

Appendix A: 2012 Results and Activities by Goal and Objective

Goal 1: Kansas' relevant state agencies successfully execute specific strategies to fully implement the Employment First law and to ensure competitive and integrated employment of people with disabilities is fully supported in their programs, policies, procedures and funding.

Objective 1.1 – 50% of relevant state agencies will plan for and begin the execution of strategies under this goal, as indicated by reporting such to the Commission by September 1, 2012. The remaining 50% of relevant state agencies will report such to the Commission by December 1, 2012. [Note: because no state agencies provided information regarding this Objective by the first due date of Sept. 1, the Commission extended the deadline to December 1, 2012, for all state agencies]

- **This objective is partially met for 2012.** The Commission received data or information from five of the six relevant state agencies about strategies they have either implemented or plan to implement regarding Employment First and Objective 1.1. The five agencies that provided information to the Commission on this Objective were KDHE, Commerce, KSDE, KDOA and KDADS. The one agency that did not provide information was KDCF. In order for the Commission to be able to determine if this Objective has been met, KDCF would simply need to provide the Commission sufficient data or information about specific strategies either implemented or planned to be implemented regarding Objective 1.1.

Five state agencies provided data and information about at least one Strategy per Objective 1.1:

Kansas Department of Health and Environment (KDHE)

- **SSI Employment Support Pilot under KanCare** – This Pilot will support up to 400 individuals currently on the Home and Community Based Services (HCBS) Developmental Disability (DD) or Physical Disability (PD) waiting lists who are employed 40 hours per month or more at federal minimum wage in competitive and integrated settings. In addition to Medicaid coverage, pilot participants will receive up to \$1,500 per month to pay for personal assistance and employment support services to enable them to live and work in the community. Working Healthy Benefits Specialists will be available to discuss this option and alternatives to this option that may be available to the individual. Participants will be restored to their former position on the waiting list if employment is lost. The pilot also allows for temporary unemployment (See Appendix C, 2012 Employment Initiatives).
- **Social Security Alternative Pilot under KanCare** - This Pilot is designed for up to 200 Kansans with disabilities who have not yet been determined to be eligible for Social Security disability. The goal of this pilot is to assist individuals with disabilities to obtain employment with employer-based health insurance as well as avoid unnecessary dislocation from the workforce and impoverishment in order to obtain health insurance. The pilot will include a Presumptive Medical Disability (PMD) process to determine whether individuals meet the criteria for a Social Security

disability determination, Medicaid-like coverage as needed, a monthly allocation to pay for personal assistance and employment support services if needed, and accelerated PMD review to restore the path to Social Security disability status in the event of a worsening medical condition or loss of employment. The pilot also allows for temporary unemployment benefits (See Appendix C, 2012 Employment Initiatives).

- Certification of Employment Services Professionals - KDHE funded the provision of the Certified Employment Services Professional (CESP) in two locations during 2012. The CESP is a newly developed credential governed by the APSE Employment Services Professional Certification Council (ESPCC). Individuals who earn the CESP credential have demonstrated knowledge of the facilitation, and advocacy skills necessary to help establish and expand equitable employment opportunities for individuals with disabilities. 64 people took the exam; 54 passed it. According to APSE, the number of candidates who sat for the exam in Kansas was double the number of candidates who sat for the initial administration of the exam by APSE during December 2011, and was the largest candidate sponsorship by any state since the inception of the exam in 2011 (See Appendix C, 2012 Employment Initiatives).
- Education of Medical Personnel regarding disability and employment - KDHE contracted with Weability Corporation to conduct a medical education initiative, the purpose of which was to increase awareness among healthcare providers of the health risks of unemployment as well as the benefits of preventing needless work disability whenever possible. KDHE reported successful outcomes in this regard. KDHE believes that this strategy supports the Employment First policy because the increased awareness it gives to healthcare providers is important in encouraging work for people with disabilities (See Appendix C, 2012 Employment Initiatives).

Kansas Department of Commerce (Commerce)

- KANSASWORKS – This program links businesses, job seekers (including people with disabilities), educational training institutions and training providers, as well as providing information about available jobs and self-employment opportunities that are competitive and integrated. Commerce noted that none of its services or job placements are in segregated, non-competitive, or other sheltered workshop type settings.
- Employer Incentive Program – Passed during the 2012 legislative session, this program administered by Commerce provides an incentive for hiring eligible persons with disabilities. Commerce noted that it will collaborate with the Department for Children and Families for referrals and to help secure permanent, competitive, and integrated employment for non-incumbent workers with disabilities who are receiving Vocational Rehabilitation and Medicaid services.
- Disability Employment Initiative Project (DEI) – The Kansas DEI will build upon past successes to develop and implement sound recruiting, training, and placement

practices for people with disabilities. The goal of the Kansas DEI is to create systemic and sustainable change in the way the workforce system serves individuals with disabilities. The DEI is a comparison grant implemented in Local Workforce Investment Area IV in South Central Kansas and Local Workforce Investment Area V in Southeast Kansas. The Kansas DEI is a three year grant and is scheduled to end September 30, 2013.

Kansas State Department of Education (KSDE)

- KSDE reported that its strategy regarding Objective 1.1 is the adoption of the Employment First policy statement (pursuant to Goal 2). The strategy is to fully implement that policy through agency efforts. KSDE also stated that it has no plan at this time to develop any other strategies.

Kansas Department for Aging and Disability Services (KDADS)

- KDADS provided information about provisions in its contract with Community Developmental Disability Organizations (CDDOs) where persons on the waiting list for HCBS Developmental Disability (DD) Waiver services who are “referred to RS (Rehabilitation Services) for employment services and successfully closed from Vocational Rehabilitation Services as competitively employed, will have access to HCBS Developmental Disability (DD) Supported Employment waiver funding needed to successfully maintain their employment.” This modification to the CDDO contract allows individuals on the DD waiver waiting list who are employed in competitive, integrated employment to receive long term supports to maintain employment, which is funded by the waiver.
- KDADS stated that it is engaging its Employment First Workgroup (which was created by the Community Developmental Disability Organization – CDDO – Contract) to review several of the Commission’s Objectives (Objective 3.1 and 5.1) in regards to available data on the number of persons with Developmental Disabilities (DD). The Commission would note that the Employment First Workgroup only has stakeholders from the DD community and therefore will not allow effective cross-disability engagement.
- KDADS has stated it will also review any recommendations made by the Employment First Workgroup on how to increase competitive and integrated employment.
- KDADS reported that it includes information about the Employment First law in its training manuals for case managers in the Developmental Disability (DD) system. KDADS provided examples of where it has implemented this strategy. To quote from KDADS report to the Commission:
 - “Case managers should be aware of the Employment First initiative and develop support plans with the initiative in mind. An excerpt from the Employment First initiative follows: *‘The State of Kansas will establish integrated, competitive employment as the first priority for working age people with developmental disabilities. This initiative will be*

called *Employment First.* Information about the Employment First initiative can be found at <http://csp.kdads.ks.gov/agency/css/Pages/DDWorkgroups.aspx#employment1st> (this is from the KDADS "Training and Resource Manual for Developmental Disabilities – Targeted Case Management," found at <http://csp.kdads.ks.gov/agency/css/Documents/DD Waiver/TCM Manual Final May 2011.pdf>).

- Individuals with DD who are in school, individuals transitioning from school, working age adults with disabilities, families, educators, and providers will be made aware of options for integrated and competitive employment and related programs in a manner that is consistent with the recommendations of the initiative. Barriers to employment should be identified and addressed in support plans when appropriate."

Kansas Department of Administration (KDOA)

- The State Use Law Committee has implemented a strategy to assure that State Use Law vendors employing persons in settings that pay less than minimum wage will have a process in place whereby person-centered planning is utilized to identify competitive and integrated employment as a choice, and that this will be given on an annual basis during their person-centered plan meeting.

One state agency did not provide data or information about specific Strategies:

Kansas Department for Children and Families (KDCF)

- KDCF did not provide data and information about any specific strategies per Objective 1.1. As is noted in Objective 2.1, they sent a letter that is attached at Appendix I stating that they intend to fulfill their statutory obligations under the Employment First law.

Additional Anecdotal Examples of Strategies to ensure full implementation of the Employment First law:

Members of the Oversight Commission were also able to identify some anecdotal examples of strategies and activities that may potentially provide some context regarding Objective 1.1. However, because this information came from individual members of the Commission and not the state agencies responsible for these programs, these examples should not be treated as definitive.

- Business Leadership Networks (BLN) – BLN is a national organization with local chapters of businesses that focus on business to business training solutions in successful employment of persons with disabilities. Several communities have developed or are in the process of establishing local BLN chapters. This includes the metro area of Kansas City, Wichita, El Dorado, Fort Scott and Dodge City.
- The Great Expectations Initiative (GEI) – GEI is a project of KDCF under its Vocational Rehabilitation program. The purpose of GEI is to expand capacity,

promote best practices, address service delivery issues, and create systems change that result in integrated, competitive employment outcomes; cultural, organizational, service delivery, and outcome shifts; and provisions for replication and sustainability. The demonstration project is being implemented in the greater Wichita and Salina areas.

- Project Search – This project establishes internship programs for senior high school students with disabilities with employers to increase their employability after graduation from special education. Although not a requirement, the internship sites often hire students post graduation. Project Search has been funded through the Kansas Council on Developmental Disabilities. It has been implemented in several communities including Wichita, Salina, Newton, Topeka, Butler County, Lawrence, and Manhattan.
- Statewide Employment First Summit II – The second Summit was funded by the Kansas Council on Developmental Disabilities and was produced in collaboration of other state agencies and stakeholders in order to share information and resources regarding employment for individuals with disabilities. This summit drew several hundred self advocates and others interested in Employment First and competitive and integrated employment.
- HB 2453 – This legislation, signed into law by Governor Sam Brownback in 2012, places responsibility for operating the “Kansas Bidders Preference Program” within KDOA. In this program, which provides an incentive for certain businesses to hire people with disabilities, a certified business gets certain benefits and advantages when bidding on state contracts. To be certified, a business must meet several requirements, including having at least 20% of their workforce comprised of qualified people with disabilities. This provides an incentive for certain businesses to hire people with disabilities.
- Person Centered Planning – Commissioners heard briefly about the possibility of potential efforts by KDADS to ensure that the policy of Employment First is fully integrated into the person-centered planning process, perhaps through some method of collection and tracking data or information quarterly in the future. This is a promising endeavor and one in which the Commission encourages full stakeholder engagement and follow-through.

Objective 1.2 – *Kansas will score at least a four (4) on the following standard of the Kansas Scorecard document by January 1, 2013: “Kansas relevant state agencies successfully execute specific strategies to fully implement the Employment First law and to ensure competitive and integrated employment of people with disabilities is fully supported in their programs, policies, procedures and funding.” (Kansas Scorecard, Standard #4) [Note: for the detailed results and further explanation of the Kansas Scorecard, see Appendix D]*

- This objective is not met for 2012. Kansas scored a three and one-half (3.5) on this standard, less than the target score of a four (4). As is noted in the narrative of the

Scorecard (Appendix D), with a few key adjustments the Commission is confident that State can reach this Objective in 2013. Last year, Kansas scored a 3 on this standard.

Goal 2: Each relevant state agency has a strong and effective policy detailing how it will implement the Employment First law.

Objective 2.1 – 100% of relevant state agencies will develop an effective, publicly-available, written policy detailing how it will implement the law by July 1, 2012 (1 year after the law went into effect). This policy will detail how each relevant state agency is fully implementing the four key requirements of the Employment First law (see page one of this document for listing). For example, for all impacted programs or services within the relevant state agency, how are they ensuring and tracking that competitive, integrated employment is always offered as the first option to people with disabilities of working age. [Note: because no state agencies provided their policy by the due date, the Commission extended the deadline to December 1, 2012, for all state agencies]

- This objective is partially met for 2012. Three of the six relevant state agencies adopted an Employment First policy per Goal 2 and Objective 2.1. Those policies are attached (see Appendix E through J). In order to have Objective 2.1 be met, all six agencies would need to adopt an effective policy per this Objective.

Three relevant state agencies adopted an Employment First policy:

- **Department of Commerce (Commerce)** - Provided the Commission a copy of the agency policy used at local workforce centers regarding Employment First (Workforce Services Policy, Number 1-14-00).
- **Department of Administration (KDOA)** – The agency stated that the only program under KDOA that interacts with Employment First is the State Use Committee, of which an Employment First policy was adopted regarding this program. The agency also revised their policies and practices for vendors under this program in regards to the Employment First law.
- **Kansas State Department of Education (KSDE)** – The agency provided a policy for transition services to students with disabilities for educators.

Three relevant state agencies did not adopt an Employment First policy:

- **Department of Health and Environment (KDHE)** – A letter was sent to the Commission stating KDHE was willing to work with the Commission, and that it is committed to complying with the Employment First Initiative Act. However, no policy was provided by the publication of this report.
- **Kansas Department for Aging and Disability Services (KDADS)** – Although KDADS did not provide the Commission with a written policy as described in Objective 2.1, it did provide information about potential components of what could be an effective, publicly-available, written policy regarding Employment First. Those components are described as strategies under Objective 1.1, including the fact that information about the Employment First law is included in its training manuals for

caseworkers. Additionally, KDADS stated that it will comply with the law. It further stated that it will review the recommendations of the Employment First Workgroup and continue to review its own programs and services to determine the role of Employment First in program implementation.

- **Department for Children and Families (KDCF)** – KDCF stated that it intends to fulfill its obligation under the law and that it has two programs that fall under Employment First, Vocational Rehabilitation and Temporary Assistance to Needy Families. Commissioners pointed out that many foster care youth, particularly those who are at or near aging out of the program are of working age, and many are youth with disabilities or special needs. DCF stated that its programs comply with the Employment First policy, and therefore they would not be providing a policy per this goal and objective.

The Commission notes that blanket statements from a relevant state agency that it either will or already does comply with the law does not constitute evidence that the law is fully implemented. A blanket statement is not measurable. Such blanket statements do not ensure that the Goal 2 or Objective 2.1 are implemented. The law requires the Commission to track the “measurable progress” of state agencies toward the implementation of this act. Since the programs in question at DCF have federal requirements that the agency contends meet the intent of the Employment First law, the Commission would encourage DCF to simply share with the Commission these specific federal requirements and show how they meet the Employment First law so the Commission can use it to document compliance.

Objective 2.2 – *Kansas will score a four (4) on the following standard of the Kansas Scorecard document by August 1, 2012: “Each relevant state agency has a strong and effective policy detailing how it will implement the Employment First law.” (Kansas Scorecard, Standard #2)*

- This objective is not met for 2012. Kansas scored a three (3) on this standard, whereas last year Kansas scored a one (1). The score of three (3) was shy of the target score for 2012, which was set at a four (4). Only three of the six relevant state agencies provided a policy to the Commission. The Commission is confident that the State could score a four (4) on this standard and the 2012 Objective would be met if the remaining three agencies implemented an effective written policy.

Objective 2.3 – *Kansas will score at least a three (3) on the following standard of the Kansas Scorecard document by January 1, 2013: “Relevant state agencies will enter into formal interagency agreements to successfully implement, track and support the Employment First policy and competitive and integrated employment.” (Kansas Scorecard, Standard #6)*

- This objective is not met for 2012. Kansas scored a two (2) on this standard, whereas last year the score was a one (1). This score fell short of the target for 2012, which was set at a three (3). The liaisons for the relevant state agencies have recently begun meeting together. Even though only one meeting was held as of the publication of this report, the Commission is hopeful that these meetings will lead to greater interagency collaboration and formal interagency collaboration and

agreements in the future. The score of a two (2) is acknowledgement and appreciation of these efforts.

Goal 3: Kansas has measurable annual performance goals and outcomes with clear and meaningful benchmarks that track a number of key indicators to prove full support of competitive and integrated employment and effective implementation of the Employment First initiative, including outcomes and goals for the numbers and percentages of persons with disabilities in competitive and integrated employment.

Objective 3.1 – 50% of relevant state agencies will provide to the Employment First Oversight Commission the goals and outcomes they want to establish and track in regards to this goal by August 1, 2012. The remaining 50% of relevant state agencies will provide this information by November 1, 2012. [Note: because no state agencies provided information regarding this Objective by the first due date, the Commission extended the deadline to December 1, 2012, for all state agencies]

- This objective is partially met for 2012. Three of the six relevant state agencies provided the Commission an answer regarding goals, outcomes, and benchmarks to track in regards to Goal 3. Either verbally or in writing, three of the state agencies indicated that they are looking to the Employment First Commission to establish these specific benchmarks, goals and outcomes. Therefore, given this feedback, the Commission is modifying this Objective for 2013 by having the state agencies provide input on the benchmarks, goals, and outcomes and having the Commission establish them in the future. However, the Commission stresses that effective engagement from state agencies will be important to ensure success. The three agencies that provided an answer were Commerce, KSDE and KDADS.

Summary of responses from three agencies on Objective 3.1:

- **Commerce** – Commerce stated that the KANSASWORKS Management Information System (MIS) collects data from the local Workforce Investment Board areas throughout the state. Commerce also said that the agency does not set goals or outcomes for these services. The performance measures are program-wide and do not apply to specific subpopulations. Commerce stated that it has no plans to set goals or outcomes for the services it provides to individuals with disabilities per this Objective.
- **KSDE** – KSDE stated that it collects data per federal special education requirements. The targets for post-school outcomes are established in the State Performance Plan for special education, where the data is collected yearly to measure progress. Regarding what goals, outcomes and benchmarks should be established, their answer was “KSDE looks to the Employment First Commission to establish specific, statewide benchmarks for effective implementation of the Employment First initiative.”
- **KDADS** – KDADS stated that it “looks to the Employment First Commission to establish specific, statewide benchmarks for effective implementation of the Employment First initiative.” It also said that it would share whatever relevant information and data that it could share in this regard.

Objective 3.2 – *Kansas will score at least a four (4) on the following standard of the Kansas Scorecard document by January 1, 2013: “Kansas has measurable annual performance goals and outcomes with clear and meaningful benchmarks that track a number of key indicators to prove full support of competitive and integrated employment and effective implementation of the Employment First initiative, including outcomes and goals for the numbers and percentages of persons with disabilities in competitive and integrated employment.” (Kansas Scorecard, Standard #1)*

- This objective is not met for 2012. Kansas scored a three (3) on this standard, which was unchanged from last year. This fell short of the target score of a four (4). Given the fact that the agencies providing an answer to this Goal stated that they were deferring to the Oversight Commission to establish these goals, outcomes, and benchmarks, the Commission believes that this objective can be met in 2013.

Objective 3.3 – *Kansas will score at least a three (3) on the following standard of the Kansas Scorecard by January 1, 2013: “Kansas’ relevant state agencies aggressively pursue resources to support innovation in competitive/integrated employment services and to better advance and implement the Employment First initiative.” (Kansas Scorecard, Standard #7)*

- This objective is met for 2012. Kansas scored a four (4) on this standard, exceeding its target score for this objective. The State of Kansas has made great strides to acquire new resources, reallocate existing resources, and support innovation in competitive integrated employment. These achievements include: \$500,000 legislative appropriation for Department of Commerce Employer Incentive Program, House Bill 2453, KDHE’s two KanCare Employment Pilot Projects, and other initiatives as noted in this report. Given the improvement with this objective, the Commission believes that the momentum of this success can be used as a building block towards Kansas achieving its first rating of a five (5) on a Scorecard standard, which is the highest score possible. Kansas is close to making this a reality.

Objective 3.4 – *Kansas will score at least a two (2) on the following standard of the Kansas Scorecard by January 1, 2013: “Kansas has effective strategies for supporting Kansans with disabilities to achieve economic self-sufficiency as direct part of supporting competitive and integrated employment.” (Kansas Scorecard, Standard #9)*

- This objective is met for 2012. Kansas scored a three (3) on this standard, exceeding the target score in the objective. Last year it scored a one (1). The various initiatives noted elsewhere in this report provide evidence as to why the Commission is increasing the score from last year. Although these initiatives are helpful and much appreciated, the Commission wants to note that the state would perform at an even higher level with a comprehensive approach and plan to support Kansans with disabilities to achieve economic self-sufficiency. In particular, the Commission believes greater effort must be made to ensure Kansans with significant disabilities have the tools and resources to realize true economic self-sufficiency. Additionally the Commission strongly suggests that data include outcomes being tracked regarding economic self-sufficiency. If those things occur, the Commission is confident that this score can be increased again next year.

Objective 3.5 – Kansas will score at least a three (3) on the following standard of the Kansas scorecard by January 1, 2013: “Adequate resources are readily available to Kansas transition-age students, individuals waiting for services and their families, and individuals currently served in non-integrated and non-competitive settings in order to encourage them to choose competitive integrated employment over other options.” (Kansas Scorecard, Standard #8)

- This objective is met for 2012. Kansas scored a three (3) on this standard, whereas last year it scored a two (2). Kansas met the target score of the objective. The Commission finds that there has been an increased focus on initiatives and efforts to help transition-age students and individuals waiting for services to access competitive, integrated employment. Those initiatives have been noted throughout this report. Although this outcome is happening for some Medicaid Waiver populations, it is not yet happening across all service systems or all Waivers. Progress has been made, and we are hopeful that with some additional focus the state agencies will be able to increase this next year.

Goal 4: Kansas has effective, meaningful and productive collaborations among stakeholder groups and between these stakeholders and state government to support the Employment First policy and competitive and integrated employment of people with disabilities.

Objective 4.1 – 100% of relevant state agencies will have effective collaborations with stakeholder groups, including self-advocates and consumers by December 1, 2012.

- This objective is partially met for 2012. Three of the six relevant state agencies provided data and information to the Commission regarding the collaborations that they have with stakeholders – Commerce, KSDE and KDADS. Most pointed to stakeholder collaborations or advisory groups established prior to passage of the Employment First act.

Three relevant state agencies provided information about collaborations:

- **Commerce** spoke of its KANSASWORKS State Board and Local Workforce Investment Boards, which are open to the public.
- **KDADS** talked about the Employment First Workgroup, which was established long before the law and is made up of DD stakeholders.
- **KSDE** said that its stakeholder involvement occurs through the Special Education Advisory Council, which was established many years prior to the Employment First act.

The agency responses are attached (see Appendix E, F, and G).

Objective 4.2 – Kansas will score at least a three (3) on the following standard of the Kansas Scorecard document by January 1, 2013: “Kansas has effective, meaningful and productive collaborations among stakeholder groups and between these stakeholders and state government to support the Employment First policy and

competitive and integrated employment of people with disabilities.” (Kansas Scorecard, Standard #5)

- This objective is not met for 2012. Kansas scored a two (2) on this standard, which is unchanged from last year’s score. There are some relationships between stakeholders and state government; however they do not yet exist among all major stakeholders. As was mentioned in Scorecard standard #4, the Commission is confident that with greater focus and targeted engagement with all major stakeholders the relevant state agencies should be able to increase this score to a three (3). Doing so would thereby meet the 2012 target score for this objective.

Goal 5: Kansas has an effective method for collecting and publishing outcomes data involving competitive and integrated employment for people with disabilities. This method tracks a variety of data including, but not limited to, competitive and integrated employment data. These data are used to engage stakeholders and inform strategy and policy decisions.

Objective 5.1 – 100% of relevant state agencies will collect and regularly publish outcomes data involving competitive and integrated employment under this Goal by November 1, 2012. [Note: because no state agencies provided any strategies by the due date, the Commission extended the deadline to December 1, 2012, for all state agencies]

- This objective is partially met for 2012. Five agencies reported back information regarding this objective (Commerce, KSDE, KDADS, KDCF and KDHE). They provided helpful information about data that they collect involving employment. However, many of these agencies do not collect enough specific data regarding *competitive and integrated* employment of people with disabilities, which is the requirement of Objective 5.1. In order for this objective to be met in 2013, all six relevant state agencies would need to collect and regularly publish outcomes data specifically involving competitive and integrated employment, which will help identify progress toward the underlying goal of the Employment First law, not just general information about employment. The Commission looks forward to working proactively with the state agencies on this Objective in order to ensure that the promise of the Employment First law is effectively realized.

Five relevant state agencies provided outcomes data:

- **Commerce** – Reported that KANSASWORKS data is published in their annual report, state plan and is available on the website www.kansasworksstateboard.org.
- **KSDE** – Reported that it collects and publishes data pursuant to federal special education law, which includes data on competitive employment (KSDE’s Indicator 14: Post-Secondary Outcomes Survey). Under the definition of “competitive employment”, it includes integrated settings, as they have to be places that include both those with and without disabilities.

- **KDADS** – Reported that the KDADS Employment First Workgroup will review currently available data in KDADS, DCF, and KDHE regarding the numbers of persons with I/DD working in competitive, integrated settings to provide a better understanding of the “numbers of persons currently working and how often they are working.” KDADS went on to state that “available data analysis can be shared throughout State Agencies.”

- **KDCF** – Reported competitive and integrated employment outcomes for one of the three programs the Commission requested (the Vocational Rehabilitation Services, or VR, program). In Federal Fiscal Year 2012 VR assisted 1619 individuals with disabilities to obtain competitive and integrated employment. Some facts about those 1619 individuals with disabilities:
 - The average wages of those 1619 newly employed Kansans is \$9.86 per hour.
 - The average hours worked per week by those 1619 people is 30.
 - 76% of those who achieved employment reported that their wages were the primary source of income at the time their case closed.
 - 38% of those employed reported having health insurance through their employer.
 - Rehabilitation Services previously cross-matched data from vocational rehabilitation (VR) and the waivers in February 2012. At that time, the most recent client listing for the Developmental Disabilities (DD) Waiver was dated 12-10-10. Data for the Physical Disabilities (PD) Waiver and Mental Health (MH) Services was current as of 2-16-12.
 - A total of 237, or 29%, of the persons achieving employment through VR in FFY 2012 were either receiving or on the waiting list for the services. Here are the details by type of service and by active service or waiting list status:
 - Number of VR clients who achieved employment in FFY 2012 who were receiving DD Waiver Services: 16
 - Number of VR clients who achieved employment in FFY 2012 who were on the DD waiver waiting list: 122
 - Number of VR clients who achieved employment in FFY 2012 who were receiving PD Waiver Services: 17
 - Number of VR clients who achieved employment in FFY 2012 who were on the PD waiver waiting list: 9
 - Number of VR clients who achieved employment in FFY 2012 who were receiving MH Medicaid services: 73

- **KDHE** – Reported about a 2012 example involving KDHE and the University of Kansas Institute for Health & Disability Policy Studies where they collaborated and shared data across state agencies showing positive results for the Working Healthy and WORK programs. Although this case study was an excellent example of sharing data and information across systems, it did not answer whether KDHE collects and publishes data specifically involving competitive and integrated employment. However, the Commission would like to note that sharing data across systems is a requirement of the law, and KDHE is to be commended for the way it shared data in the example they provided.

- It appears that some of the agencies still see Employment First as an issue for consumers with Intellectual or Developmental Disabilities (I/DD), as evidenced by KDADS response that they are examining I/DD data. **The Commission would strongly note that the Employment First law is a cross-disability law and applies to all Kansans with disabilities, not just those with I/DD.**

Objective 5.2 – *100% of relevant state agencies will use these data to engage stakeholders and is effectively integrated into making better strategy and policy decisions by state agencies. Performance under this objective can be covered with the implementation of the written policy under Objective 2.1.*

- This objective is partially met for 2012. Of the six relevant state agencies, four agencies reported back information regarding this objective. In order to have this objective met in 2013, the remaining two state agencies would simply need to provide information to the Commission about stakeholder engagement, and all six agencies would need to show how they engage the various disability stakeholder communities, not just certain communities such as the I/DD community.

Four relevant state agencies provided information on integration of data:

- **Commerce** – Reported that it engages stakeholders through the KANSASWORKS State Board.
- **KSDE** – Reported that it shares data with school districts and state stakeholders, including the Special Education Advisory Council (SEAC).
- **KDADS** – Reported that it will share data with the KDADS Employment First Workgroup, which is created by the CDDO contract and is focused only on persons with I/DD.
- **KDHE** – Reported about the 2012 example involving the Working Healthy and WORK programs (see narrative in Objective 5.1).

The Commission commends the state agencies for practicing stakeholder engagement in regards to employment issues. This is a strength that can be built upon in the future. However, the Commission notes that this engagement is not always consistent across communities of people with different disabilities, and does not always utilize data regarding competitive and integrated employment.

Objective 5.3 – *Kansas will score at least a three (3) on the following standard of the Kansas Scorecard document by January 1, 2013: “Kansas has an effective method for collecting and publishing outcomes data involving competitive and integrated employment for people with disabilities. This method tracks a variety of data, including but not limited to competitive and integrated employment data. These data are used to engage stakeholders and inform strategy and policy decisions.” (Standard #3)*

- This objective is not met for 2012. Kansas scored a two (2) on this standard, which is higher than last year's score of a one (1), though short of this year's target. While several agencies reported they are collecting data, the data is partial, and specifically not all agencies are collecting data involving competitive integrated

employment for people with disabilities. Additionally, even though some data is collected, it is less likely to be effectively summarized or published where it would be accessible to stakeholders. The stakeholder engagement does not appear to include all communities of people with disabilities. The Commission is confident that with some additional focus and effort from the relevant state agencies, this score can easily be increased to a three (3) and this score will be met in 2013.

Objective 5.4 – *The Disability Sub-cabinet will take a leadership role to bring together a cross-agency data working group (or some other appropriate method) to examine how to better share data across agencies and systems, as well as examining opportunities to have a more integrated data system to ensure implementation of the data sharing requirements of the law and better sharing of data.*

- Objective 5.4 is somewhat dependent on state agencies' successful completion of the other Objectives under Goals 3 and 5, including knowing what data elements they are going to track. Therefore, the Sub-cabinet has not yet been approached by the designated lead agency for Employment First (KCDC – Kansas Commission on Disability Concerns). The Commission looks forward to working with KCDC and the Sub-cabinet on Objective 5.4 next year.

Appendix B: Kansas Employment First Law, K.S.A. 44-1136-38

44-1136. Kansas employment first initiative act; definitions; policy declaration. **(a)** This act shall be known as and cited as the Kansas employment first initiative act. As used in this act:

(1) "Competitive employment" means work in the competitive labor market that is performed on a full-time or part-time basis in an integrated setting; and for which an individual is compensated at or above the minimum wage, but not less than the customary wage and level of benefits paid by the employer for the same or similar work performed by individuals who are not disabled.

(2) "Integrated setting" means with respect to an employment outcome, a setting typically found in the community in which applicants or eligible individuals interact with non-disabled individuals, other than non-disabled individuals who are providing services to those applicants or eligible individuals, to the same extent that non-disabled individuals in comparable positions interact with other persons.

(b) It is hereby declared to be the policy of the state of Kansas that competitive and integrated employment shall be considered its first option when serving persons with disabilities who are of working age to obtain employment. This policy applies to programs and services that provide services and support to help obtain employment for persons with disabilities. All state agencies shall follow this policy and ensure that it is effectively implemented in their programs and services. Nothing in this section shall be construed to require any employer to give preference to hiring people with a disability.

History: L. 2011, ch. 102, § 1; July 1.

44-1137. State agencies; competitive integrated employment of disabled individuals; rules and regulations. **(a)** All state agencies shall coordinate efforts and shall collaborate within and among such agencies to ensure that state programs, policies, procedures and funding support competitive and integrated employment of individuals with disabilities. All state agencies shall, whenever feasible, share data and information across systems in order to track progress toward full implementation of the act.

(b) State agencies are authorized to adopt rules and regulations to implement this act.

History: L. 2011, ch. 102, § 2; July 1.

44-1138. Kansas employment first oversight commission; membership; duties. **(a)** There is hereby established a Kansas employment first oversight commission consisting of five members. The commission shall consist of the following members who shall serve for a three-year term:

(1) Four members who are persons with a disability or who are knowledgeable of disability issues and who are not state employees, of whom:

(A) One shall be appointed by the speaker of the house of representatives;

(B) one shall be appointed by the minority leader of the house of representatives;

(C) one shall be appointed by the president of the senate; and

(D) one shall be appointed by the minority leader of the senate;

(2) one member who is experienced with employment service programs and who is not a state employee shall be appointed by the governor.

(b) The governor shall designate one member to convene and organize the first meeting of the commission at which the commission shall elect a chairperson and a vice-person from among its members. The commission shall meet at least four times a year and, additionally, whenever called by the chairperson. A quorum shall consist of three members. All actions of the commission shall be taken by a majority of the members of the commission.

(c) Each member of the commission shall be paid mileage and other expenses as provided by K.S.A. 75-3212, and amendments thereto.

(d) The commission shall establish measurable goals and objectives for the state of Kansas to ensure implementation of this act. The commission shall track the measurable progress of public agencies in implementing this act. All state agencies shall fully cooperate with and provide data and information to assist the commission in carrying out its duties.

(e) The commission shall issue an annual report on or before January 1 each year which shall be presented to the governor and members of the state legislature. The report shall detail progress toward the goals and objectives and full implementation of this act. All state agencies shall cooperate with the commission on the creation and dissemination of the annual report. The report also shall identify barriers to achieving the outcomes along with the effective strategies and policies that can help realize the employment first initiative.

(f) The governor shall select from the cabinet agencies the lead agency responsible for compiling data and coordinating the preparation of the annual report at the direction of the commission. The activities of the commission and lead agency pursuant to this section shall be done within existing grants and resources.

History: L. 2011, ch. 102, § 3; July 1.

Appendix C: Employment First Presentations by Commissioners

1. Parent, W. & Nichols, R. (2012, July). Self-Advocates Coalition of Kansas Voices Heard Conference, Topeka, KS; Presentation titled Employment First.
2. Cagan, R., Nichols, R., Parent, W., & Smith, G. (2012, July). Kansas Conference on Poverty, Wichita, KS; Panel presentation titled *Advocating for Employment for Individuals with Disabilities*.
3. Parent, W. (2012, June). 23rd Annual APSE Conference, Arlington, VA; Presentation titled Employment Policy: What's the Next Step?"
4. Hoff, D. & Parent, W. (2012, June). 23rd Annual APSE Conference, Arlington, VA; Presentation titled APSE's Public Policy Efforts: What's New, What's Next, How to Get Involved.
5. Parent, W. (2012, April). Kansas Employment First Summit II, Topeka, KS; Presentation titled An Introduction to Employment First for First Time Attendees.
6. Nichols, R., Pasmore, R., Parent, W., & Mayse, B. (2012, April). Kansas Employment First Summit II, Topeka, KS; Panel presentation titled Employment First: The Law, the Oversight, and Your Input.
7. Parent, W. (2012, April). 26th Annual North Carolina APSE Employment First and Always Conference, Carolina Beach, NC; Keynote presentation titled Employment First: Planning to Policy.
8. Hoff, D., Parent, W., & Niemec, B. (2012, January), Illinois Employment First Summit, Springfield, IL; Co-facilitator of all-day work session titled Employment First.
9. Parent, W. & Nichols, R. (2011, December). TASH No Excuses Conference, Atlanta, GA; Presentation titled Employment First: Establishing Policy, Promoting Practice, Achieving Outcomes.
10. Parent, W., Nichols, R., Wood, N., & Lobb, K. (2011, November). The Alliance for Full Participation Summit, National Harbor, MD; Panel presentation titled The Employment First Bill in Kansas: How Grassroots Movements Can Achieve Change.
11. Parent, W., Hoff, D., Owens, L., Spears, D., Kenny, J., & Wilson, P. (2011, November). The Alliance for Full Participation Summit, National Harbor, MD; Panel presentation titled New Ideas in Employment & How States Can Support Innovation.
12. Parent, W. & Laing, T. (2011, October). Virginia Employment First Summit, Virginia Beach, VA; Panel presentation titled Kansas: A Successful Employment First State.
13. Parent, W. & Wood, N. (2011, October). Employment First: Transforming Expectations Summit, Des Moines, IA; Panel presentation titled Transforming Laws: States that have Employment First Laws.
14. Parent, W. & Nichols, R. (2011, October). APSE Webinar Series, (national broadcast); Webinar presentation titled Employment First: Moving from Policy to Practice.
15. Parent, W. (2011, June). 22nd Annual APSE Conference, Seattle, WA; Presentation titled Employment First: Moving from Policy to Practice.

16. Parent, W. (2011, May). Disability Planning Organization of Kansas CDDO training, Salina, KS; Workshop titled Employment First: Where Do we Begin?
17. Parent, W. (2011, April). Self-Advocate Coalition of Kansas Conference, Topeka, KS; Presentation titled Employment First.
18. Hoff, D., Alexander, J., Ghioffi, P., Parent, W., & Lavin, D. (2010, July). APSE 21st National Conference, Atlanta, GA; Panel presentation titled Employment First: Just the Latest Fad, or Something Really Different.
19. Bentzinger, P., Parent, W., Pasmore, R., Wright M.E., & Stockwell, B., (2009, April). Interhab Annual Conference, Topeka, KS; Panel presentation titled Employment First.
20. Parent, W. (2009, December). Sedgwick County CDDO training, Wichita, KS; Workshop titled Employment First: Where Do We Begin?

Appendix D: 2012 Employment Initiatives

Kansas Department of Health and Environment/Division of Health Care Finance (KDHE/HCF)

A. KanCare Pilots

KDHE/HCF is in the implementation process for two KanCare pilots which are slated to begin in 2013. Both pilots require coordination with other state agencies, including the Kansas Department of Aging and Disability Services, Department of Children and Families, Department of Commerce, and the Kansas State Department of Education for data sharing, assistance in obtaining employment with employer-based health coverage, assistance with outreach, etc.

- 1) **SSI Employment Support Pilot** - The Supplemental Security Income (SSI) Employment Support Pilot is designed for up to 400 individuals currently on the Home and Community Based Services (HCBS) Developmental Disability (DD) or Physical Disability (PD) waiting lists who are employed 40 hours per month or more at federal minimum wage in competitive and integrated settings. In addition to Medicaid coverage, pilot participants will receive up to \$1,500 per month to pay for personal assistance and employment support services to enable them to live and work in the community. *Working Healthy* Benefits Specialists will be available to discuss this option and alternatives to this option available to the individual. Participants will be restored to their former position on the waiting list if employment is lost. The pilot also allows for temporary unemployment.
- 2) **Social Security Alternative Pilot** - The Social Security Alternative Pilot is designed for up to 200 Kansans with disabilities who have not yet been determined eligible for Social Security disability. The goal of this pilot is to assist individuals with disabilities to obtain employment with employer-based health insurance as well as avoid unnecessary dislocation from the workforce and impoverishment in order to obtain health insurance. The pilot will include a Presumptive Medical Disability-like process to determine whether individuals meet the criteria for a Social Security disability determination, Medicaid-like coverage as needed, a monthly allocation to pay for personal assistance and employment support services if needed, and accelerated PMD review to restore the path to Social Security disability status in the event of a worsening medical condition or loss of employment. The pilot allows for temporary unemployment.

B. Certification of Employment Services Professionals

KDHE/HCF funded the provision of the Certified Employment Services Professional (CESP) in two locations in Kansas during 2012. The CESP is a newly developed credential governed by the APSE Employment Services Professional Certification Council (ESPCC). Individuals who earn the CESP credential have demonstrated knowledge of the facilitation and advocacy skills necessary to help establish and

expand equitable employment opportunities for individuals with disabilities. 64 people took the exam; 54 passed it. According to APSE, the number of candidates who sat for the exam in Kansas was double the number of candidates who sat for the initial administration of the exam by APSE during December 2011, and was the largest candidate sponsorship by any state since the inception of the exam in 2011.

C. Education of Medical Personnel regarding Disability and Employment

KDHE/HCF contracted with Webility Corporation to conduct a medical education initiative, the purpose of which was to increase awareness among healthcare providers of the health risks of unemployment as well as the benefits of preventing needless work disability whenever possible. The target audience was physicians and other clinicians who provide advice to their patients and sign benefits forms. Webility Corporation developed and delivered a series of short continuing medical education sessions (CME) to physicians and other types of healthcare practitioners in 26 geographically-dispersed locations around the state (see map and list below). As a result, 164 healthcare practitioners plus 51 nurses and other support staff participated, for a total of 205 professionals. Webility Corporation surveyed participants following the training, and 8 to 12 months after the training. Following the training a shift in responses to a single question that was asked both before and after the session reveals its impact: Before it began, the attendees were asked to rate their confidence: *"On a scale of 10 to 1, how confident are you that you are adequately prepared to give appropriate advice on whether and when your patients should stay at, return to or start to work, and what kind of work they can safely do?"* Before the session, 44% ranked themselves a 5 or lower; 17% ranked themselves at 8 or above. After the session, the numbers were reversed: Only 18% still felt unconfident, and 43% now ranked themselves an 8, 9 or 10. In the survey conducted 8 to 12 months later, when asked whether the session was worth their time, 88% reported affirmatively. 82% percent feel more confident dealing with these issues or are handling something very differently now. 70% say they still remember something specific about the session. 40% say they have used some of the ideas, phrases or tools from the session.

D. Coordination of Data

During 2012, the University of Kansas Institute for Health & Disability Policy Studies, the program evaluator for KDHE/HCF's employment programs, requested and received 2009-2011 aggregate income and tax data from the Kansas Department of Revenue and quarterly Unemployment Insurance (UI) earnings data from the Kansas Department of Labor. Consistent with earlier findings, analysis of these data sets indicated higher earnings for *Working Healthy* enrollees – with *WORK* participants having the highest earnings - compared to other dual-eligibles not enrolled. Average annual income of *Working Healthy* enrollees in 2011 was nearly 3 times that of those not enrolled, \$8490 and \$2940 respectively. KU partners are also working on completing a third edition of the Data Inventory on the Employment and Health of Kansans with Disabilities with updated information reflecting the Governor's reorganization of state agencies.

Kansas Department of Administration Bidder Preference Program and Application

The 2012 Kansas Legislature enacted a Bidder Preference Program which created three bid preferences:

A. Bidder Preference #1:

10% for a CERTIFIED BUSINESS [as defined in KSA 75-3740d]

Bidders claiming this preference must meet statutory guidelines to be a CERTIFIED BUSINESS

- *Business Type must match one of those listed in the statute*
- *Business Activity must be conducted primarily in Kansas*
- *Business must employ at least 20% of its employees who are individuals with disabilities and reside in Kansas*
- *Business must contribute at least 75% of the premium cost for individual health insurance coverage for each employee*
- *Business cannot operate under a certificate issued by the US Secretary of Labor under subsection (c) of 29 U.S.C. § 214 regarding payment of sub-minimum wages*
- For an application to become a **CERTIFIED BUSINESS**, visit <http://www.da.ks.gov/purch/preferences.htm>
- A business must apply for and receive certification BEFORE they can request that a bidding preference be applied to their bid.
- Condition: Preference may not exceed 10% of the evaluation total of lowest competitive bid
- Condition: Contractor must maintain the percentage of employees with disabilities throughout the contract
- Condition: Subcontracting within the contract limited to 25% of the total bid cost
- Condition: Bidding Preferences cannot be combined

Link for more information:

<http://www.da.ks.gov/purch/preferences.htm>

B. Bidder Preference #2:

Dollar for Dollar, up to 10%, for purchases from the State Use Vendor Program

The State Use Vendor Program consists of qualified vendors who sell products and services manufactured or processed by persons with visual impairments or other disabilities.

- For information about State Use Vendors, visit
 - <http://www.da.ks.gov/purch/KansansCat.htm>
 - www.ksstateuse.org

- Condition: Preference may not exceed 10% of original bid from the bidder claiming the preference
- Condition: Vendor makes qualifying purchases from State Use Vendors made during the previous fiscal year (July to June)
- Condition: Posting date of the bid will be the basis for determining which fiscal year purchases can be utilized
- Condition: Bidding Preferences cannot be combined

Link for more information:

<http://www.da.ks.gov/purch/preferences.htm>

C. Bidder Preference #3:

Dollar for Dollar, up to 10%, for purchases from a CERTIFIED BUSINESS

When a CERTIFIED BUSINESS commits to hiring persons with disabilities, this preference helps support that CERTIFIED BUSINESS by encouraging sales to other private sector businesses interested in bidding on Kansas contracts.

- For a list of CERTIFIED BUSINESSES, visit <http://www.da.ks.gov/purch/preferences.htm>
- Condition: Preference may not exceed 10% of original bid from the bidder claiming the preference
- Condition: Qualifying purchases must have been made during the previous fiscal year (June to July)
- Condition: Posting date of the bid will be the basis for determining which fiscal year purchases can be utilized
- Condition: Bidding Preferences cannot be combined

Link for more information:

<http://www.da.ks.gov/purch/preferences.htm>

Appendix E: Kansas Employment First Scorecard

Results of the Kansas Employment First Score Card – Assessment Completed by Employment First Oversight Commission, December, 2012

Kansas Employment First Oversight Commission Report and Scorecard

Standard 1: Kansas has measurable annual performance goals and outcomes with clear and meaningful benchmarks that track a number of key indicators to prove full support of competitive and integrated employment and effective implementation of the employment first initiative, including outcomes and goals for the numbers and percentages of persons with disabilities in competitive and integrated employment.

1 2 **3** 4 5

- 1: There are no performance goals and outcomes relating to this goal.
- 2: There are performance goals and outcomes, but they are too vague and are worded within overall outcomes, such as quality of life.
- 3: There are performance goals and outcomes, but they are insufficient and all are not measurable.
- 4: There are measurable goals and outcomes, but they are somewhat problematic (i.e., meeting the outcome does not necessarily mean an improvement in or increasing the rate of services in employment, as compared to segregated or non-work services.)
- 5: There are measurable outcomes with meaningful benchmarks.

The Commission is keeping the score as a 3 for 2012. After receiving the responses from state agencies, the Commission came to the conclusion that there are fewer measurable goals and outcomes than we had perceived last year. However, the Commission looks forward to more substantive and measurable performance goals and outcomes being established in the next year.

Kansas Employment First Oversight
Commission Report and Scorecard

Standard 2: Each relevant state agency has a strong and effective policy detailing how it will implement the Employment First law.

1 2 **3** 4 5

1: No relevant state agencies have adopted an Employment First policy detailing how they will implement Employment First in all programs, supports and services, nor is one being considered.

2: Relevant state agencies are considering Employment First policies, but there is not a formal group working on it.

3: Relevant state agencies are actively working on an Employment First policy; or agencies have a policy but it is flawed, incomplete in its implementation details or it is not clear.

4: Relevant state agencies have an Employment First policy, but it could be worded stronger so that Employment First is more meaningful in influencing practice.

5: ALL relevant state agencies have a strong Employment First policy along with the details of how it will implement the policy in its programs, supports and services..

The Commission is increasing the 2012 score on this standard from a 1 to a 3. The Commission has received written policies from 3 of the 6 relevant state agencies. All relevant state agencies have not provided a written policy, thus this standard is incomplete and warrants a maximum rating of 3.

Kansas Employment First Oversight
Commission
Report and Scorecard

Standard 3: Kansas has an effective method for collecting and publishing outcomes data involving competitive and integrated employment for people with disabilities. This method tracks a variety of data, including but not limited to competitive and integrated employment data. This data is used to engage stakeholders and inform strategy and policy decisions.

1 **2** 3 4 5

- 1: There is no comprehensive method for collecting and publishing data.
- 2: Partial data is sometimes collected.
- 3: Partial data is sometimes effectively collected, summarized & published.
- 4: Data is collected, published and effectively summarized but not a part of ongoing discussion and is not integrated into strategy discussions.
- 5: A comprehensive data system is in place both within and across state agencies. Information on employment, percentages and outcomes are routinely collected, analyzed, reported, and discussed. It is central to informing and impacting strategy and policy decisions.

The Commission increased the score from a 1 to a 2 for 2012. This is because several agencies reported they are collecting some data. However the data is partial and not all agencies are collecting data involving competitive integrated employment for people with disabilities. Additionally, even though some data is collected, it is less likely to be effectively summarized or published where it would be accessible to stakeholders. The Commission is confident that with some additional focus and effort from the relevant state agencies this score can easily be increased to a 3.

Kansas Employment First Oversight
Commission
Report and Scorecard

Standard 4: Kansas relevant state agencies successfully execute specific strategies to fully implement the employment first law and to ensure competitive and integrated employment of people with disabilities is fully supported in their programs, policies, procedures and funding.

1 2 3 **3.5**
4 5

- 1: There are no meaningful, specific strategies regarding employment first and competitive and integrated employment.
- 2: There are some programmatic/regional strategies in place and being discussed with some stakeholders.
- 3: A core group of stakeholders are discussing several programmatic/regional and agency-wide strategies in a more comprehensive manner. Some strategies are implemented.
- 4: All stakeholders are invited and a sizeable number meaningfully participate in developing programmatic/regional and agency-wide strategies. A robust discussion is occurring, some strategies are implemented, but all strategies have not been implemented.
- 5: Effective strategies have been both developed and fully implemented and they are adjusted at least yearly with further stakeholder involvement.

The Commission increased this score in 2012 from a 3 to a 3.5 because we want to acknowledge some progress has been made regarding planning and executing specific strategies to fully implement employment first. Additionally, some stakeholders are being engaged in this process. However, this is still limited to certain groups of stakeholders and there is still not cross-age, cross-disability engagement across all stakeholder groups. Section III of this report provides more details and examples about this issue. The Commission believes that with some targeted outreach and other efforts that state agencies can increase this to a 4 rating. We are hopeful this will happen soon.

Kansas Employment First Oversight
Commission Report and Scorecard

Standard 5: Kansas has effective, meaningful and productive collaborations among stakeholder groups and between these stakeholders and state government to support the Employment First policy and competitive and integrated employment of people with disabilities.

1 2 3 4 5

- 1: There are few, if any, relationships among stakeholders and between stakeholders and state government.
- 2: Relationships are beginning to form and some collaboration efforts exist.
- 3: Relationships exist among all the major stakeholders, collaboration is occurring somewhat and ideas are being discussed.
- 4: Relationships and collaborations are somewhat effective and improving at state/regional/local levels among stakeholders.
- 5: Effective collaborations and relationships exist among state, regional, and provider agencies, advocacy organizations and employers to support integrated employment, including regular workgroup and statewide meetings involving stakeholders. These collaborations are effective towards supporting Employment First both among the stakeholders and between the stakeholders and state government.

For 2012 the Commission is maintaining this score at a 2. As previously mentioned, there are some relationships between stakeholders and state government. However, they do not yet exist among all the major stakeholders. As was mentioned in standard 4, the Commission is confident that with greater focus and targeted outreach to all the major stakeholders, the relevant state agencies should be readily able to increase this score to a 3.

Kansas Employment First Oversight
Commission
Report and Scorecard

Standard 6: Relevant state agencies will enter into formal interagency agreements to successfully implement, track and support the Employment First policy and competitive and integrated employment...

1 2 3 4
5

- 1: There are no formal agreements.
- 2: Agreements are beginning to be discussed.
- 3: Some formal agreements exist and a broad outline of other agreements is emerging.
- 4: Several formal agreements exist and others are being developed and discussed.
- 5: Formal interagency agreements exist to better ensure effective implementation of the Employment First policy. Issues and problems areas to be addressed in these interagency agreements should be developed from the input of disability stakeholders.

For 2012 the Commission is increasing this score from a 1 to a 2. We want to acknowledge our appreciation that the liaisons for the relevant state agencies have begun meeting. These discussions are a positive development and we are hopeful that it will lead to greater interagency collaboration and formal interagency collaborative agreements in the future.

Standard 7: Kansas relevant state agencies aggressively pursue resources to support innovation in competitive/integrated employment services and to better advance and implement the Employment First initiative.

1 2 3 4
5

- 1: There is no plan to pursue resources or investment in innovations.
- 2: State agencies are discussing the need for innovations among some stakeholders.
- 3: There is agreement among state agencies and stakeholders to pursue resources to encourage innovations, but no applications for resource support have been made.
- 4: Some innovations are being encouraged and supported by state agencies, and some applications for resource support have been made.
- 5: Several innovations have/are emerging. These innovations are documented and discussed for broad implementation among stakeholders and state agencies. Multiple applications for resource support have been made.

For 2012 the Commission is dramatically increasing the score on this standard from a 1 to a 4. This illustrates the great strides that have been made by the State of Kansas to acquire new resources, reallocate existing resources, and support innovation in competitive integrated employment. These successful efforts include: \$500,000 legislative appropriation for Department of Commerce Employer Incentive Program, House Bill 2453, KDHE's two KanCare Employment Pilot Projects, and other initiatives as noted in this report. The state is closing in on being able to obtain a 5 on this standard, which is the highest score possible.

Kansas Employment First Oversight
Commission
Report and Scorecard

Standard 8: Adequate resources are readily available to Kansas transition-age students and individuals waiting for services and their families to encourage them to choose competitive integrated employment over other options.

1 2 3 4
5

- 1: Few if any resources are available.
- 2: The need for transition resources and resources for individuals waiting for services is beginning to be discussed.
- 3: There is agreement to provide these resources.
- 4: Some additional resources are available statewide and more are emerging for these needs.
- 5: Resources are readily available to transition-age students and individuals waiting for services and their families to encourage them to choose competitive integrated employment over other service options.

For 2012 the Commission is increasing this score from a 2 to a 3. There has been an increased focus on initiatives and efforts to help transition-age students and individuals waiting for services to access competitive integrated employment. Although this is happening for some Medicaid waiver populations, it is not yet happening across all service systems. Progress has been made, and we are hopeful that with some additional focus the state agencies will be able to increase the score.

Kansas Employment First Oversight
Commission
Report and Scorecard

Standard 9: Kansas has effective strategies for supporting Kansans with disabilities to achieve economic self-sufficiency as direct part of supporting competitive and integrated employment.

1 2 3 4
5

1. There are no strategies in place.
2. Stakeholders have been identified across public agencies and private sector and a work group has been established to identify these strategies.
3. An Action Plan has been developed that identifies these strategies along with collaborative activities for policy development, education and training, and capacity building.
4. Pilot activities are being implemented in selected parts of the state and promising practices are being identified, documented, and disseminated to relevant stakeholders statewide.
5. Statewide/Regional/ Local strategies are being implemented with public/private partnerships, policy changes are in process, and outcomes are being tracked at an individual and systems level with an annual review and refinement of statewide strategies.

For 2013 the Commission is increasing the score from a 1 to a 3. The Commission wants to acknowledge that progress has been made with different pilot projects and initiatives that assist some Kansans with disabilities to obtain greater self-sufficiency. These initiatives include: \$500,000 legislative appropriation for Department of Commerce Employer Incentive Program, House Bill 2453, KDHE's 2 KanCare Employment Pilot Projects, Great Expectations Initiative and other initiatives as noted in this report. Although efforts are occurring, and they should be celebrated, the state lacks a comprehensive approach to support Kansans with disabilities to achieve economic self-sufficiency. The Commission stands ready to work with the state, stakeholders, and others on the strategic thinking and planning that is necessary to develop an effective action plan in this regard. Additionally, the Commission believes greater effort must be made to ensure Kansans with significant disabilities have the tools and resources to realize true economic self-sufficiency. To this end, the Commission strongly suggests that data gathered regarding the numerous initiatives should include the tracking of outcomes dealing directly with economic self-sufficiency.

Information about how the Kansas Employment First Scorecard is based upon the national Alliance for Full Participation Scorecard:

This Kansas Employment First Scorecard is based on national standards adopted by the Alliance for Full Participation (AFP) regarding competitive and integrated employment contained in its national Scorecard. The AFP is a partnership of leading developmental disability organizations who have established a national goal of doubling the employment rate for people with developmental disabilities by 2015

(<http://www.allianceforfullparticipation.org/about-afp-2>). In an effort to measure progress towards achieving this goal, the AFP national Scorecard was developed for use by individual states to determine a baseline measure of employment outcomes; assess policies, strategies, and practices that impact employment for people with developmental disabilities; establish goals and an action plan for doubling their state's rate of integrated competitive employment; and provide a tool for promoting best practices to assist state's with implementing policies and practices that result in systemic change and employment outcomes.

Basing the Kansas Employment First Scorecard on this national standard allows Kansas' Employment First efforts to be better integrated with the national goals. It also allows for more effective comparisons of national, regional, and other states' results with these standards, while recognizing that the Kansas Employment First law concerns persons with all types of disabilities, not just developmental disabilities. Thus, the Commission developed this Kansas Employment First Scorecard patterned after the AFP scorecard, made them apply to all disabilities, and tailored it to the Commission's goals for Employment First.

Appendix F: KSDE Policy Information

KSDE Policy Statement on Employment First

As a relevant state agency in the implementation of Employment First policy, the Kansas State Department of Education (KSDE) is responsible for the monitoring of district practices in planning for and providing appropriate transition services to students with significant disabilities, and assuring that KSDE developed resources and materials encourage Employment First policy.

Research demonstrates that when provided with preparatory, hands-on job experience in the form of part-time work, internships, or summer employment, students with significant disabilities can successfully obtain and sustain work in integrated settings and earn competitive wages. The goal of publically-funded transition services and supports for youth with significant disabilities should be focused on helping these youth to acquire the skills, knowledge and experience necessary to obtain jobs in integrated settings at a competitive wage that promotes community participation and self-sufficiency.

As part of the implementation of Employment First policy, one role for educators is to assist students and their families to understand the range of available employment possibilities, providing information about competitive, integrated employment as the first consideration in transition planning.

Federal and state laws require school districts to provide transition planning and services for students with significant disabilities through the Individualized Education Program (IEP).

Beginning not later than the first IEP to be in effect when the child turns 16, or younger if determined appropriate by the IEP Team, and updated annually thereafter, the IEP must include:

- *Appropriate measurable postsecondary goals based upon age-appropriate transition assessments related to training, education, employment and, where appropriate, independent living skills;*
- *The transition services (including courses of study) needed to assist the child in reaching those goals; and*
- *Beginning not later than one year before the child reaches the age of majority under State law, a statement that the child has been informed of the child's rights under Part B, if any, that will transfer to the child on reaching the age of majority under §300.520 [see 20 U.S.C. 1415(m)].*

[34 CFR 300.320(b) and (c)] [20 U.S.C. 1414 (d)(1)(A)(i)(VIII)]

The term "transition services" means a coordinated set of activities for a child with a disability that:

- *Is designed to be within a results-oriented process, that is focused on improving the academic and functional achievement of the child with a disability to facilitate*

the child's movement from school to post-school activities, including postsecondary education, vocational education, integrated employment (including supported employment); continuing and adult education, adult services, independent living, or community participation;

- *Is based on the individual child's needs, taking into account the child's strengths, preferences, and interests; and*
- *Includes instruction, related services, community experiences, the development of employment and other post-school adult living objectives, and, if appropriate, acquisition of daily living skills and functional vocational evaluation.*

[34 CFR 300.43 (a)] [20 U.S.C. 1401(34)]

Key Requirements in the Employment First Law:

1. Competitive and Integrated Employment is the First Option

Competitive, integrated employment must be the first option when providing services or supports to people with disabilities. This requirement is often called by the term "Employment First" (meaning that programs and services start with competitive, integrated employment as the FIRST option)

Action: KSDE has established an agency Employment First policy that is publically available on the KSDE website.

2. Policy is Effectively Implemented in all Programs and Services

All state agencies must follow Employment First and ensure it is effectively implemented in all programs and services.

Action: KSDE materials and resources will be revised to address Employment First policy implementation in programs and services.

3. State Programs, Policies, Procedures and Funding Support Competitive and Integrated Employment

All state agencies must coordinate efforts and collaborate to ensure that all state programs, policies, procedures and funding support competitive and integrated employment of individuals with disabilities.

Action: KSDE will maintain federally required interagency agreements and collaborate with other state agencies as needed to ensure implementation of Employment First policy.

4. Data Sharing

All state agencies share data and information across systems in order to better track outcomes and success under employment first.

Action: KSDE will share relevant state and program data to track student outcomes related to Employment First (e.g., State Performance Plan Cluster 1 Indicators, SLDS).

KSDE

Employment First Goals and Objectives Worksheet For use by Agencies and Agency Liaisons

Goal 1: Kansas' relevant state agencies successfully execute specific strategies to fully implement the Employment First law and to ensure competitive and integrated employment of people with disabilities is fully supported in their programs, policies, procedures and funding.

1. What program(s) already exists within your agency that impact employment for working age persons with disabilities?

KSDE does not provide programs, but does provide funding to LEAs to plan for and provide transition services to students with disabilities to assist students in meeting education and training goals after they graduate from high school.

2. What strategies have you implemented to ensure that competitive integrated employment is the first option?

KSDE has adopted an Employment First policy statement, available on the KSDE website. Resources are being updated to reflect Employment First policy.

3. What is your agency's plan to develop new strategies and what is your timeline for implementation of those strategies?

There is no plan at this time to develop new strategies.

Goal 2: Each relevant state agency has a strong and effective policy detailing how it will implement the Employment First law.

1. What policy(s) already exists for your agency to ensure that competitive and integrated employment is the first option?

As referenced above, KSDE has an Employment First policy statement available on the KSDE website.

2. If your agency doesn't have a specific policy ensuring competitive and integrated employment, what is your agency's plan and timeline to develop a new policy(s) that will comply with the law?

Goal 3: Kansas has measurable annual performance goals and outcomes with clear and meaningful benchmarks that track a number of key indicators to prove full support of competitive and integrated employment and effective implementation of the Employment First initiative, including outcomes and goals for the numbers and percentages of persons with disabilities in competitive and integrated employment.

1. What indicators related to employment for persons with disabilities do your agency currently monitors, collect data, and/or track?

Per federal special education law, KSDE collects data each year on postschool outcomes for students with disabilities, specifically outcomes related to postsecondary education/training and employment, including competitive employment.

2. What are the current annual performance goals and outcomes established by your agency to evaluate these key indicators?

State targets for postschool outcomes are established in the State Performance Plan for special education. Data is collected each year to measure progress towards these goals and reported publically.

3. The Commission has a requirement to establish measurable goals and objectives on competitive and integrated employment of people with disabilities. For the indicators and data your agency either currently tracks or plans to track, what are the goals and objectives for your agency that you recommend to the Commission?

KSDE will continue to collect and report postschool outcome data from the State Performance Plan, and that data is available for the Commission's use in planning.

KSDE looks to the Employment First Commission to establish specific, statewide benchmarks for effective implementation of the Employment First initiative.

Goal 4: Kansas has effective, meaningful and productive collaborations among stakeholder groups and between these stakeholders and state government to support the Employment First policy and competitive and integrated employment of people with disabilities.

1. Describe the collaboration you have had with stakeholders, including self-advocates and consumers, regarding your agencies implementation of the Employment First policy.

Stakeholder involvement has been through the Special Education Advisory Council (SEAC).

KSDE

Definitions from our State Performance Plan for the measures that are reported under Indicator 14:

Kansas has adopted the following definitions from the National Postschool Outcome Center to describe how data are measured:

1. Enrolled in higher education as used in measures A, B, and C means youth have been enrolled on a full or part-time basis in a community college (2-year program), or college/university (4- or more year program) for at least one complete term, at any time in the year since leaving high school.
2. Competitive employment as used in measures B and C means that youth have worked for pay at or above the minimum wage in a setting with others who are nondisabled for a period of 20 hours a week for at least 90 days at any time in the year since leaving high school. This includes military employment.
3. Enrolled in other postsecondary education or training as used in measure C, means youth have been enrolled on a full- or part-time basis for at least one complete term at any time in the year since leaving high school in an education or training program (e.g., Job Corps, adult education, workforce development program, or vocational technical school which is less than a 2-year program).
4. Some other employment as used in measure C means youth have worked for pay or been self-employed for a period of at least 90 days at any time in the year since leaving high school. This includes, working in a family business (e.g., farm, store, fishing, ranching, catering services, etc.).

Appendix G: KDADS Information

Kansas Department for Aging and Disability Services Statement on Employment First

The Kansas Department for Aging and Disability Services (KDADS) is committed to advancing and supporting competitive and integrated employment as the first option for Kansans with disabilities of working age. We are committed to following the Employment First statute to share data and information across systems.

Employment First Commission Goals and Relevant KDADS Initiatives

Goal 1: *Kansas' relevant state agencies successfully execute specific strategies to fully implement the Employment First law and to ensure competitive and integrated employment of people with disabilities is fully supported in their programs, policies, procedures and funding.*

- The Kansas Department for Aging and Disability Services will continue to follow and implement Equal Employment Opportunity (EEO) policies, anti-discrimination policies, and Americans with Disability Act (ADA) policies. Specifically, in the areas of recruitment and hiring, KDADS will continue to assist employees with the Reasonable Accommodation Interactive Process and ADA policies.
- KDADS named a liaison to the Employment First Commission and attends regular meetings. The liaison has been charged with meeting the Commission members and staff as needed and to communicate the agency's considerations to the Commission.
- In a contract between CDDOs and KDADS, it is outlined that Persons who are listed on the statewide waiting list for HCBS/MRDD services, referred to RS for employment services and successfully closed from Vocational Rehabilitation Services as competitively employed, will have access to HCBS/MRDD Supported Employment waiver funding needed to successfully maintain their employment. KDADS honors that contractual obligation.

Goal 2: *Each relevant state agency has a strong and effective policy detailing how it will implement the Employment First law.*

- KDADS will continue to review all programs and services to determine the role of the Employment First policy in program implementation. Specifically, KDADS will review the recommendations made by the Employment First Workgroup on how to increase competitive and integrated employment.
- KDADS has included information about the Employment First law in its training manuals for caseworkers.

- Case managers should be aware of the Employment First initiative and develop support plans with the initiative in mind. An excerpt from the Employment First initiative follows: *'The State of Kansas will establish integrated, competitive employment as the first priority for working age people with developmental disabilities. This initiative will be called Employment First.'* Information about the Employment First initiative can be found at <http://www.srs.ks.gov/agency/css/Pages/DDWorkgroups.aspx>
- Individuals with MRDD who are in school, individuals transitioning from school, working age adults with disabilities, families, educators and providers will be made aware of options for integrated and competitive employment and related programs in a manner that is consistent with the recommendations of the initiative. Barriers to employment should be identified and addressed in support plans when appropriate.

Goal 3: *Kansas has measurable annual performance goals and outcomes with clear and meaningful benchmarks that track a number of key indicators to prove full support of competitive and integrated employment and effective implementation of the Employment First initiative, including outcomes and goals for the numbers and percentages of persons with disabilities in competitive and integrated employment.*

- While the goals of competitive and integrated employment are important, KDADS has few programs directly related to the securement of employment. Therefore, we look to the Employment First Commission to establish specific, statewide benchmarks for effective implementation of the Employment First initiative.
- KDADS will report any relevant information that can be shared in compliance with HIPAA, EEO, and ADA laws and policies.

Goal 4: *Kansas has effective, meaningful and productive collaborations among stakeholder groups and between these stakeholders and state government to support the Employment First policy and competitive and integrated employment of people with disabilities.*

- KDADS will continue to support and facilitate the Employment First Workgroup. This group is comprised of various State Agencies, representatives from work force centers, advocates, and the Community Developmental Disability Organizations (CDDOs).

The Employment First Workgroup is charged with:

- Developing a comprehensive community employment service delivery evaluation with recommendations
- Identifying barriers and disincentives to increased independence in such areas as competitive employment
- Identifying the need for a safety net for persons who lose a job
- Embracing the mission to promote adult self-sufficiency
- Reviewing Vocational Rehab's role in assisting with supported employment

- Recommending methods of improving outcomes which include financial incentives
- Studying current Employment First models in other states, that treat employment as the “default” model for adults waiting for day services
- Studying other methods of Medicaid funding such as support waivers for supported employment

In FY13, the Employment First work group will focus its efforts on reviewing and providing recommendations to KDADS, CDDOs, and other I/DD system stakeholders regarding Objective 3.2 of the Kansas Employment First Commission goals and objectives. The group will be making budget proposals regarding how to incentivize competitive and integrated employment including recommendations regarding incentivizing current HCBS rate structures.

Goal 5: *Kansas has an effective method for collecting and publishing outcomes data involving competitive and integrated employment for people with disabilities. This method tracks a variety of data, including but not limited to competitive and integrated employment data. These data are used to engage stakeholders and inform strategy and policy decisions.*

- The Employment First Workgroup will review currently available data in KDADS, DCF and KDHE regarding the numbers of persons with I/DD working in competitive, integrated settings to provide a better understanding of the numbers of persons currently working and how often they are working. Available data analysis can be shared throughout State Agencies.

Appendix H: Commerce Policy Information

Kansas Department of Commerce
Workforce Services
Policies and Procedures Manual

Policy Number: 1-14-00

Originating Office: Kansas Department of Commerce Workforce Services

Subject: Kansas Employment First Initiative Act

Issued: July 31, 2012

Program: State and federal workforce programs/services administered through or in partnership with Commerce.

Purpose: To provide awareness and definition of the Kansas Employment First Initiative Act and to transmit state policy and guidance to ensure compliance of the act

Reference: KSA 44-1136 Kansas Employment First Initiative Act and Workforce Services policies supporting said initiative including, but not limited to:

- 1-12 Equal Access for Job Seekers with Disabilities
- 1-13 Equal Opportunity Notification, Communication, and Assurance
- 4-04 **KANSASWORKS** service delivery integration and functional management

Background: KSA 44-1136 requires state programs and services to promote the employment of youth and adults with disabilities by coordinating and collaborating to ensure that state programs, policies, procedures and funding support competitive, integrated employment. The bill authorizes state agencies to adopt rules and regulations to implement the act.

Action(s): Make this policy available to all interested parties/partners of Commerce.

Contact: Questions should be directed to the Kansas Department of Commerce Disability Liaison, (785) 296-0607, TTY: (785) 296-3487, e-mail workforcesvcs@kansasworks.com

Attachment: HOUSE BILL No. 2336 (a/k/a KSA 44-1136)

Commerce: Kansas Employment First Initiative Act

Definitions

Competitive employment –work in the competitive labor market that is performed on a full-time or part-time basis in an integrated setting; and for which an individual is compensated at or above the minimum wage, but not less than the customary wage and level of benefits paid by the employer for the same or similar work performed by individuals who are not disabled.

Integrated setting – with respect to an employment outcome, a setting typically found in the community in which applicants or eligible individuals interact with non-disabled individuals, other than non-disabled individuals who are providing services to those applicants or eligible individuals, to the same extent that non-disabled individuals in comparable positions interact with other persons.

Guidance

Per KSA 44-1136 (see attachment A), Commerce shall consider *competitive* and *integrated* employment its first option when serving persons with disabilities who are of working age to obtain employment. This applies to programs and services that provide services and support to help obtain employment for persons with disabilities.

Commerce shall coordinate efforts and collaborate with other state agencies to ensure state programs, policies, procedures and funding support competitive and integrated employment of individuals with disabilities. Commerce shall also, when feasible, share data and information across systems in order to track progress toward full implementation of the act.

Commerce shall cooperate with the commission and provide information on effective strategies and policies that meet the goals and objectives of this act as well as identified barriers.

Commerce: ATTACHMENT A

HOUSE BILL No. 2336 (a/k/a KSA 44-1136)

AN ACT establishing the Kansas employment first initiative act and creating the Kansas employment first oversight commission.

Be it enacted by the Legislature of the State of Kansas:

Section 1. (a) This act shall be known as and cited as the Kansas employment first initiative act. As used in this act:

(1) "Competitive employment" means work in the competitive labor market that is performed on a full-time or part-time basis in an integrated setting; and for which an individual is compensated at or above the minimum wage, but not less than the customary wage and level of benefits paid by the employer for the same or similar work performed by individuals who are not disabled.

(2) "Integrated setting" means with respect to an employment outcome, a setting typically found in the community in which applicants or eligible individuals interact with non-disabled individuals, other than nondisabled individuals who are providing services to those applicants or eligible individuals, to the same extent that non-disabled individuals in comparable positions interact with other persons.

(b) It is hereby declared to be the policy of the state of Kansas that competitive and integrated employment shall be considered its first option when serving persons with disabilities who are of working age to obtain employment. This policy applies to programs and services that provide services and support to help obtain employment for persons with disabilities. All state agencies shall follow this policy and ensure that it is effectively implemented in their programs and services. Nothing in this section shall be construed to require any employer to give preference to hiring people with a disability.

Sec. 2. (a) All state agencies shall coordinate efforts and shall collaborate within and among such agencies to ensure that state programs, policies, procedures and funding support competitive and integrated employment of individuals with disabilities. All state agencies shall, whenever feasible, share data and information across systems in order to track progress toward full implementation of the act. (b) State agencies are authorized to adopt rules and regulations to implement this act.

Sec. 3. (a) There is hereby established a Kansas employment first oversight commission consisting of five members. The commission shall consist of the following members who shall serve for a three-year term:

(1) Four members who are persons with a disability or who are knowledgeable of disability issues and who are not state employees, of whom:

(A) One shall be appointed by the speaker of the house of representatives;

(B) one shall be appointed by the minority leader of the house of representatives;

(C) one shall be appointed by the president of the senate; and

(D) one shall be appointed by the minority leader of the senate;

(2) one member who is experienced with employment service programs and who is not a state employee shall be appointed by the governor.

(b) The governor shall designate one member to convene and organize the first meeting of the commission at which the commission shall elect a chairperson and a vice-person from among its members. The commission shall meet at least four times a year and, additionally, whenever called by the chairperson. A quorum shall consist of three members. All actions of the commission shall be taken by a majority of the members of the commission.

(c) Each member of the commission shall be paid mileage and other expenses as provided by K.S.A. 75-3212, and amendments thereto.

(d) The commission shall establish measurable goals and objectives for the state of Kansas to ensure implementation of this act. The commission shall track the measurable progress of public agencies in implementing this act. All state agencies shall fully cooperate with and provide data and information to assist the commission in carrying out its duties.

(e) The commission shall issue an annual report on or before January 1 each year which shall be presented to the governor and members of the state legislature. The report shall detail progress toward the goals and objectives and full implementation of this act. All state agencies shall cooperate with the commission on the creation and dissemination of the annual report. The report also shall identify barriers to achieving the outcomes along with the effective strategies and policies that can help realize the employment first initiative.

(f) The governor shall select from the cabinet agencies the lead agency responsible for compiling data and coordinating the preparation of the annual report at the direction of the commission. The activities of the commission and lead agency pursuant to this section shall be done within existing grants and resources.

Sec. 4. This act shall take effect and be in force from and after its publication in the statute book.

Department of Commerce
Employment First Goals and Objectives Worksheet
For use by Agencies and Agency Liaisons

Goal 1: Kansas' relevant state agencies successfully execute specific strategies to fully implement the Employment First law and to ensure competitive and integrated employment of people with disabilities is fully supported in their programs, policies, procedures and funding.

4. What program(s) already exists within your agency that impact employment for working age persons with disabilities?

The Kansas Department of Commerce administers the KANSASWORKS workforce system, which links businesses, job seekers, educational institutions and training providers to ensure the state's workforce is equipped to meet industry needs. The system includes workforce centers located throughout the state to connect Kansas businesses with job seekers in their area.

In 2010, the Kansas Department of Commerce received a grant from the United States Department of Labor to implement the Kansas Disability Employment Initiative (Kansas DEI). The Kansas DEI will build upon past successes to develop and implement sound recruiting, training and placement practices for people with disabilities. Program partners will provide services, resources and support for program participants. The goal of the Kansas DEI is to create systemic and sustainable change in the way the workforce system serves individuals with disabilities. The DEI is a comparison grant implemented in Local Workforce Investment Area IV in South Central Kansas and Local Workforce Investment Area V in Southeast Kansas. The Kansas DEI is a three year grant and is scheduled to end September 30, 2013.

The five Strategic Service Delivery Components designed in this grant are: Integrated Resource Teams (IRTs), Integrating Resources and Services, Self-Employment, Asset Development Strategies and Partnership & Collaboration. In addition, key components of the Kansas DEI are:

Kansas Department of Commerce became an Employment Network (EN) which allows workforce centers in the implementing areas to assign the Ticket To Work from individuals receiving SSI or SSDI

The development of Business Leadership Networks (BLNs) for businesses and employers to provide networking opportunities and share best practices for maximizing the implementation and impact of including people with disabilities as part of a sound diversity strategy

The development of Provider Leadership Networks (PLNs) which is a parallel organization made up of social service organizations seeking to improve employment of people with disabilities.

The School for Adaptive Computer Training (SACT) which is devoted to improving marketable computer skills for people with disabilities and is administered by Cerebral Palsy Research Foundation (CPRF).

Supported Employment Opportunities

On the Job Training (OJT) Opportunities

5. What strategies have you implemented to ensure that competitive integrated employment is the first option?

The KANSASWORKS workforce system provides assistance to any individual, including individuals with disabilities, who seek access to our services. KANSASWORKS provides information for full-time, part-time or self-employment opportunities that are competitive and integrated. None of our services are provided for sheltered workshop type employment.

The Kansas Department of Commerce has drafted a Workforce Services Policy, Number 1-14-00 to provide awareness and definition of the Kansas Employment First Initiative Act and to transmit state policy and guidance to ensure compliance of the act.

6. What is your agency's plan to develop new strategies and what is your timeline for implementation of those strategies?

Commerce will continue to make this policy available to all interested parties/partners of Commerce.

An Employer Incentive Program, passed during the 2012 legislative session, which will provide companies with an incentive for hiring eligible persons with disabilities, will be administered by Commerce. Commerce will collaborate with DCF for referrals and to help secure permanent, competitive and integrated employment for non-incumbent workers with disabilities who are receiving VR and Medicaid services.

Goal 2: Each relevant state agency has a strong and effective policy detailing how it will implement the Employment First law.

3. What policy(s) already exists for your agency to ensure that competitive and integrated employment is the first option?

The Americans with Disabilities Act (ADA), the Workforce Investment Act (WIA), the U.S. Department of Labor (USDOL) Regulations 29 CFR Part 37, and Kansas State statute clearly require architectural and program access in the workforce centers. The Kansas Department of Commerce fully complies with these regulations and has Workforce Services Policies in place and publicly available for review. As stated above, the Kansas Department of Commerce has drafted a Workforce Services Policy, Number 1-14-00 to provide awareness and definition of the Kansas Employment First Initiative Act and to transmit state policy and guidance to ensure compliance of the act. This policy references KSA 44-1136 Kansas Employment First Initiative Act and Workforce Services policies supporting said initiative including, but not limited to:

1-12 Equal Access for Job Seekers with Disabilities

1-13 Equal Opportunity Notification, Communication, and Assurance

4-04 KANSASWORKS service delivery integration and functional management

4. If your agency doesn't have a specific policy ensuring competitive and integrated employment, what is your agency's plan and timeline to develop a new policy(s) that will comply with the law?

N/A

Goal 3: Kansas has measurable annual performance goals and outcomes with clear and meaningful benchmarks that track a number of key indicators to prove full support of competitive and integrated employment and effective implementation of the Employment First initiative, including outcomes and goals for the numbers and percentages of persons with disabilities in competitive and integrated employment.

4. What indicators related to employment for persons with disabilities do your agency currently monitors, collect data, and/or track?

The **KANSASWORKS** Management Information System (MIS) collects data from Local Workforce Investment Board Areas, and throughout the state, on people with disabilities who Enter Employment, Retain Employment and the average wage earned.

5. What are the current annual performance goals and outcomes established by your agency to evaluate these key indicators?

Commerce does not set goals or outcomes for the services we provide individuals with disabilities. WIA and Wagner Peyser (WP) require that services are provided to everyone regardless to their circumstances. Therefor our performance measures apply to everyone, not to specific sub populations.

6. The Commission has a requirement to establish measurable goals and objectives on competitive and integrated employment of people with disabilities. For the indicators and data your agency either currently tracks or plans to track, what are the goals and objectives for your agency that you recommend to the Commission?

Commerce has no plans to set goals or objectives for the services we provide to individuals with disabilities.

Goal 4: Kansas has effective, meaningful and productive collaborations among stakeholder groups and between these stakeholders and state government to support the Employment First policy and competitive and integrated employment of people with disabilities.

2. Describe the collaboration you have had with stakeholders, including self-advocates and consumers, regarding your agencies implementation of the Employment First policy.

The **KANSASWORKS** State Board and Local Workforce Investment Boards hold regular meetings that are open to the public where stakeholders, including self-advocates, can engage and participate.

Goal 5: Kansas has an effective method for collecting and publishing outcomes data involving competitive and integrated employment for people with disabilities. This method tracks a variety of data, including but not limited to competitive and integrated employment data. These data are used to engage stakeholders and inform strategy and policy decisions.

1. How does your agency currently disseminate and/or publish data related to employment for people with disabilities?

KANSASWORKS data is listed in our annual report and state plan which are available to the public on the **KANSASWORKS** State Board website www.kansasworksstateboard.org

2. How does your agency use data to engage stakeholders in order to make better strategy and policy decisions regarding Employment First?

Commerce engages stakeholders through the **KANSASWORKS** State Board.

All state plans and policies are posted for public comment which are used to modify plans and policies as determined by Commerce and the **KANSASWORKS** State Board.

3. For data your agency plans to collect in the future, what dissemination and/or publication strategy will you use?
See Above

4. What examples has your agency engaged in to share data and information across systems and agencies regarding employment of people with disabilities?
Commerce shares all of our WIA and WP data with the US Department of Labor (DOL) and State DOL.

We are engaged with KDCF, Health & Environment, Department of Education and Kansas Board of Regents to generate funding to develop data sharing capabilities, and to come to agreement on sharing data across systems.

Appendix I: Department of Administration; Use Law Policy

Policy Statement regarding the Employment First Initiative by the Kansas State Use Committee

Whereas the State of Kansas Legislature passed the Employment First Initiative (KSA 44-1136) during its 2011 Session, and

Whereas the Kansas State Use Committee (the "Committee") is an entity established by the Kansas Legislature (KSA 75-3317 *et seq.*); and

Whereas the Committee has developed ***New Vendor Criteria*** for organizations who wish to become a qualified vendor and participate in the State Use Program; and

Whereas the Committee recognizes that many organizations (including qualified vendors) strive to provide competitive and integrated employment opportunities within their organizations and within their communities.

Therefore, let it be known that:

At its June 8, 2012 meeting, the Committee favorably considered a resolution supporting the Kansas Employment First Initiative, which includes the following concepts:

- *Current or Potential Qualified Vendors who employ individuals in a non-integrated setting paying less than minimum wage under a Federal Department of Labor Special Minimum Wage Certificate should consider opportunities to develop and offer employment programs to assist the persons they serve to become employed in competitive employment in a regular business setting;*
- *Current or Potential Qualified Vendors who employ individuals in a non-integrated setting paying less than minimum wage under a Federal Department of Labor Special Minimum Wage Certificate should provide services under a person centered plan and within that plan document that the individual was offered the choice of pursuing employment as an alternative to continuing their present program.*

Furthermore, at its August 9, 2012 meeting, the Committee favorably considered a resolution adding the following expectation to its New Vendor Criteria for any community organization which requests acceptance as a qualified vendor within the Kansas State Use Program:

- *Provide a statement which discusses the agency's current efforts related to the Employment First Initiative which advocates providing assistance to individuals with disabilities become employed at competitive wages in integrated settings.*

Steven Gieber, Chairman
Kansas State Use Committee

Date

Kansas State Use Committee
New Vendor Criteria

Legislative Definition

KSA 75-3317

"Qualified vendor" means a not-for-profit entity incorporated in the state of Kansas that:

1. Primarily employs the blind or disabled;
2. is operated in the interest of and for the benefit of the blind or persons with other severe disabilities, or both;
3. the net income of such entity shall not, in whole or any part, financially benefit any shareholder or other individual; and
4. such qualified vendor's primary purpose shall be to provide employment for persons who are blind or have other severe disabilities;

State Use Committee - Expectations and documentation required for acceptance as a State Use Vendor.

1. IRS determination letter confirming **501(c)(3) status**;
2. **Articles of Incorporation** stating the agency's purpose; articles shall be certified by Kansas Secretary of State;
3. Current **Agency By-Laws** which indicate that no part of the **net earnings** will accrue to the benefit of employees, directors, etc.;
4. Products / Services must be **manufactured / performed and offered by Kansans**;
5. Provide **samples of agency literature** which demonstrate how the agency portrays people with disabilities and / or endorsement of its nonprofit mission;
6. Documentation of ratio of **direct labor** required to produce the goods / services offered: Persons with disability vs. persons without disability;
7. **Provide a statement which discusses the agency's current efforts related to the Employment First Initiative which advocates providing assistance to individuals with disabilities become employed at competitive wages in integrated settings.**
8. Any proposed product / service offerings must be:
 - o **Quality products** and services that are applicable to the needs of customers
 - o At **prices competitive** with the open market;
 - o Delivery Terms that are consistent with and competitive with those available in the open market and in line with the needs of customers
9. **Visitation by at least one member of the State Use Committee** to the agency prior to acceptance as a qualified State Use Vendor.

Original Criteria Approved by State Use Committee March 9, 2006. Modifications to Criteria approved by State Use committee August 9, 2012

Appendix J: Department for Children and Families Information

Rehabilitation Services
915 SW Harrison St., 9th Floor North
Topeka, KS 66612



Phone: (785) 368-7471
Fax: (785) 368-7467
TDD: (785) 368-7478
www.dcf.ks.gov

Phyllis Gilmore, Secretary

Sam Brownback, Governor

August 31, 2012

Rocky Nichols, Chairman
Kansas Employment First Oversight Commission
c/o 900 S.W. Jackson St.,
Room 100A
Topeka, KS 66612-1354

Dear Mr. Nichols,

This correspondence is in response to your letter to me dated July 31, 2012. In your letter you inquire as to the Department for Children and Families' (DCF) progress in implementing the Employment First Oversight Commission's (Commission) goals and objectives, especially objective 2.1. You specifically mention several other objectives and the associated timelines the Commission is requiring of state agencies.

As you are aware DCF has undergone significant changes beginning July 1, 2012 and no longer operate any Medicaid programs. At this time DCF has only two programs that provide services and supports to individuals with disabilities to enter competitive integrated employment and those are the Vocational Rehabilitation program and the Temporary Assistance to Needy Families. As I'm sure you know, both of these programs are specifically focused on ensuring clients enter the workforce in competitive integrated settings.

The Department for Children and Families intends to fulfill its obligations under K.S.A. 44-1136. Because DCF's two employment programs already comply with the Employment First policy as stated in the statute we do not see a need for a new policy as demanded in your July 31, 2012 letter.

The Department of Children and Families regularly publishes updates and progress reports for the legislature and public. If the Commission would like an update on these employment programs, the Department would be happy to provide them.

Unfortunately I cannot attend your September 7, 2012 meeting due to other work obligations.

Sincerely,

A handwritten signature in black ink that reads "Michael Donnelly". The signature is written in a cursive style with a prominent flourish at the end.

Michael Donnelly
Director

Mr. Rocky Nichols
August 31, 2012
Page 2 of 2

CC: Phyllis Gilmore, Secretary
Kathe Decker, Deputy Secretary of Family Services

Appendix K: Department of Health and Environment Information

Curtis State Office Building
1000 SW Jackson St., Suite 540
Topeka, KS 66612-1367

Robert Moser, MD, Secretary



Department of Health & Environment

Phone: 785-296-0461
Fax: 785-368-6388
www.kdheks.gov

Sam Brownback, Governor

August 31, 2012

Rocky Nichols
Chair, Employment First Oversight Commission
c/o 900 SW Jackson, Room 100A
Topeka, KS 66612-1354

Dear Mr. Nichols:

In response to your July 31, 2012 letter, I wanted to thank you for the opportunity to participate as a liaison to the Employment First Oversight Commission and to discuss many important issues related to disability employment. Specifically, you requested the Kansas Department of Health and Environment's (KDHE) policy which implements the Employment First Initiative Act.

KDHE is firmly committed to working on these issues and complying with the Employment First Initiative Act as appropriate for the agency. Further, we recognize the importance of sharing data across state agencies in order to ensure the most effective service to the citizens of Kansas.

We are continuing to study the goals of the Employment First Initiative Commission and developing policy ideas which may efficiently implement those aims. We look forward to continuing to work with you in the future.

Regards,

A handwritten signature in cursive script that reads "Nathan Bainbridge".

Nathan Bainbridge

Appendix L: 2013 Employment First Goals and Objectives for State Agencies

2013 Goals and Objectives for State Agencies to Ensure Effective Fully Implementation of the Employment First Initiative:

Employment First: the Law in Kansas and the First Law of its Kind in the United States –

In 2011, the Kansas Legislature became the first state in the nation to pass an Employment First policy into law. KSA 44-1136 requires competitive and integrated employment as the first option for services for people with disabilities. The law sets up a five member Employment First Oversight Commission, tasked to establish the measurable Goals and Objectives for state agencies to follow that will ensure effective implementation of the Act.

The Four Key Requirements in the Employment First Law:

- **Competitive and Integrated Employment is the First Option** – Competitive, integrated employment must be the first option when providing services or supports to people with disabilities. This requirement is often called by the term “Employment First” (meaning that programs and services start with competitive, integrated employment as the FIRST option).
 - “It is hereby declared to be the policy of the state of Kansas that competitive and integrated employment shall be considered its first option when serving persons with disabilities who are of working age to obtain employment.”
- **Policy is Effectively Implemented in all Programs and Services** – All state agencies must follow Employment First and ensure it is effectively implemented in all programs and services.
 - “All state agencies shall follow this policy and ensure that it is effectively implemented in their programs and services.”
- **State Programs, Policies, Procedures and Funding Support Competitive and Integrated Employment** – All state agencies must coordinate efforts and collaborate to ensure that all state programs, policies, procedures and funding support competitive and integrated employment of individuals with disabilities.
 - “All state agencies shall coordinate efforts and shall collaborate within and among such agencies to ensure that state programs, policies, procedures and funding support competitive and integrated employment of individuals with disabilities.”
- **Data Sharing** – All state agencies share data and information across systems in order to better track outcomes and success under Employment First.
 - “All state agencies shall, whenever feasible, share data and information across systems in order to track progress toward full implementation of the act.”

2013 Goals with Objectives for Kansas on Employment First

Organized Under Each of the Four Key Requirements

Competitive and Integrated Employment is the First Option (Key Requirement)

Goal 1: Kansas' relevant state agencies successfully execute specific strategies to fully implement the Employment First law and to ensure competitive and integrated employment of people with disabilities is fully supported in their programs, policies, procedures and funding.

Objectives for Goal 1:

Objective 1.1 – 100% of relevant state agencies will plan for and begin the execution of strategies under this goal, as indicated by reporting such to the Commission by April 8, 2013. The relevant state agencies that provided data and information to the Commission specific to this Objective during 2012 can update this information as appropriate. The remaining agencies that did not provide data and information for this 2012 report can compile and submit this information before April 8, 2013.

Objective 1.2 – Kansas will score at least a four (4) on the following standard of the Kansas Scorecard document by December 31, 2013: “Kansas relevant state agencies successfully execute specific strategies to fully implement the Employment First law and to ensure competitive and integrated employment of people with disabilities is fully supported in their programs, policies, procedures and funding.” (Kansas Scorecard, Standard #4)

Policy is Effectively Implemented in all Programs and Services (Key Requirement)

Goal 2: Each relevant state agency has a strong and effective policy detailing how it will implement the Employment First law.

Objectives for Goal 2:

Objective 2.1 – 100% of relevant state agencies will develop an effective, publicly-available, written policy detailing how it will implement the law by April 8, 2013 (over 21 months the law went into effect). This policy will detail how each relevant state agency is fully implementing the four key requirements of the Employment First law (see page one of this document for listing). For example, for all impacted programs or services within the relevant state agency, how are they ensuring and tracking that competitive, integrated employment is always offered as the first option to people with disabilities of working age. The state agencies that have

provided the Commission their policy in 2012 can update the policy as appropriate. The other state agencies that did not provide their policy can do so prior to April 8, 2013.

Objective 2.2 – Kansas will score a four (4) on the following standard of the Kansas Scorecard document by December 31, 2013: “Each relevant state agency has a strong and effective policy detailing how it will implement the Employment First law.” (Kansas Scorecard, Standard #2)

Objective 2.3 – Kansas will score at least a three (3) on the following standard of the Kansas Scorecard document by December 31, 2013: “Relevant state agencies will enter into formal interagency agreements to successfully implement, track and support the Employment First policy and competitive and integrated employment.” (Kansas Scorecard, Standard #6)

State Programs, Policies, Procedures and Funding Support Competitive and Integrated Employment (Key Requirement)

Goal 3: Kansas has measurable annual performance goals and outcomes with clear and meaningful benchmarks that track a number of key indicators to prove full support of competitive and integrated employment as well as effective implementation of the Employment First initiative. This includes outcomes and goals for the numbers and percentages of persons with disabilities in competitive and integrated employment.

Objectives for Goal 3:

Objective 3.1 – 100% of relevant state agencies will provide to the Employment First Oversight Commission any data or information related to the current goals, benchmarks, or outcomes they current use for employment, as well as any suggestions of which goals, benchmarks or outcomes should be established for the future by June 3, 2013. The Commission will use this information and establish the measurable goals, benchmarks and outcomes for state agencies Employment First (target date for draft version is by October 1, 2013, final version is due by December 31, 2013).

Objective 3.2 – Kansas will score at least a four (4) on the following standard of the Kansas Scorecard document by December 31, 2013: “Kansas has measurable annual performance goals and outcomes with clear and meaningful benchmarks that track a number of key indicators to prove full support of competitive and integrated employment and effective implementation of the Employment First initiative, including outcomes and goals for the numbers and percentages of persons with disabilities in

competitive and integrated employment.” (Kansas Scorecard, Standard #1)

Objective 3.3 – Kansas will score at least a five (5) on the following standard of the Kansas Scorecard by December 31, 2013: “Kansas’ relevant state agencies aggressively pursue resources to support innovation in competitive/integrated employment services and to better advance and implement the Employment First initiative.” (Kansas Scorecard, Standard #7)

Objective 3.4 – Kansas will score at least a four (4) on the following standard of the Kansas Scorecard by December 31, 2013: “Kansas has effective strategies for supporting Kansans with disabilities to achieve economic self-sufficiency as direct part of supporting competitive and integrated employment.” (Kansas Scorecard, Standard #9)

Objective 3.5 – Kansas will score at least a four (4) on the following standard of the Kansas scorecard by December 31, 2013: “Adequate resources are readily available to Kansas transition-age students, individuals waiting for services and their families, and individuals currently served in non-integrated and non-competitive settings in order to encourage them to choose competitive integrated employment over other options.” (Kansas Scorecard, Standard #8)

Goal 4: Kansas has effective, meaningful, and productive collaborations among stakeholder groups and between these stakeholders and state government to support the Employment First policy and competitive and integrated employment of people with disabilities.

Objectives for Goal 4:

Objective 4.1 – 100% of relevant state agencies will have effective collaborations with stakeholder groups, including self-advocates and consumers, as indicated by reporting to the Commission by June 3, 2013. The agencies that reported this to the Commission in 2012 can update it as appropriate. The agencies that did not can report such by this date. Indicators of success toward this objective may include but not be limited to:

- Appointment of at least one lead agency staff member to a collaboration workgroup, made up of relevant state agencies and representatives of stakeholder groups
- Regular meetings of this collaboration workgroup with regular attendance by state agency designees

- Effectively utilizing this collaboration workgroup to discuss meaningful topics, vet important Employment First issues, and create engagement opportunities
- Using this collaboration workgroup as a conduit to discuss the success of the past two Employment First statewide conferences and how the State can build on this success in the future
- 80% of stakeholders indicating overall satisfaction with the meaningfulness of their participation as well as the participation by relevant state agency in the collaboration workgroup through an independent survey conducted by the Employment First Oversight Commission.

Objective 4.2 – Kansas will score at least a three (3) on the following standard of the Kansas Scorecard document by December 31, 2013: “Kansas has effective, meaningful and productive collaborations among stakeholder groups and between these stakeholders and state government to support the Employment First policy and competitive and integrated employment of people with disabilities.” (Kansas Scorecard, Standard #5)

Data Sharing (Key Requirement)

Goal 5: Kansas has an effective method for collecting and publishing outcomes data involving competitive and integrated employment for people with disabilities. This method tracks a variety of data, including, but not limited to competitive and integrated employment data. These data are used to engage stakeholders and inform strategy and policy decisions.

Objectives for Goal 5:

Objective 5.1 – 100% of relevant state agencies will collect and regularly publish outcomes data *specific to competitive and integrated employment* under this Goal by September 1, 2013. The agencies that reported such information in 2012 can update their data and information specifically in regards to competitive and integrated employment data. The agencies that did not report this in 2012 can report such information. The Commission will make a recommendation regarding publishing and collecting outcomes data involving competitive and integrated employment by December 31, 2013.

Objective 5.2 – 100% of relevant state agencies will use these data to engage stakeholders and is effectively integrated into making better strategy and policy decisions by state agencies, as indicated by reporting such to the Commission by September 1, 2013. The agencies that reported this information in 2012 can update their information accordingly.

The agencies that did not report this in 2012 can report such information by this date.

Objective 5.3 –Kansas will score at least a three (3) on the following standard of the Kansas Scorecard document by December 31, 2013: “Kansas has an effective method for collecting and publishing outcomes data involving competitive and integrated employment for people with disabilities. This method tracks a variety of data, including but not limited to competitive and integrated employment data. These data are used to engage stakeholders and inform strategy and policy decisions.” (Standard #3)

Objective 5.4 – The Disability Subcabinet will take a leadership role to bring together a cross-agency data working group (or some other appropriate method) to examine how to better share data across agencies and systems, as well as examining opportunities to have a more integrated data system to ensure implementation of the data sharing requirements of the law and better sharing of data. KCDC, as the agency appointed by the Governor to work directly with and staff the Commission, will facilitate discussions and facilitate a report back to the Commission on this Objective by October 1, 2013.

Further explanation about the above goals and how they tie back to the four key requirements of the law –

For each of the above goals, the Commission list one of the four key requirements that it believes is the most directly applicable to the goal. However, most of the goals are tied to more than one of the four key requirements. For ease of reference, this report simply lists the key requirement that is most closely tied to the goal. Additionally, the law has other requirements of State agencies and the Employment First Oversight Commission above and beyond the four key requirements listed. These other requirements provide additional context and justification.

Note: As used in this document, the term “relevant state agency” means those state agencies services, functions or support impacted by the act. This includes, but is not limited to, services and supports such as job placement, supported employment, vocational rehabilitation, workforce centers, job coaching, transition services for youth in special education and related services, etc. The law requires “all state agencies” to comply with the law. However, many state agencies do not have applicable services, supports or functions for people with disabilities. At this time, the Employment First

Oversight Commission believes that the relevant state agencies include at least the following:

- *Kansas Department for Children and Families (formerly Kansas Dept. of Social and Rehabilitation Services)*
- *Kansas Department for Aging and Disability Services (formerly Kansas Dept. on Aging)*
- *Kansas Department of Health and Environment*
- *Kansas Department of Commerce*
- *Kansas State Department of Education*
- *Kansas Department on Administration*

Appendix M: 2013 Barriers and Effective Strategies

Employment First Oversight Commission

2013 Barriers, Effective Strategies and Policies Regarding Employment First

The law requires that the Employment First Commission “shall identify barriers to achieving the outcomes along with the effective strategies and policies that can help realize the Employment First initiative.”

These barriers and strategies are across all disabilities. While these barriers and strategies may not represent every one that possibly exists, they represent the majority of barriers and corresponding strategies.

Competitive and Integrated Employment is the First Option (Key Requirement)

Goal 1: Kansas' relevant state agencies successfully execute specific strategies to fully implement the Employment First law and to ensure competitive and integrated employment of people with disabilities is fully supported in their programs, policies, procedures and funding.

Examples of Barriers include:

- Competing priorities within and between current systems
- Disincentives to integrated employment
- Lack of capacity for implementation (multiple elements)
- Lack of access to effective, professional, supported employment services statewide.
- Misperceived focus on developmental disabilities only and not all disability groups.

Examples of Strategies include:

- Identify and address competing priorities within and between current systems
- Increase the use of existing incentives and develop new incentives
- Invest in broad-based training and technical assistance for all stakeholders.
- Establish a qualified workforce of employment support professionals.
- Promote grass-roots participation and active involvement of all disability groups, including those with the most severe disabilities through outreach, dissemination, education, and peer mentoring.

Policy is Effectively Implemented in all Programs and Services (Key Requirement)

Goal 2: Each relevant state agency has a strong and effective policy detailing how it will implement the Employment First law.

Examples of Barriers include:

- Lack of information to agencies about Employment First Law
- Policies not fully in sync with Employment First Law within agencies.
- Mechanism not in place to assure congruency in policy across different service systems.
- Confusion among state agencies as to their role and responsibilities.
- Logistical challenges associated with liaison appointments and authority.

Examples of Strategies include:

- Educate relevant state agency policy makers about the Employment First Law.
- Provide technical assistance as state agencies review, align, and/or develop, and implement policies for the Employment First Law.
- Implement flexible and fluid policies via collaboration between agencies.
- Facilitate work group networking among state agency liaisons.
- Develop tools to guide planning.

State Programs, Policies, Procedures and Funding Support Competitive and Integrated Employment (Key Requirement)

Goal 3: Kansas has measurable annual performance goals and outcomes with clear and meaningful benchmarks that track a number of key indicators to prove full support of competitive and integrated employment as well as effective implementation of the Employment First initiative. This includes outcomes and goals for the numbers and percentages of persons with disabilities in competitive and integrated employment.

Examples of Barriers include:

- Transportation is required to get and keep a job. However, this is lacking in most communities.
- Agencies lack clear and meaningful benchmarks to identify and track outcomes related to Employment First.
- Agencies use of minimum compliance to law and program requirements inhibits the effectiveness of services.
- Emphasis on the status quo and not establishing new goals and benchmarks.

Examples of Strategies include:

- Work with policymakers to prioritize public transportation.
- Determine key indicators and share with other agencies for optimal implementation.
- Establish and share expectations for best practices that support Employment First.
- Provide information and resources on evidence-based practices to assist in determining new goals and benchmarks.

Goal 4: Kansas has effective, meaningful and productive collaborations among stakeholder groups and between these stakeholders and state government to support the Employment First policy and competitive and integrated employment of people with disabilities.

Examples of Barriers include:

- Stakeholder groups are inconsistently working together in a strategic manner for the purpose of implementing Employment First.
- Not all necessary constituency stakeholders are effectively engaged with state agencies regarding Employment First.
- All stakeholders are not receiving information in a useable and meaningful method and format.

Examples of Strategies include:

- Utilize workgroups to discuss meaningful topics, vet important Employment First issues, and create engagement opportunities.
- Create mechanisms for ongoing customer input and collaboration to the relevant Employment First agencies.
- Conduct outreach and dissemination of all information to stakeholders around the state.

Data Sharing (Key Requirement)

Goal 5: Kansas has an effective method for collecting and publishing outcomes data involving competitive and integrated employment for people with disabilities. This method tracks a variety of data, including, but not limited to, competitive and integrated employment data. These data are used to engage stakeholders and inform strategy and policy decisions.

Examples of Barriers include:

- No viable method currently exists of consistently and systemically collecting, sharing, and tracking employment outcome data across systems and across relevant state agencies.
- Realignment of state agencies and other issues have made full implementation of the act difficult and limited the ability of all relevant state agencies to show concrete, measurable progress proving successful implementation of the act.
- Depending on the Goal or Objective, upwards of 50% of the relevant state agencies have not provided data or information to the Commission to prove successful implementation of the various Goals and Objectives established pursuant to this law. Until this happens, a significant barrier will exist to fully implementing the Employment First law.

Examples of Strategies include:

- Evaluate current data management systems measuring employment within state agencies.

- Determine gaps that exist in the data systems that are needed to implement Employment First.
- Establish a consistent system for reporting outcomes related to Employment First.