



ILLINOIS EMPLOYMENT FIRST UPDATE 3/29/17

FEATURED RESOURCE (CHICAGO)

WIPA SPRING TRANSITION FAIR

https://www.cityofchicago.org/city/en/depts/mopd/provdrs/emp/alerts/2017/april/WIPA_Spring_Transition_Fair.html

WIPA Spring Transition Fair - April 7, 2017

March 22, 2017

Join the Mayor's Office for People with Disabilities Employment Services Unit WIPA Staff, our collaborating Community Program Partners, which include city, state, and federal agencies, Case Managers, Counselors, Job Developer & Employers as we work with Youth and Young Adults to improve their job readiness, job search, and resume writing skills and ultimately, completing the job application on-line that day on the spot for summer internship opportunities!

Date: Friday, April 7, 2017 - 1:00 p.m. to 4:00 p.m.

Location: MOPD Field Office –2102 West Ogden Avenue, Chicago IL. 60612

The presenters will share their knowledge and provide tips on how to increase your independence and self-sufficiency. SSA-trained and certified Community Work Incentives Coordinators will be available to counsel SSI/SSDI recipients on the SSA Work Incentives

“Inclusion works for Opportunity, Inclusion works for Business, Inclusion works for Innovation”S

There is free parking adjacent to the building, Space is limited. Register by Calling 312.746.5743, or online [here](#)

WE HAVE THE ANSWERS! This service is FREE!

Joining us will be:

The Department of Family & Support Services (One Summer Chicago) to help with the application process.

&

The Chicago Public Schools—Office of Diverse Learners Supports & Services

Reasonable Accommodations are available upon request.

Please call 312/746-5743, 312/746-5787 (Phone) 312/746-5713 (TTY) or 312/746-5749 (Fax) L. Paige Program Director: (Email) Lavonzell.Paige@cityofchicago.org

This publication is made possible by a grant from the Social Security Administration # WIPA-/WIP1305036-01-00. These contents are solely the responsibility of the Mayor's Office for People with Disabilities and its WIPA project and do not necessarily represent the official views of the Social Security Administration.

- **HELP SPREAD THE WORD! ONE SUMMER CHICAGO 2017**



One Summer Chicago brings together government institutions, community-based organizations and companies to offer over 24,000 employment and internship opportunities for youth and young adults ages 14 to 24.

HOST AN INTERN THIS SUMMER FOR FREE!

At no cost to employers a partnership between MOPD, CPS, and One Summer Chicago is able to provide paid internships to students with disabilities. One Summer Internships are paid for through state and local funding to provide young people with meaningful work experiences while contributing to the success of Chicago employers.

WHAT IS YOUR ROLE?

1. Complete the agreement form and job description for the position.
2. Participate in the screening and selection process for referred interns.
3. Designate a supervisor to directly support the intern.
4. Complete one evaluation on the interns' performance to enhance the work experience and allow for continuous skill improvement.

INTERESTED IN LEARNING MORE?

Contact at Joe Albritton (MOPD)
at joe.albritton@cityofchicago.org

BENEFITS CORNER

- **Benefits Planning Services and Information:**

<https://www.ssa.gov/disabilityresearch/wi/generalinfo.htm>

What is a Work Incentive?

Special rules make it possible for people with disabilities receiving Social Security or Supplemental Security Income (SSI) to work and still receive monthly payments and Medicare or Medicaid. Social Security calls these rules "work incentives." Below are the rules that apply under each program.

SSDI & SSI Work Incentives

- [Impairment Related Work Expenses](#)
- [Subsidies and Special Conditions](#)
- [Unincurred Business Expenses](#)
- [Unsuccessful Work Attempts](#)
- [Continued Payments Under a Vocational Rehabilitation Program](#)
- [Expedited Reinstatement \(EXR\)](#)

SSDI Work Incentives

- [Trial Work Period](#)
- [Extended Period of Eligibility](#)
- [Continuation of Medicare coverage](#)
- [Medicare for People With Disabilities who Work](#)
- [Protection From Medical Continuing Disability Reviews](#)

SSI Work Incentives

- [Blind Work Expenses](#)
- [Earned Income Exclusion](#)
- [Student Earned Income Exclusion](#)
- [Plan to Achieving Self-Support](#)
- [Property Essential to Self Support](#)
- [Special SSI Payments for People Who Work](#)
- [Continued Medicaid Eligibility](#)
- [Special Benefits for People Eligible Under Section 1619 \(a\) or \(b\) Who Enter a Medical Treatment Facility](#)
- [Reinstating Eligibility Without a New Application](#)

[Learn about more details about work incentives.](#)

● **Illinois' Benefits Planning Resources:**

What is Work Incentives Planning and Assistance?

We are a federally funded program created to help individuals receiving SSI/SSDI make informed choices about being employed.

If you are working, have a job offer or ready to start employment, we will help you understand how working is affecting your benefits.

We will explain Social Security work incentives in addition to state benefits, such as Medicaid, subsidized housing, TANF, food stamps, worker's compensation and unemployment benefits. Our Work Incentive Planning and Assistance (WIPA) Program will give you the information you need to make the best choice about your future.

Who is Eligible?

Anyone who gets Social Security disability benefits (SSI/SSDI) between age 14 and retirement age, and wants to go to work is eligible to get free benefits planning services.

Check Out Your Options



If you are working, have a job offer or ready to start employment, you may be concerned about what will happen to your benefits. A Community Work Incentive Coordinator (CWIC) can help you understand the process, and inform you about work incentives such as the extension of Medicaid or Medicare benefits while you work.

CWIC's can:

- provide work incentives planning and assistance;
- help beneficiaries and their families determine eligibility for Federal or State work incentives programs;
- refer beneficiaries with disabilities to appropriate Employment Networks or State VR agencies;
- provide general information about potential employer-based or federally subsidized health benefits coverage available once you enter the workforce;
- and inform beneficiaries with disabilities of protection and advocacy services.

For More Information

WIPA services effective August 2015 are for SSA Disability Beneficiaries currently working, have a job offer, or are seriously ready to start employment. Those SSA Disability Beneficiaries needing general information about going to work are encouraged to contact the WIPA Call Center at 866-968-7842.

Contact the IATP WIPA Program toll free at (800) 852-5110(voice/tty), (217) 522-7985 or email us at iatp@iltech.org

WIPA Forms

[Referral Form](#)

[Release of Information Form](#)

[SSA BPQY Release ssa](#)

[SSA BPQY Release irs](#)

Statewide Resource (other than the city of Chicago):

<http://www.iltech.org/wipa.html>

DRS Clients can request benefits analysis from Kaylee Raymond: Kaylee.Raymond@illinois.gov

City of Chicago via Mayor's Office for People with Disabilities:

Analysis of Social Security Benefits

MOPD's ESU staff provides one-on-one comprehensive benefits analysis to SSI/SSDI recipients with disabilities on the affects of working and receiving benefits.

A benefits analysis can be scheduled by appointment. This service is provided for job seeking individuals with disabilities as well as youth in transition between the ages of 14-22.

For more information, please contact the Mayor's Office for People with Disabilities Employment Services Unit at 312.746.5743 (voice) or 312.746.5739.

- **Benefits estimator tool on Illinois Worknet, Disabilityworks**
 - <https://www.illinoisworknet.com/disabilityworks>
 - <https://www.illinoisworknet.com/disabilityworks/Tools/Pages/BenefitsEstimator.aspx>

- **BENEFITS WEBINAR**

Topic: How to Dispel Myths about Supplemental Security Income (SSI) to Increase Employment Outcomes

APRIL

12

Monthly Webinar Series

**Employment First State Leadership Mentoring Program (EFSLMP)
Community of Practice (CoP) Monthly Webinar**
April 12, 2017 3-4:00 ET

<http://www.econsys.com/eflsmp/copwebinar/>

The EFSLMP Community of Practice Webinar Series is structured to augment the technical assistance areas of primary focus in Employment First systems change (Capacity Building, Provider Transformation, School-to-Work Transition, Employer Engagement, and Policy/Funding Alignment). CoP participants will benefit from national subject matter experts (SMEs) presenting information and resources to support Employment First efforts.

Topic: How to Dispel Myths about Supplemental Security Income (SSI) to Increase Employment Outcomes

This session will provide an overview of SSI and the available work incentives including strategies and tools that assist in helping job seekers understand the information and the importance of framing the conversation as financial stability rather than just benefits planning. Recommendations on when a job seeker should be referred to a Work Incentive Planning and Assistance Service will also be discussed.

Intended Audience: State Agency Staff and Providers who require at least a rudimentary understanding of Supplemental Security Income (SSI) and the available work incentives to assist with Employment First efforts.

Guest Speakers

Susan Harrell, EFSLMP National Subject Matter Expert and Assistant Executive Director, Washington Initiative for Supported Employment

Abby Cooper, EFSLMP National Subject Matter Expert and Principal, Kennedy Douglas Consulting

Meeting Materials

Presentations and/or handouts will be disseminated closer to the event.

Unable to Attend

EFSLMP Webinars are recorded and the link will be distributed to the list serve within two business days following the webinar. **Share this announcement with your colleagues! If they are not a current subscriber to ODEP's EFSLMP mailing list, they can register [here](#).**

Webinar Procedures

1. In advance of the webinar, we strongly recommend you test your connection and review the [Adobe Connect Instructions and Troubleshooting Tips](#)
2. On the day of the webinar, enter room here: <http://www.econsys.com/eflsm/copwebinar/>
3. In the GUEST field, enter your **first and last name followed by state abbreviation (i.e., Jeff, Smith, DC)**.
4. To connect your audio, follow the prompts to enter your phone number (direct line), and the system will immediately call you back (see [step-by-step instructions](#))

ADDITIONAL WEBINARS:

- **LEAD Center Webinar: March 29, 2017, 3-4:30 ET**
Service Provider Transformation: From Policy to Opportunity

This webinar will provide perspectives from the field on how EFSLMP is advancing Provider Transformation at the state, local and individual outcome levels and will include representatives of state systems, individual service providers and an individual who started a competitive integrated employment position as a result of the process. You will also get the opportunity to hear about the benefits of hiring a person with a disability from an employer's perspective. The panelists will explain their experience working through the policy and practical changes inherent in the Provider Transformation process, and the individual and his family and employer will discuss the competitive employment relationship that resulted from it. Please register for

the webinar at: <http://www.leadcenter.org/webinars/service-provider-transformation-policy-opportunity>

- **Webinar – *The Buried in Treasures Workshop: Addressing the Needs of Persons Struggling with Hoarding Disorder and Clutter***
Thursday, April 13, 2017, at 2:00-3:30pm Eastern (1:00-2:30pm CST)

Please join us for an informational webinar sponsored by the Substance Abuse and Mental Health Services Administration (SAMHSA):

Presenters:

- Lee Shuer and Bec Belofsky Shuer, Mutual Support Consulting
- Randy Frost, PhD, Smith College
- Robert Walker, Massachusetts Dept. of Mental Health Office of Recovery and Empowerment

Description: While strides have been made in developing therapy for hoarding and clutter problems, obstacles sometimes prevent people from getting treatment. These impediments include the lack of availability of trained therapists, the costs associated with therapy, failure of providers to recognize it as a clinical issue, or the personal reluctance to engage in treatment. Alternative strategies can provide help in such circumstances. This webinar will focus on the Buried in Treasures Workshops, which are peer or clinician led workshops that have been found to produce significant improvements in hoarding behavior and have been adopted in many countries around the world.

Date and Time: **Thursday, April 13, 2017, at 2:00-3:30pm Eastern**

Registration: To sign up for this webinar, please go to: <https://jbsinternational.webex.com/jbsinternational/onstage/g.php?MTID=eb04f2f2194de3553da3788006d7be9f6>

When you enter this page, please click on the highlighted word "Register" on the Event Status line.

- **Learn about best practice in accessing primary care and integrating primary and behavioral health from SAMHSA grantees**



Monday, April 17, 2017, 2:00 pm Eastern/11:00 am Pacific

Register for free at: <https://goto.webcasts.com/starthere.jsp?ei=1140499>

Individuals with mental illnesses may not access primary care services for varied and complex reasons. Studies over the past decade have shown how people with mental illnesses experience significant health disparities - including higher rates of chronic medical conditions, higher use of hospital emergency departments and increased rates of early death from preventable conditions. Behavioral health providers have a number of opportunities to incorporate primary care and wellness programs into their services. Join this webinar to hear what research tells us about best practices in increasing access to primary care, and gain practical tips from a SAMHSA Primary and Behavioral Health Care Integration grantee on how to influence a variety of internal and external factors to increase engagement in health and wellness activities.

[Register Here →](#)

- **Upcoming Events**

- **Webinar: Looking at Institutional and Community Living Through Data**

The NIDILRR-funded [Great Lakes ADA Regional Center](#) will host a webinar, [Looking at Institutional and Community Living Through Data: An ADA Participatory Action Research Consortium \(ADA-PARC\) Report, April 19th, 2-3:30pm ET](#). Researchers from the NIDILRR-funded [ADA-PARC](#) will present data from several sources on services for people with disabilities following the Olmstead decision that unjustified segregation of persons with disabilities constitutes discrimination under the Americans with Disabilities Act (ADA). Registration is free and required.

- Click here to view a webinar from SAMHSA entitled [Toward an Understanding of Youth Who](#)

are Sexual Orientation/Gender Identity/Expression Diverse (SOGIE) or Lesbian, Gay, Bisexual, Transgender, Questioning, Intersex, Two-Spirit (LGBTQI2-S), which focused on understanding terminology and the diversity within and among LGBTQ+ communities, as well as providing information on when children and teens may begin to express gender identity questions.

A PARENT'S PERSPECTIVE:



What advice do you have for parents who are supporting children who have disabilities in their educational and vocational goals?

“You have to be a vigilant advocate. You must educate yourself and force yourself to go to trainings. You cannot be afraid to call the school, to question them or offer suggestions. No one knows your child better than you.

- Parent to parent networking is very important and helpful. You learn from others and hear about different events, trainings, etc.
- Parents should take advantage of supports and services in school to prepare for adult life, i.e. focus on skills that will help with independence (travel training)
- Parents need to understand that there is not an adult IDEA and that their children will need to qualify for adult services, which are very different from the supports and services they get in school.”

----Tricia Luzadder

FANTASTIC, FREE JOB DEVELOPMENT AND PROVIDER TRANSFORMATION TOOLS



Diversity Partners IS LIVE! Register for our Online Toolboxes!

Now available - The Diversity Partners Project website contains no-cost online toolboxes for leadership and frontline staff, supported by on-demand technical assistance and training from our team of subject matter experts at Cornell University's Yang-Tan Institute on Employment & Disability. The Diversity Partners Project is for employment service professionals who wish to improve overall excellence in serving job seekers with disabilities, and to leverage existing business relationships to benefit those job seekers. The website contains **over 20 learning modules for frontline staff**, as well as information and guidance for organizational leaders.

To learn more, or to register, visit www.buildingdiversitypartners.org.

The contents of this project were developed under a grant from the National Institute on Disability, Independent Living, and Rehabilitation Research. NIDILRR is a Center within the Administration for Community Living (ACL), Department of Health and Human Services (HHS). The contents of this presentation do not necessarily represent the policy of NIDILRR, ACL, HHS, and you should not assume endorsement by the Federal Government. Copyright © 2017 Cornell University

"FAIR TREATMENT" IS FOOD FOR THOUGHT, MARCH IS DEVELOPMENTAL DISABILITIES AWARENESS MONTH AND THIS TOPIC IS GRABBING ATTENTION VIA THE CAPSTONE NEWSLETTER:

<https://c-q-l.org/>

"As you know, March is Developmental Disabilities Awareness Month. During this month, national recognition, increased awareness and coordinated campaigns call attention to people's lives and the issues that those with developmental disabilities face.

One critical topic that deserves attention is fair treatment of those receiving supports and services. CQL's Personal

Outcome Measures® data shows us that when there are organizational supports in place to assist people in being treated fairly, that outcome is 60 times more likely to be present in people’s lives. So what can agencies do to help support this outcome?”

<https://c-q-l.org/resource-library/resource-library/all-resources/fair-treatment>

Fair Treatment:

How Can We SUPPORT This Outcome?

Posted 3/28/17 via **Capstone e-Newsletter**

By **Mary Kay Rizzolo | CQL President & CEO**

mkrizzolo@thecouncil.org

During Developmental Disabilities Awareness Month, we call attention to the lives of those with developmental disabilities, and issues that affect them, such as advocacy, integration, respect, rights, policy, empowerment and so much more. The human services system plays an integral role in these issues, as provider organizations work to align with best practices and equip the people receiving services with the supports, tools and resources to improve their quality of life.

Despite these efforts, we still see areas where great improvement is needed. A fundamental factor influencing quality of life for people with developmental disabilities, is the way in which they are perceived, understood and treated. If you can’t establish a culture of mutual respect and equality, advancing other efforts can be limited. We find in CQL’s Personal Outcome Measures® data that when there are organizational supports in place to assist people in being treated fairly, that outcome is 60 times more likely to be present in people’s lives. Again, *60 times* more likely! So how can organizations improve supports surrounding people being treated fairly?

In this article, first we provide insight into the presence of fair treatment in people's lives, through Personal Outcome Measures® data about the outcome, due process and factors influencing fair treatment issues. Since this data demonstrates that there is a lot of work left to be done, we share two ways in which agencies can help support the achievement of this outcome. For those facing either financial or logistical barriers, we lay out how an organization can establish a virtual Human Rights Committee. To conclude on a positive note, we provide a profile of an agency that has experienced success through a Social Justice Committee, and share their efforts to empower people to improve quality of life.

Fair Treatment: Breaking Down The Data

By **Carli Friedman | CQL Director of Technical Assistance and Data Analysis**

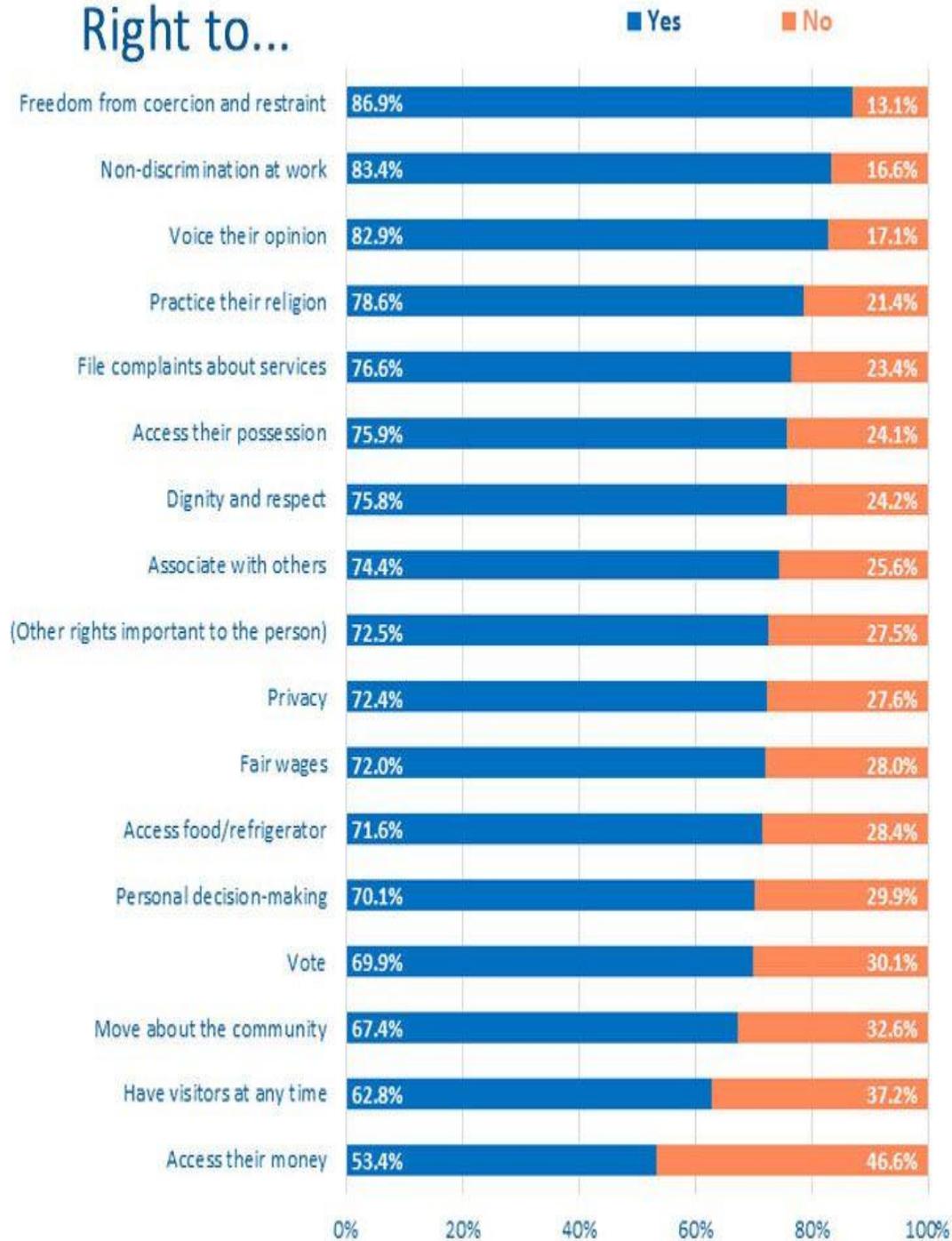
cfriedman@thecouncil.org

CQL defines fair treatment as “people are treated fairly if [when] rights limitations are imposed, people are informed of options, consent is obtained and they are listened to. Due process procedures are applied when limitations on personal freedoms or rights have occurred or are contemplated... Regardless of the source or intent, people are entitled to have these [right] limitations removed” (Personal Outcome Measures® Manual, 2012, p. 30)

Out of a sample of 1,443 people with disabilities, 404 people identified fair treatment issues between 2015 and 2016. The areas where people with disabilities most often reported not receiving adequate due process were: right to access their money; right to have visitors at any time; and right to move about the community.

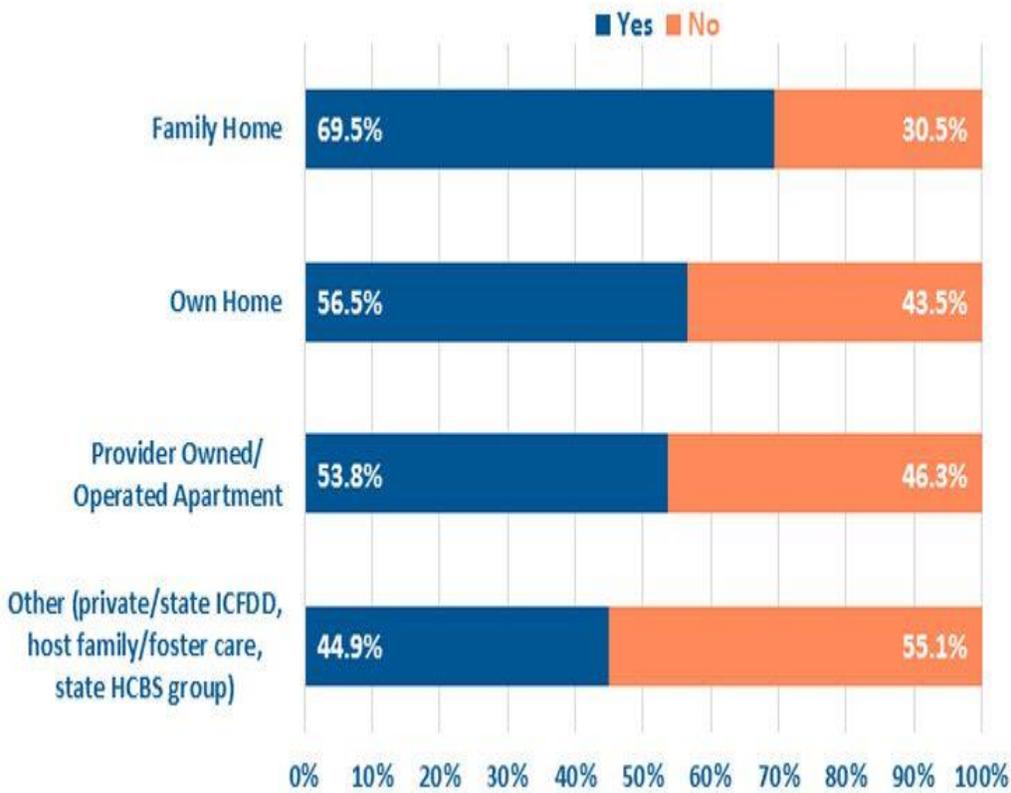
Was adequate due process provided?

Right to...

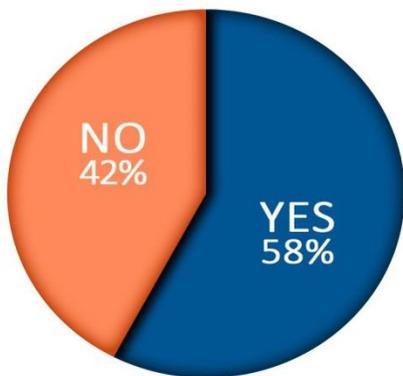


The outcome for treated fairly is more likely to be in place for people who live in family homes (70%), their own homes (56%), or provider owned/operated homes (54%) than in other settings (private/state ICFDD, foster homes, state HCBS group homes) (45%).

Treated Fairly: By Residential Setting



Treated Fairly: Organizational Supports



Percentage of people reporting that organizational supports are in place for the outcome 'Treated Fairly'

According to our findings fair treatment outcomes are **9 times more likely** to be in place when organizations solicit information about rights violations and/or fair treatment issues

from people with disabilities.

Moreover, when procedures used by the organization are consistent with due process principles, people with disabilities are **20 times more likely** to have fair treatment outcomes in place. When organizational supports are in place for treated fairly, treated fairly outcomes are **60 times more likely** to be present.

- **News from the NIDILRR Community**

Rural Research Featured in The Conversation

Research from the NIDILRR-funded [Rehabilitation Research and Training Center on Disability in Rural Communities \(RTC: Rural\)](#) was featured in [Six charts that illustrate the divide between rural and urban America](#) in [The Conversation](#), a site highlighting news and views from the academic and research community. The article explores factors that contribute to the differences between life in rural and urban areas. Chart 3 focuses on RTC: Rural research on geography and the prevalence of disability in rural communities.

- **Research In Focus**

Self-Employment May Be a Promising Avenue to Economic Independence for People with Disabilities

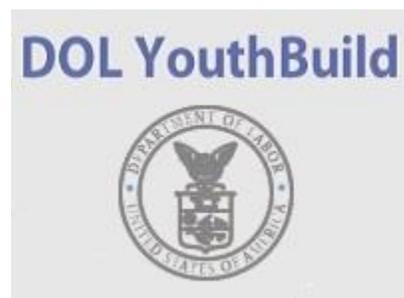
Should vocational rehabilitation counselors consider self-employment as an option for their clients? This week's [Research In Focus](#) explores the topic.

"According to the authors, self-employment may offer people with disabilities an opportunity for economic independence despite barriers to traditional employment. While self-employment was under-utilized by VR, it was utilized more often by consumers who may benefit most, such as consumers living in rural areas and those with physical disabilities who may be more greatly impacted by inaccessible workplaces. Despite higher initial start-up costs, self-employment may offer earning potential comparable to, and even slightly higher than, competitive employment. VR agencies may wish to develop policies and partnerships with small business development agencies that increase their capacity to assist consumers with achieving self-employment goals."

RESOURCES:

Goal Planning Tool

Author(s): YouthBuild USA



This goal planning tool was designed to engage staff across each program components and the young person in the goal planning and assessment process.

This process should be introduced very early in the program year, ideally towards the end of mental toughness or shortly after the completion of mental toughness. It tracks the young person's academic, career, and personal goals and aspirations while allowing both staff and young people to track assessment scores, competency mastery, vocational skill acquisition, and life skill and leadership development. The tool is also designed to identify areas for improvement and engages the young person in a conversation around how to strategize around these areas for improvement, potential challenges and obstacles, potential solutions, and how to navigate life in away that promotes personal, professional and academic success.

Title: [Vocational Assessments Guide](#)

Authors: Olga Merchan and Jodi Guinn, YouthBuild USA

A guide to vocational assessments, with links to free resources. These assessment tools assist students in identifying career options for further research. Exploration into their personality, interests, skills, and work values can suggest potential careers previously not considered.

Title: [Resources to Build a More Complete Picture of Your Labor Market](#)

Authors: Jobs for the Future

This document is a guide for researching and analyzing labor market information in your area. Suggested resources include chambers of commerce, workforce investment boards, and more.

Title: [Job Readiness Competencies](#)

Authors: YouthBuild USA

Job Readiness Competencies Form 1 lists a series of questions to measure student's job readiness. Form 2 evaluates student's demonstrated behavior.

Title: [E-Learning Videos: Strategies for Working with Gang-Exposed Youth](#)

This series of video modules and their adjoining documents have been carefully developed to support YouthBuild programs and staff who:

- Are considering work with gang--exposed youth,
- Have a YouthBuild located within gang--involved neighborhoods,
- Presently have gang--exposed youth in their YouthBuild program or anticipate recruiting them,
- Have new or existing staff on board who could benefit from learning strategies for interaction.

How Are Youth in Special Education Faring?

National Study Looks at Their Backgrounds, Functional Abilities, School Experiences, Academic Support, and Preparation for Life After High School



A new multivolume report provides a national picture of secondary school students in special education and examines how they compare with their peers. The research sheds light on challenges youth can face in socioeconomic status, health, communication, and social functioning at school. It also looks at other areas, such as academic supports and preparation for life after high school.

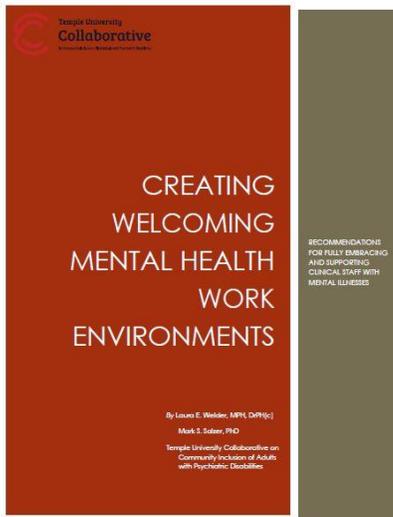
“This study provides a comprehensive, updated picture of students who receive special education services in the United States,” said Mathematica Policy Research Senior Researcher [Stephen Lipscomb](#), who led the analysis for these two reports. “The findings can help schools address the challenges these youth face given our nation’s changing educational, social, and economic landscape.”

Policymakers have long recognized the importance of addressing the needs of these students, who today account for 12 percent of all youth in the United States. Mathematica is conducting the research, called the National Longitudinal Transition Study 2012, for the U.S. Department of Education's Institute of Education Sciences to examine the characteristics and experiences of secondary school students who receive special education services under the Individuals with Disabilities Education Act.

[Read more about the study.](#)

["Volume 1: Comparisons with Other Youth"](#)

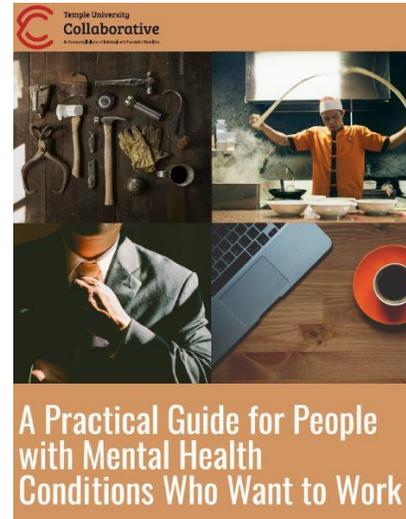
["Volume 2: Comparisons Across Disability Groups"](#)



Welcoming Work Environments

Responding to research studies documenting that individuals working in mental health settings often face discrimination and prejudice, this document provides a series of recommendations for provider agencies to help them create a more supportive and welcoming environment for employees. This includes, covering needed policy changes, training activities, and approaches to reasonable accommodations.

[Learn More](#)



A Practical Guide for People with Mental Health Conditions Who Want To Work

With staggering unemployment rates among those with serious mental health conditions, this document is designed to help individuals navigate toward successful competitive employment. The 15 chapters review motivational issues, training resources, career planning, and on-the-job challenges, and is accompanied by a Trainers' Manual to help staff utilize the document in group settings. [Learn More](#)

Employment Programming:

Addressing Prevailing Barriers to Competitive Work



Employment Programming: Addressing Prevailing Barriers to Competitive Work

This monograph reviews long-standing, but still unresolved, barriers that have kept unemployment levels among those with serious mental health conditions unacceptably high. There is emphasis on the vocational needs of those who are returning to community life following incarceration in the criminal justice system with recommendations for policy changes

[Learn More](#)



The Past and Future Career Patterns of People with Serious Mental Illness

Richard C. Baron, MA

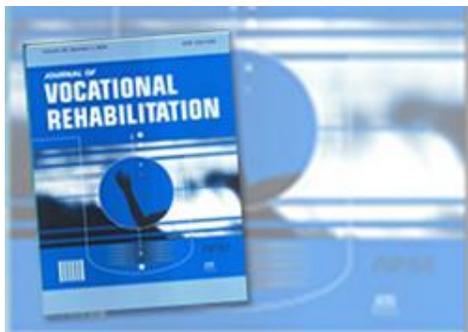


The Past and Future Career Patterns of People with Serious Mental Illness

This research monograph provides surprising information on lifetime career patterns of those with a history of serious mental health issues: most people want to work; most have worked successfully in the competitive labor market in the past; and most report their reasons for job loss as parallel to the job losses experienced by individuals without mental health issues, among other findings.

[Learn More](#)

SPECIAL JOURNAL OF VOCATIONAL REHABILITATION ISSUE



[Special Journal Issue Examines
Employment of People with Disabilities](#)

NEWS IN EDUCATION:

RESPECTABILITY

11333 Woodglen Drive,
Rockville, MD 20852
Phone: (202) 517-6272
www.RespectAbilityUSA.com

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Supreme Court Unanimous in Decision to Provide More Educational Opportunities for Students with Disabilities

Washington, March 22 - The Supreme Court ruled unanimously Wednesday in favor of higher educational standards for children with a disability in one of the most important education cases in decades.

The case, [Andrew F. v. Douglas County School District](#), argued just how much educational benefit public schools must provide. While some lower courts had ruled the need for a "meaningful" educational benefit, others required only a bit more than *de minimis* – the bare minimum.



United States Supreme Court Building at Dusk

During the hearing, the Supreme Court discussed nine different levels of standards of education. They ruled unanimously (8-0) that schools must do more than provide "merely more than *de minimis*" education for students with a disability and instead provide them with the opportunity to make "appropriately ambitious" progress.

There are roughly [6.4 million students with disabilities](#) between ages three to 21. Roughly 13 percent of all American students are students with disabilities, making this case important for a wide group of students.

Chief Justice John Roberts wrote the opinion, stating that a school must offer an individualized education program that is "reasonably calculated" for each child's circumstance in order to meet its obligations under the Individuals with Disabilities Education Act (IDEA).

"It cannot be right that the IDEA generally contemplates grade-level advancement for children with disabilities who are fully integrated in the regular classroom, but is satisfied with barely

more than *de minimis* progress for children who are not," [the opinion](#) read.

The "merely more than *de minimis*" language has been used in other special education cases in the lower courts, including by [Judge Neil Gorsuch](#), President Donald Trump's nominee for the Supreme Court. Gorsuch answered questions on the new ruling [during his hearing](#) before the Senate Judiciary Committee today.

The Judge David L. Bazelon Center for Mental Health Law, a national legal advocacy organization advancing the rights of people with mental disabilities, often advocates for students with disabilities to receive the educational opportunities other students receive.

Prior to the decision, Ira Burnim, Legal Director of the Bazelon Center for Mental Health Law, said: "We hope that the Supreme Court will issue a decision in *Endrew F.* that recognizes that an 'appropriate' education for students with disabilities is one that reflects the expectations we have for all students."

Each year 300,000 students with disabilities leave school – almost 40 percent without a high school degree. Only 65 percent of students with disabilities complete high school, which is a key contributor leading to just 1-in-3 Americans with disabilities having a job, causing many people with disabilities to live a life of poverty. This, in turn, leads to high costs of government benefits for those not working, plus the increased risk of falling into the school-to-prison pipeline. Indeed, there are more than 750,000 people with disabilities behind bars in our country today, most of whom are illiterate.

"As someone with a disability, who also knows what it means to parent a public school student with multiple disabilities, I am thrilled with this decision," said Jennifer Laszlo Mizrahi, president of RespectAbility, a nonprofit fighting stigmas and advancing opportunities for people with disabilities. "School for students with disabilities today can be a disaster. Our family had to move so that our children could go to a great public school that does the right things for students with disabilities. However, most people do not have the flexibility to pick up and move to a different school district. Every child should have access to the education and skills they need to succeed. This Supreme Court decision can mean that students with disabilities can succeed, just like anyone else."

In 1975, Congress passed a federal law requiring school districts to provide a "free appropriate public education" for children with disabilities, which includes individualized education plan (IEP) for students to be included in public schools. The law also provided federal funds for these services. The act was renamed IDEA in 1990. Unfortunately, IDEA has never been fully funded, leading to some school districts struggling to keep up.

Andrew F. (Drew), a boy with autism, was not improving his public school, so his parents sent him to a private school where he progressed at a much quicker pace. Under IDEA, parents can receive tuition reimbursement from the school district if their child does not receive enough "educational benefit" from public schooling. Drew's parents were denied, leading to this case.

The U.S. Court of Appeals for the Tenth Circuit, in Denver, ruled that the school district was required to provide Drew only with an education that gave him a "benefit" that was "merely more than *de minimis*" – and that the school district had done that. The Supreme Court accepted Drew's parents' challenge to that decision and ultimately rejected it.

In the Supreme Court, the Bazelon Center and the law firm Kellogg Huber Hansen filed a "friend

of the court” or [“amicus” brief](#) on behalf of six former U.S. Department of Education officials responsible for implementing the IDEA. The brief explained that with advances in special education practice, the great majority of students with disabilities can perform as well in school as other students, and that schools across the country are implementing these practices today to help students with even significant disabilities, like Drew’s, achieve proficiency in math, language arts, science and other subjects. These educational advances, the brief argued, are the foundation for the changes Congress made to the IDEA in 1997 and 2004 to ensure that public schools provide students with disabilities the individualized instruction and supportive services they need to learn and meet the grade level standards to which other students are held.

"There is tremendous good news for employers and taxpayers in this decision as well because people with disabilities can also be tremendously talented," Mizrahi added. "When they get the schooling they need, people with disabilities can bring unique insights, innovations, characteristics and talents to workplaces that benefit employers, staff and communities. CEO Charles Schwab is dyslexic, as is Richard Branson. Google, SAP and other employers have found that people with Autism can be gifted in STEM jobs. Also, companies like Walgreens, Walmart, AMC and Marriott – and healthcare and eldercare institutions – have found that hiring people with disabilities is a great talent recruitment strategy for onboarding loyal and successful employees. Scientist Stephen Hawking, a genius who is unlocking the secrets of the universe, and Sheldon Adelson, a Las Vegas billionaire and job creator, are both wheelchair users. Hotel magnate Steve Wynn is legally blind, and Arthur Young, the co-founder of Ernst & Young (now known as EY), was deaf. So this Supreme Court decision is great for our economy as well."

Invisible disabilities can be just as life-affecting as visible disabilities. One-in-five people have brain-based learning and attention issues like dyslexia, ADHD and auditory processing disorder. Even though they are as smart as their peers, far too many experience failure early in school and begin a downward spiral that lasts a lifetime.

Individuals with disabilities also are largely underrepresented in higher education. There are [1.2 million people with disabilities ages 16-20](#) in the U.S. Among people age 25 and older in 2014, only 16.4 percent of those with a disability had completed at least a bachelor’s degree. In contrast to this, 34.6 percent of people with no disability had completed at least a bachelor’s degree in the same year.

Want more information about this case? The Bazelon Center has a great description as well as a summary of their advocacy work in the case, including links to all the briefs filed in Endrew F. v. Douglas County School District available [on their website](#).

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NOTICE TO ALL FILMMAKERS

Easterseals have recently launched a Disability Film Challenge. The exciting new competition gives filmmakers — with and without disabilities — the opportunity to collaborate to tell unique stories that showcase disabilities in many forms. Learn more and submit your film by Sunday, April 23, **[here](#)**.