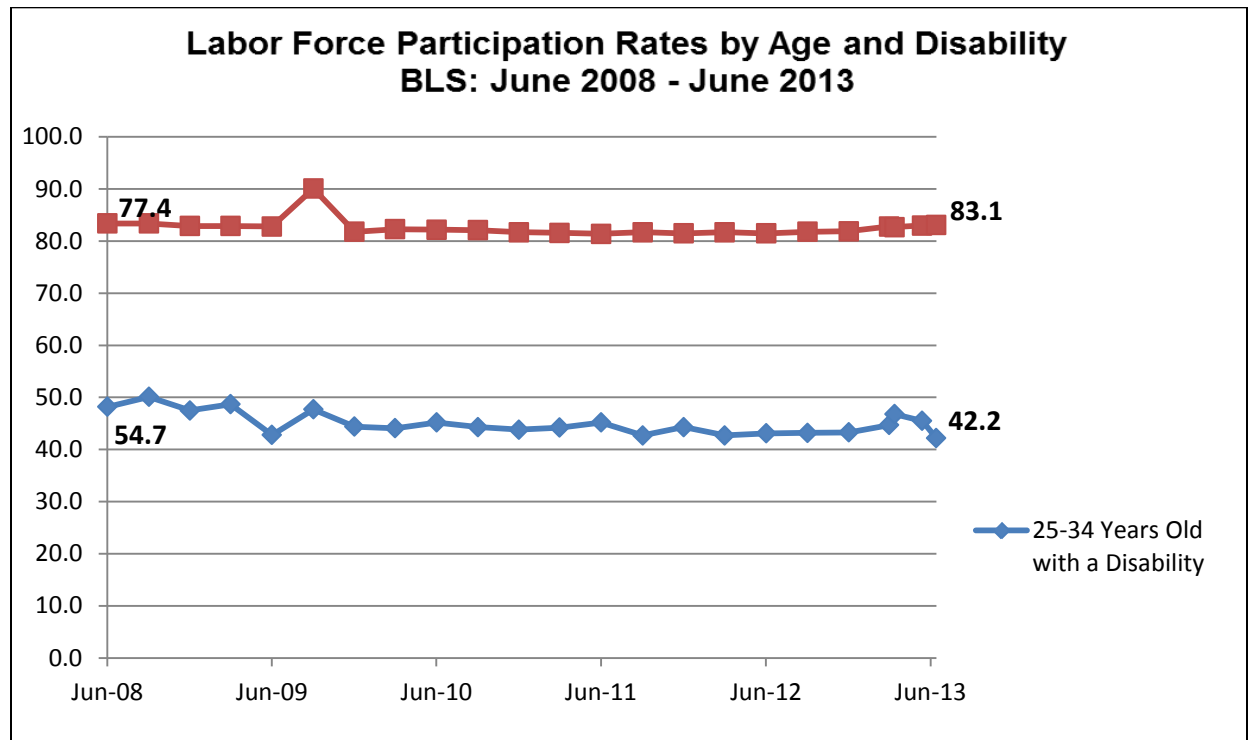


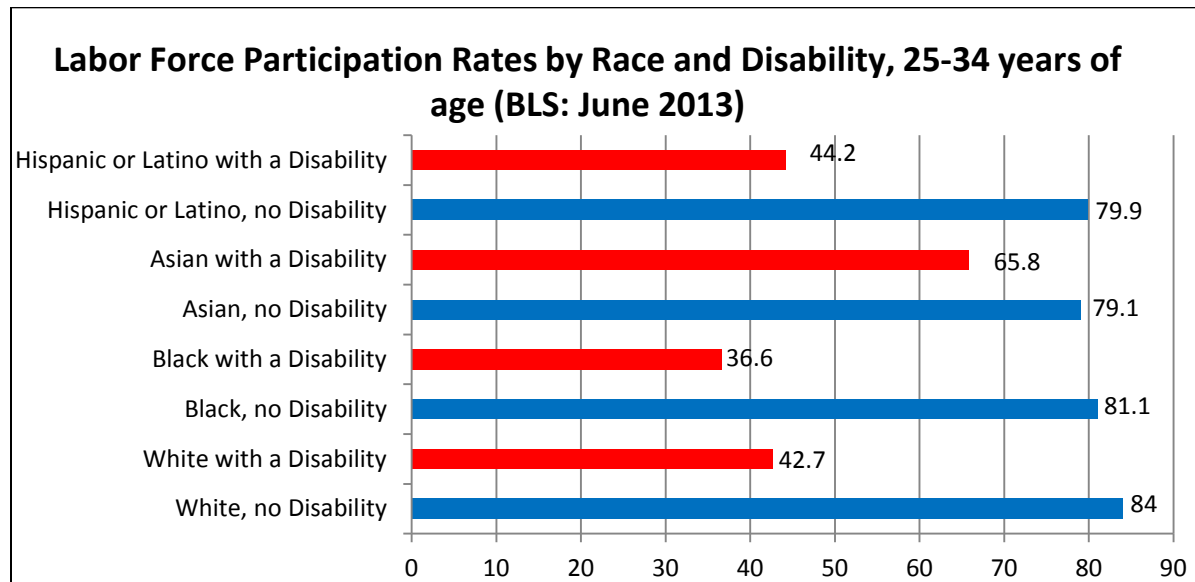
Table 3: Labor Force Participation Rates by Age and Disability, 25-34 Year Olds, June 2008-June 2013



The gap persists across all age groups, from teenagers to 35 year olds. The largest gaps are among individuals age 25 to 34. For the past five years, the labor participation rate of young people with disabilities in this age range has been only half that of their non-disabled peers.^{xii} On the other hand, the gap in the labor force participation rate between young people age 16 to 19 with a disability and without a disability has been, on average, only about ten to 15 points.^{xiii}

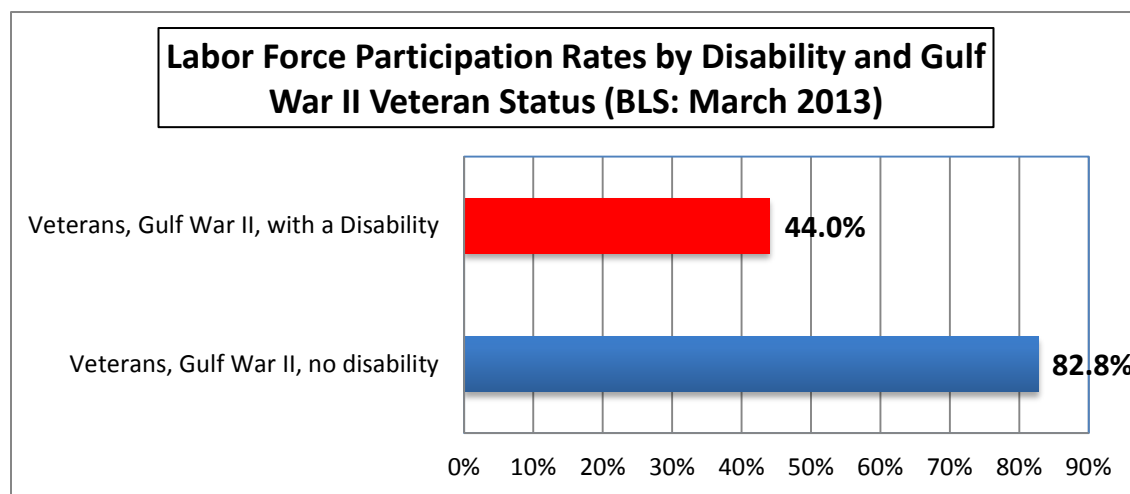
At this transitional time in a young person’s development, we must encourage full participation in the daily activities of society. Establishing the norms and providing the opportunities for successful, live-long engagement in work will result in more positive outcomes for young people, as well as for everyone in their communities. By closing the gap in workforce participation between those young people with and without disabilities, we will increase the likelihood young people will be more self-sufficient and independent throughout their adult lives.

Table 4: Labor Force Participation Rates by Race and Disability, 25-34 Year Olds, June 2013



The disparities are particularly large for racial and ethnic minorities with disabilities. In June of 2013, there was a 35.7 percent gap between Hispanic and Latino individuals age 25 to 34 with disabilities and their non-disabled peers, a 13.4 percent gap between Asian disabled and non-disabled individuals, and a 44.5 percent gap between Black disabled and non-disabled individuals

Table 5: Labor Force Participation Rates by Race and Gulf War Veterans Status, March 2013



There are also disparities in labor force participation rates for veterans who became disabled as a result of their time in military service. In March of 2013, more than 80 percent of non-disabled recent veterans were employed or looking for work, compared to less than 45 percent of veterans with a disability.^{xiv}

FOUR AREAS OF OPPORTUNITY

The relatively small gap in labor force participation rates between individuals with disabilities and their peers in the 16 to 19 age range presents an opportunity to address a major barrier to equality for young people with disabilities. If we can ensure our young high school students with disabilities are hired at the same rate as their nondisabled peers, and provide them with the assistive technology, support, and training they need to remain successful in the workplace, we will make tremendous progress towards providing equal economic opportunity for all. There are four main areas of opportunity to help students with disabilities successfully join the labor force. We can help our young people find jobs and work towards economic independence by:

- Increasing support for high school students as they plan for their transition into the workforce;
- Improving the transition of the ADA Generation as they enter postsecondary education and the labor market;
- Changing the assumptions in disability benefit programs that discourage young people with disabilities from working; and
- Leveraging employer demand, correcting misconceptions about employees with disabilities, and establishing supportive workplaces.

If we can take advantage of these tremendous opportunities, our young Americans with disabilities will rise to the occasion and successfully transition into the workforce at the same rate as their non-disabled peers.

OPPORTUNITY ONE: HIGH SCHOOL

Transition Planning in High School

The road to competitive, integrated employment begins in the classroom. Many studies focus on the impact that postsecondary education degrees play in improving pay and lowering unemployment rates, but middle and high schools also play a large role helping students plan to prepare for their transition to the workforce. The IDEA requires that schools begin planning for students' transition out of high school at age 16. At that age, students' IEPs must include transition services and goals related to training, education, employment, and independent living skills.

Improving transition planning in high school is a key opportunity to increase access to employment for members of the ADA Generation. For students without disabilities, planning for post-secondary education and careers typically begins in middle school when students are 12-14 years of age. For students with disabilities, transition planning needs is required to take place at age 16, much later than for the general student population. This planning process includes special educators and, in 70 percent of cases, input from youth themselves.^{xv} However, participation from other key stakeholders and supports varies widely. General education teachers are more likely to participate when a student's plan includes a two- to four-year college or career and technical institution, while school counselors are involved only about 60 percent of the time.^{xvi} Students need the input and support of all relevant staff, including counselors and general education teachers, to ensure they have a range of perspectives as they plan for their futures.

When planning for students' transitions, schools must also ensure they are presenting students with postsecondary options across the entire spectrum of opportunities, from certificate programs to two- and four-year degrees. Students who take advantage of postsecondary options can gain important skills, academic knowledge, and social experiences necessary to succeed in the workforce. We know with the right support, most of our students with disabilities can thrive in postsecondary settings. Programs like *ThinkCollege*, funded by the U.S. Department of

Education, are opening doors for youth with intellectual disabilities and demonstrating that post-secondary education is an achievable outcome for many members of the ADA generation.

Finally, early transition planning for postsecondary education and the labor market is vital, but for too many students it comes too late. Students who leave school when they turn sixteen, the age when a student's IEP must incorporate transition goals, may never have benefitted from conversations about potential pathways after high school. Other students may need more time to fully prepare to leave high school. And research indicates the best time to begin preparing for a career is during the middle school years. That is why the age at which IEP's include transition planning goals should be lowered from 16 to 14, so schools begin to work with students to plan their transition as early as possible.

Out-of-School Partners

Vocational Rehabilitation (VR) agencies should also be involved with planning for student transitions while students are still in high school. VR agencies provide essential supports to young adults with disabilities, including providing resources for post-secondary education and training programs, providing assistive technology, and matching individuals to employment opportunities that are aligned with their skills and interests. VR representatives are generally the non-school personnel most likely to be involved with students' transition processes, however, VR agencies work primarily with young adults who are in their last two years of school or who have already aged out of high school.^{xvii} VR agencies need to be engaged earlier in students' high school careers to ensure that they have access to the benefits counseling, transition planning, and work-based learning experiences that will help them succeed in the workplace.

Yet, not even VR agencies can provide all of the support that members of the ADA Generation need as they prepare to transition out of high school. Local school districts, through their transition services or in combination with VR programs, can coordinate with various other resources such as State Departments of Developmental Disability, Departments for the Blind and Visually Impaired, State Medicaid agencies and providers, and other state agencies that work with individuals with disabilities to assist high school students as they plan for their long-term future and economic independence. If students are supported by a variety of partners early in

their high school careers, they will be more likely to be prepared to succeed after graduation. Equally important, parents and guardians of high school students with disabilities need to be equipped with information and contacts that will help them make good choices with and for their youth with disabilities.

Early Work Experience & Youth Development Activities

For all youth, including members of the ADA Generation, what happens outside the classroom can be as important as the learning that takes place at the school desk. An abundance of research demonstrates the importance of work experiences during high school.^{xviii} Exposure to work through job shadowing, after-school and summer employment, and internships gives youth opportunities to “practice” their work skills and acquire the so-called “soft skills” that are critical to finding and maintaining a job.^{xix} This is especially true for youth with significant disabilities who may be more likely to find themselves underemployed or in segregated work settings immediately following high school.^{xx}

If youth with disabilities are shut out of the job market in the early stages of life, they risk losing opportunities to gain the job-readiness skills and concrete employment experience that can make the difference after they depart high school. Model programs and demonstrations have shown that high-school aged youth with disabilities can be connected to the workforce when the supports and partnerships are in place.^{xxi} While these demonstrations are extremely promising, we have not built on these demonstrations to expand the ability of schools and other partners to create meaningful positive work experience for all students with disabilities before they leave high school. In particular, we must greatly expand the accessibility of internships and after-school jobs so that all members of the ADA Generation have the same opportunities to learn workplace skills as their non-disabled peers.

Some communities have expanded the range of supports and activities available to youth with disabilities as they progress through school. Community service activities, extracurricular activities such as athletics and school clubs, and programs that provide mentoring and a focus on leadership and civic engagement can combine to provide a series of experiences that can help members of the ADA Generation gain skills useful for the workplace. In addition to learning the

competencies they need to control and direct their own lives, they can build the communication and interpersonal skills that play a big role in employment success. However, while exceptionally important, these programs should be viewed as a complement, not a substitute, for hands-on work experiences.

Rohmteem Mokhtari grew up in the suburbs of Houston where he attended public school. Born with congenital cataracts, he has a significant visual disability. Because he has a difficult time reading regular-sized print, Rohmteem uses computer screen magnifiers. His school and school district provided good services and accommodations for Rohmteem, and after graduation he enrolled at George Washington University (GWU). At GWU, Rohmteem worked with the disability support services office for his accommodations, which included additional time to take tests. In college, Rohmteem was diagnosed with ADHD and received assistance planning his work and scheduling and managing assignments.

Rohmteem participated in the American Association of People with Disabilities' Washington, D.C. internship program, which provided work experience and offered a connection to the disability community in the area. As is true for many of today's young professionals, Rohmteem's internship experience was a useful tool for his transition into the workforce. Rohmteem now works as the Family Project Coordinator at the Human Rights Campaign Foundation.

OPPORTUNITY TWO: TRANSITION

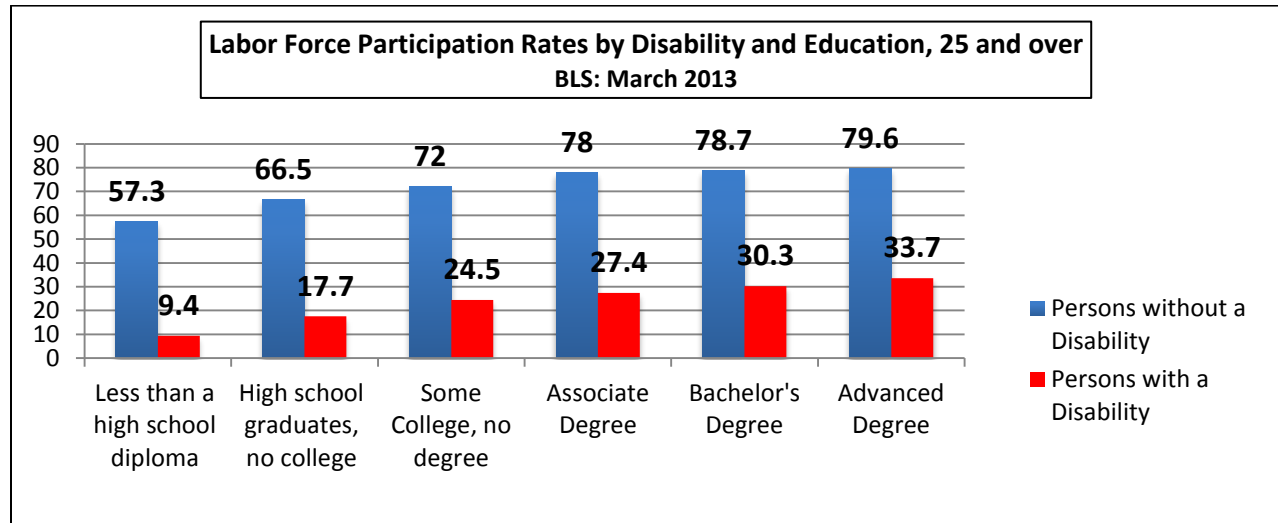
Postsecondary Education

Over the past few decades, higher education has evolved to be a critical factor in attaining employment. Completion of a postsecondary education, whether a two- or four-year degree, or career and technical training program, is highly correlated with better employment outcomes in adulthood. Historically, the linkages have been most strong between college degree attainment and earnings, but data emerging from the most recent economic downturns suggests that college degree attainment is increasingly important in determining whether a young adult will get a job at all.^{xxii} Economist Anthony Carnevale estimates that 60 percent of U.S. jobs will require some form of postsecondary education by 2018.^{xxiii}

Youth with disabilities are still not matriculating to college or other post-secondary education programs at rates commensurate with their non-disabled peers. In 2011, only 15 percent of high

school graduates with disabilities attended a four-year college after leaving high school, as compared to 37 percent of young adults in the general population who complete their degree.^{xxiv} Moreover, as young people with disabilities obtain higher levels of education, their workforce participation increases at a rate greater than that of persons without disabilities.^{xxv}

Table 6: Labor Force Participation Rates by Disability and education, 25 and over, March 2013



Exciting new postsecondary programs are recognizing the untapped potential of the ADA Generation and designing options to fit their unique needs. The Model Comprehensive Transition and Postsecondary Programs for Students with Intellectual Disabilities (TPSID) provides almost \$11 million to 27 institutions and education consortia to expand their programs for students with intellectual disabilities. In 15 states, the Community College Consortium on Autism and Intellectual Disabilities (CCCAID) is working to support colleges as they develop programs for students with autism and disabilities. Programs like TPSID and CCCAID are providing important opportunities for students to enter and succeed in postsecondary education; however, they remain limited in reach and scope.

Members of the ADA Generation also need consistent supports and services once they enroll in higher education programs. Currently, young people with disabilities are less likely to complete a degree or certificate program than their non-disabled peers, and students with disabilities who do graduate often take twice as long to do so.^{xxvi} A key factor significantly contributing to the

success of the ADA Generation is the availability of supports and services on college campuses. Students are eligible for supports under the ADA, the Rehabilitation Act, and the Higher Education Opportunity Act Amendments of 2008. But unlike in high school, students must seek out offices providing disability services on their own and work with professors and other university personnel to ensure that their accommodations are met. The TPSID programs and the autism and intellectual disabilities consortia have provided us the knowledge that consistent, tailored supports need to be available at the post-secondary level for students with disabilities to successfully gain certificates, two-year degrees and four-year degrees that will greatly increase their ability to enter the job market, sustain a career and become economically independent. We must use the information gained from these pilots to inform how all post-secondary programs support young people with disabilities.^{xxvii}

Employment First Policies

“Employment First” is an innovative model of promoting competitive, integrated employment that has been advanced by states in recent years. Employment First approaches put in place policies that all youth with disabilities, upon completion of their eligibility for IDEA services, will work in competitive, integrated employment. The assumption is that all individuals with disabilities, despite the significance of their disability, should be provided with the support, training, and opportunities to work within the general labor force. This policy is particularly important for youth with the most significant disabilities who are more likely to immediately enter segregated work settings where pay may be below minimum wage.

States adopting Employment First philosophies integrate these policies across programs supporting individuals with disabilities, including VR services, developmental disabilities programs, and state education and labor agencies. Employment First policies are promising tools to increase employment opportunities for the ADA Generation, particularly when employment is defined to mean work that is competitive and integrated. Young people with disabilities often rise to the challenges of competitive integrated employment when they have the support they need. A prime example of the impact of Employment First policies can be seen from their implementation in Washington State. In 2005, King County in Washington State changed their approach to transitioning students with intellectual and developmental disabilities from school to

employment and adopted a statewide Employment First policy. In just five years, the percent of youth with disabilities that are employed rose from six percent to 56 percent.^{xxviii}

As noted above, state employment policies that acknowledge the ability of individuals to work in competitive integrated settings have produced outstanding results. States should look to initiatives such as those lead by Governor Jack Markel of Delaware and championed by his National Governors Association initiative to adopt Employment First policies in order to both raise the expectations for young people to participate in the workforce and to set them in the right direction for their working age years.

Benefits Counseling and Service Coordination

The pathways to employment for youth with disabilities can be confusing. One way to improve disability employment is to ensure that members of the ADA Generation receive the support they need to navigate among various programs.

Pilot programs have shown that when youth have assistance navigating the transition from high school to the workplace they are more successful at entering the labor market. The Youth Transition Demonstration Grant (YTD) provides a limited number of young people with academic supports, early work experiences, youth development activities, and other services. Building on the success of YTD, the Social Security Administration, Department of Education, and Department of Labor recently announced the Promoting Readiness of Minors in Supplemental Security Income (PROMISE) program.^{xxix} A significant strategy of the PROMISE initiative will be improving coordination of services provided through IDEA, VR, Medicaid, Temporary Assistance for Needy Families (TANF), and the Workforce Investment Act programs. Previous research and experiences with pilot programs indicate the PROMISE initiative will show marked increases in employment for young people with disabilities. The first PROMISE programs will be implemented within the next year.

OPPORTUNITY THREE: LONG TERM SUPPORT PROGRAMS

The importance of the social safety net for people with disabilities cannot be overstated. The United States has a long history of providing publicly-funded programs to help individuals with disabilities meet their basic economic, daily support and health care needs. There are two primary programs that provide these supports, both from Social Security:

- *Supplemental Security Income (SSI)*: SSI is a means-tested program that provides financial payments to low-income Americans with disabilities and their dependents. In order to qualify for SSI, people with disabilities must be unable to work for at least twelve months and have very limited financial assets. In 2011, 1.1 million youth age 13 to 25 received SSI benefits.
- *Social Security Disability Insurance (SSDI)*: SSDI provides financial payments to people with disabilities younger than sixty-five and who are unable to work for at least 12 months. The amount of an individual's monthly SSDI benefit is determined by their income and the number of years worked prior to becoming disabled. Unlike SSI, there is no minimum asset requirement to qualify. In 2011, 213,000 individuals 25 years old or younger received 1.5 billion dollars in SSDI benefits.

While these programs provide all people with disabilities, including those in the ADA Generation, with an essential set of supports, those supports come at a significant cost to young people. In order to qualify for SSI and SSDI, an individual must meet the federal definition of disability, defined as being unable to engage in substantial gainful activity (SGA). In 2013, the SGA threshold was \$1,040 per month, meaning anyone making more than that amount is not considered disabled or eligible for federal disability benefits.¹ As a result, federal policy requires young people with disabilities to declare they cannot work in order to receive income support and the personal support services that allow those with the most significant disabilities to be able to participate in their communities, including being part of the workforce.

¹ \$1,740 per month for a blind individual.

The federal government has made an unprecedented investment in the education and support of the ADA Generation. Our young Americans with disabilities are ready and able to pursue careers, contribute to our Nation's economy, and join the middle class. Yet, rather than leverage the investment we have made in our young people, the support programs for people with disabilities place a prohibition on their ability to work. This is a contradiction in policy that needs to be fixed.

What we need is a national disability policy that will work in conjunction with the great advances made by the Affordable Care Act. Policies such as insurers not being able to deny coverage because of pre-existing conditions and expanding Medicaid eligibility to 133% of the federal poverty level are extraordinarily important to people with disabilities.

But one of the major stumbling blocks for people with significant disabilities is acquiring and retaining personal support services that enable them to work and interact in their communities. While the Affordable Care Act will provide health care coverage to many young people with disabilities, particularly through the opportunity to purchase coverage through the state health care marketplaces, that coverage may not include the personal care supports that states provide through their Medicaid Community and Home Based Waiver programs. What will help move more individuals with disabilities into the workforce will be the ability to ensure personal support services in the community are available. We need a national disability policy that will build on the advances of the Affordable Care Act and ensure the personal support services necessary for individuals are no longer linked to a policy where a young person must claim they will not be able to "engage in substantial gainful activity," to quote the language from 1956 in the Social Security Act.

There have been some pilot programs that try to address the barrier to employment created by the federal definition of disability and the SGA rule. For example, the Medicaid Buy-In (MBI) program provides workers with disabilities who earn income above the SGA the opportunity to buy into Medicaid to retain coverage that will give them access to home and community based supports. Under MBI, individuals pay a monthly premium based on a sliding income scale. Medicare has a similar buy-in option for disabled individual who lose their SSDI eligibility due to the income they earn from being employed.

There have also been limited attempts to allow people with disabilities to accumulate wealth without becoming ineligible for federal disability benefits. Under current law, an individual may not have assets greater than \$2,000 to be eligible for SSI or Medicaid, which leaves individuals with disabilities a choice between saving money, or keeping their financial and medical supports. The Plan to Achieve Self Support (PASS) program tries to change this dynamic by allowing SSI recipients to set aside money and resources to achieve specific work goals. The Achieving a Better Life Experience (ABLE) Act, which has been introduced in both the House and the Senate, would create tax-free savings accounts for individuals with disabilities that would allow them to save money without losing their federal disability benefits.^{xxx} By allowing people to save for education, housing, and transportation, the ABLE Act would allow people with disabilities the ability to invest in their future and long-term independence.

The Americans with Disabilities Act pledged to transform American society into one in which individuals with disabilities are equal citizens in every way. We have partially fulfilled that pledge by modernizing the physical environment, including streets, workplaces, and recreation venues. We must now modernize our social programs. While MBI, PASS, and other programs have helped some individuals with disabilities retain their support services and enter the workplace, an expectation of unemployment remains entrenched in the definition of disability and in federal law. The ADA Generation wants what every American wants – an opportunity to pursue a future in their communities and to be economically independent by participating in the workplace. We need to encourage economic self-sufficiency by removing the presumption of dependence of people with disabilities from our federal programs and policies and establishing competitive, integrated employment as the expectation for all our young adults.

Jimmy Curran is 23 years old and grew up in the suburbs of Philadelphia. Due to spinal muscular atrophy, Jimmy uses a wheelchair. In 2011, he earned a bachelor's degree in finance from Temple University's honors program and he recently began work at Independence Blue Cross.

Until he graduated from high school, Jimmy had a one-to-one aide to help with note-taking and to eat his meals at school. When he entered college he did not have the aide. Jimmy reports *"When I went to college I was much more independent in that the government no longer paid for [the] aide. I think it was actually a step in the right direction because in the workforce I'm completely independent."* The one workplace accommodation Jimmy requested was a wireless keyboard, which he can place on his lap. He said his employer was very willing to provide that piece of technology. But to get to work, Jimmy needed an aide to help him with personal care and dressing in the morning.

Although today Jimmy has the workplace tool to succeed and move up the career ladder, initially the federal benefits system placed obstacles in Jimmy's path to employment. That's because earning a paycheck would have rendered Jimmy ineligible for the personal support services that enable him to get to get ready for work in the first place – and which he could receive in perpetuity if he stayed out of the workforce. After a long struggle with the system, Jimmy secured access to services.

The public benefits system as currently structured still puts Jimmy at a disadvantage relative to his peers without disabilities. Because each state implements its Medicaid program differently, with different home and community based supports, the supports Jimmy receives in Pennsylvania may not be the same as those he would receive in another state. It becomes much more difficult for Jimmy to pursue opportunities outside of Pennsylvania without risking the loss of the support services that allow him to work. He explained *"I still want to do my MBA. I'd like to not have it in the back of my mind that I have to stay [in Pennsylvania]."*

OPPORTUNITY FOUR: WORKPLACE SUPPORTS

Addressing Employer Needs

In order to increase the labor force participation rate for the ADA Generation, we must overcome the barriers preventing the business community from hiring people with disabilities. Business leaders have cited difficulties in recruiting applicants with disabilities who have the skills their particular company needs as a primary barrier to improving disability employment. In 2011, the Society of Human Resource Management and Cornell University's Employment and Disability Institute conducted a survey of 675 private employers to evaluate their perception of the

challenges of employing people with disabilities. More than half of the respondents cited a lack of qualified applicants as a primary barrier, while almost a third discussed lack of related experience and lack of skills and training.^{xxxix} Similarly, a 2012 CEO Summit, sponsored by Walgreens and attended by such employers as Lowes, UPS, and IBM, focused on disability employment. Top executives of the major national corporations attending expressed the need for a stronger, multistate pipeline of talented applicants with disabilities.

Executives at the CEO Summit also articulated a need for more investment in supported employment services. Under the current model, the job coaching and other supports provided to people with disabilities by state VR programs often expire after eighteen months. Both employees and companies are left in the lurch after the loss of VR services. An employee may not be able to continue to work effectively without key services, and companies may not have the expertise or resources to provide the services. Many in the business community would like to see supported employment continue throughout an employee's career so that they are able to retain talent beyond the VR eligibility period.

We can increase the number of young people with disabilities employed in the workforce if we can address these needs of employers. At the same time the business community is looking for skilled employees, our schools are graduating members of the ADA Generation who have had more access to education and training than any previous generation. We need to facilitate matches between employers and young people and coordinate between state Vocational Rehabilitation centers to create a national pipeline of talent to the employers in need of a young, skilled workforce. We also need to ensure supported employment services remain in place for the duration of an employee's career so those young, skilled people with disabilities can remain employed and become successful for the long-term.

Correcting Misconceptions

The ADA Generation is often confronted with myths and misconceptions about their disabilities that hold them back from finding employment. For example, some employers are hesitant to hire people with disabilities because they either lack knowledge about the costs of accommodations or they are concerned with their ability to absorb these costs. However, most accommodations

are relatively inexpensive. Many involve simple physical adjustments to the work environment. Approximately 50 percent of workplace accommodations cost less than \$500, 80 percent cost less than \$1,000, and 19 percent cost nothing at all.

Experience shows that often businesses are able to absorb even the most costly accommodations. Larger corporations and federal agencies use what is known as a centralized accommodation fund (CAF), which allows an organization to spread the costs of more expensive accommodations across units so that no one office or an organization is experiencing significant costs due to accommodations. A CAF also allows employers to anticipate and plan for the costs of providing accommodations to a diverse workforce on an annual basis. Finally, businesses can also take advantage tax incentives that are available to help employers cover the cost of purchasing assistive technology.

Some employers also mistakenly believe that employees with disabilities are less productive than their non-disabled peers. A 2008 survey found that 72.6 percent of all businesses, particularly those in physically demanding occupations, expressed concerns that the nature of their work could not be effectively performed by individuals with disabilities.^{xxxii} This attitude is belied by the experiences of businesses that do employ people with disabilities. For example, Walgreens, the largest drugstore chain in the country, operates two distribution centers with a large disability workforce that includes workers with intellectual disabilities, physical impairments, and mental health disorders. A 2011 study found these two distribution centers had 67 percent lower medical costs, 63 percent lower absenteeism due to accidents, and 78 percent lower costs associated with accidents than other distribution centers. Moreover, the turnover rate in the centers with larger percentages of disabled employees is half that of the rest of the company.^{xxxiii} Walgreens is so impressed with the productivity of its workers with disabilities that it is now expanding disability hiring goals to over 7,000 retail stores.

Finally, in addition to misconceptions about the cost and complexity of accommodations and the productivity of the disabled workforce, young people continue to face low expectations from employers. Evidence of these low expectations can be seen in current workforce statistics.

Individuals age 16 and older with disabilities are overrepresented in service sector positions and

are less likely to hold positions in management or leadership. Employer concerns about lack of advancement potential suggest that young adults in the workforce may not have opportunities or access to training and development activities that will allow them to ascend to leadership positions. These low expectations do not do justice to the talent and perseverance of the ADA Generation, many of whom thrive in competitive environments.

Emilea Hillman, a young entrepreneur from Independence, Iowa, knows about shattering low expectations. Emilea has an intellectual disability, and after graduating from Independence high School in 2007, went to work in a sheltered workshop. At the workshop, Emilea earned only \$2.50 per hour and had no contact with customers. After two years, Emilea quit and, with the help of her family and a variety of government programs, opened *Em's Coffee Company*. Today she is a co-business owner, works full-time and manages six employees with and without disabilities who she pays \$7.25 an hour. Emilea makes drinks, operates the cash register, and talks with her regular customers to make sure they feel at home. Her business has been successful; Emilea now lives in her own home and is the primary sponsor of a Special Olympics team. By holding herself to high expectations, Emilea was able to move from a sub-minimum wage job to own her own business and contributing to her local economy and community.

Government Efforts

The Obama Administration has taken steps to hire more young adults with disabilities into the federal workforce. In 2010, President Obama signed Executive Order 13458, which set a goal of hiring 100,000 new federal workers with disabilities by the end of 2015. In response, federal agencies created strategic plans that identify challenges and barriers to hiring and retaining people with disabilities and emphasize a multi-part strategy of recruiting talented applicants. The plans include using special authorities for hiring, providing accommodations through programs like CAF, and helping employees who sustain injuries to return to the workplace. The plans also emphasize the importance of transforming workplace cultures to be more inclusive through trainings and commitment from leadership.

The Obama administration also recently announced new regulations to fully implement Section 503 of the Rehabilitation Act. The regulations clarify the obligations of federal contractors to proactively recruit, retain, and promote people with disabilities. Building on model strategies used in the federal workforce, the new regulations call for targeted recruitment of people with disabilities and greater investments in assistive technology. The regulations also set a goal that seven percent of a contractor's workforce should be people with disabilities. The implementation

of these regulations will provide the same type of supports to people with disabilities that federal regulations currently offer to women, racial, and ethnic minorities.

There are also new, innovative programs to promote disability employment at the state level. The National Governors Association (NGA), under the leadership of Chairman Jack Markell of Delaware, spent the past year focusing on strategies to increase employment opportunities for the ADA Generation. The initiative educated public and private sector leaders about the benefits of recruiting young people with disabilities into the workforce, and encouraged state governments to partner with the business community to create statewide disability employment plans.

EMPLOYMENT AND THE ADA GENERATION

Congress passed the ADA more than two decades ago in order to create equal opportunities for people with disabilities to go to school, work, and live their lives in their own communities. Young people with disabilities have the same ambitions and goals as everyone else, including to live independently, and to support themselves and their families. While there has been great progress in increasing the accessibility in many areas of life, members of the ADA Generation have seen no improvement in their access to employment.

The ADA Generation presents an opportunity to reverse this trend and break down the barriers to employment for people with disabilities. The young people of the ADA Generation are the most educated generation of people with disabilities we have ever seen, and they are ready to get to work. Young people are all unique, and their talents, ambitions, and aptitudes are different. They may choose different types of work depending on their needs and goals, but each should be able to access the fullest employment possible.

Members of the ADA Generation will succeed if they are able to get the support they need to plan for their transition earlier in their high school careers, if they have the services and supports they need to make the transition from school to work, if they are able to work and keep their essential health and income support benefits, and if they receive the appropriate accommodations in the workforce.

A GOAL AND RECOMMENDATIONS

In April of 2011, we established the goal of increasing to six million, by 2015, the number of people with disabilities in the workforce. An important part of that goal is ensuring young adults with disabilities represent a significant portion of those new workforce participants. In February 2013, young adults ages 16 to 35 comprised approximately 1.2 million (six percent) of the nearly five million individuals with disabilities in the workforce. I believe an appropriate goal is for young adults with disabilities to represent at least 250,000 of the new entrants into the workforce, or nearly 1.5 million participants by 2015.

To accomplish this goal, members of the ADA Generation will need the access to the same opportunities as their non-disabled peers. I will work in the coming months to champion a series of policies that can improve employment outcomes.

Research consistently shows that early opportunities to experience work, prior to leaving high school, can make the difference in later employment outcomes. Participating in internships and summer jobs, visiting worksites, and working alongside people without disabilities in competitive, integrated settings should be the primary goal of the transition team that works with every youth with a disability in high schools today. To this end, I am committed to increasing the number of opportunities youth have to explore the workplace during their teenage years.

We also should require VR Agencies, schools, Medicaid-funded providers, and other key partners to begin working with youth at age 14 to identify and develop labor force skills by requiring that youth have access to:

- Work-based learning experiences, including internships, summer employment, and competitive, paid employment in integrated settings;
- Intensive transition planning, which includes the student's family, to determine what post-secondary education and training is needed to meet their independent living, employment, health care, and other support needs; and

- Benefits counseling that informs youth of the availability of waivers and work incentives that will enable them to retain benefits and be healthy and independent as they begin to seek full-time work opportunities in the labor force.

Ensuring that these agencies work with youth to establish these goals prior to leaving school will increase youth engagement and self-advocacy at a time when their personal expectations and aspirations are being shaped. It will also work to streamline their pathways to employment by decreasing the confusion and loss of momentum as they move from one system to another.

We must also modernize our government programs to ensure they have the resources and capacity to support work-based learning. During and beyond high school, youth should have the opportunity to explore and gain a foothold in the workplace without fear of losing vital services and benefits such as SSI, SSDI, Medicaid, and Medicare. Youth should also enroll in Vocational Rehabilitation services, which play a primary role in helping youth and adults with disabilities to build their skills in order to meet the needs of the labor force.

To support these strategies, I will be introducing a bill in the coming months that will amend the Rehabilitation Act of 1973 and the Individuals with Disabilities Education Act. The Workforce Readiness for Youth with Disabilities (READY) Act will ensure youth transitioning from Section 504 and special education services will have full access to pre-employment training and supports.

Working with my colleagues on the HELP Committee, I will introduce a bill to increase opportunities for individuals with disabilities to own businesses and leverage their entrepreneurial spirit. The Entrepreneurs with Disabilities Act will make it easier for business owners to become certified as a disability owned business and to access the resources and technical assistance they need to enjoy success in the marketplace.

I will also work with my colleagues on the Finance Committee to pass S. 311, ABLE Act of 2013. This Act will create tax-free savings account that will make it easier for members of the ADA Generation to set aside resources that could cover qualified expenses such as education,

housing, and transportation. These accounts allow individuals to invest in their future without losing their eligibility for programs like SSI and Medicaid.

There is increasing demand and enthusiasm from both the public and private sectors that we promote policies to help the ADA Generation reach their full potential in the community and the workforce. Employers are rethinking their strategies for meeting the needs of their businesses, and technology is transforming the nature of the workplace. States are creating and testing new models for connecting youth with disabilities to the workforce. As Chairman of the HELP Committee, I will work with my colleagues to explore ways to increase the flexibility that our federal and state agencies have to meet our goals of connecting young people with disabilities to early work and intensive postsecondary and career planning.

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^{xiii} June BLS data

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^{xxx} For more information about the Able Act, please see: <http://www.ndss.org/Advocacy/Legislative-Agenda/Creating-an-Economic-Future-for-Individuals-with-Down-Syndrome/Achieving-a-Better-of-Life-Experience-ABLE-Act/>

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