

## 2002 Leadership Challenges on Employment Policy

Audio Conference Series



## Section 188 - Non-Discrimination and Equal Opportunity

May 23, 2002

### Featured speakers:

*Moderator:* Michael Morris  
Director, RRTC on Workforce Investment and Employment Policy for Persons with  
Disabilities

Gregory T. Shaw  
Chief, Office of External Enforcement, Civil Rights Center  
U.S. Department of Labor

Evelyn Rodrigues (invited)  
Department of Employment Security, Washington State

Robert Silverstein  
Director of the Center for the Study and Advancement of Disability Policy

*For information about other audio conferences in this series or to listen to the archive of this  
conference, go to the following Web address:*

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**Michael Morris:** Thank you everyone for joining us today. My name is Michael Morris and I am the Director of the Rehabilitation Research and Training Center on Workforce Investment and Employment Policy for Person's with Disabilities. The Center is a joint effort with the University of Iowa College of Law, Center for Law, Health Policy and Disability. That center works in collaboration with the Center for the Study and Advancement of Disability Policy and Bobby Silverstein, one of our speakers today in Washington DC, also the Heldridge Center and Rutgers University. As well as Individuals with George Washington University.

The purpose of this audio-conference is to focus on Section 188, within the Workforce Investment Act. This is the fifth of seven in our audio-conference series, which we have called Leadership Challenges on Employment Policy Related to Persons with Disabilities. This call today will bring you some of our most important experts from around the country. We have with us today, Gregory Shaw, Chief of the Office of External Enforcement, the Civil Rights Center at the U.S. Department of Labor. We have also Evelyn Rodriguez, who is the EEO, Lead Officer with the Department of Employment Security, for the state of Washington. We have as well Robert Silverstein, (Bobby Silverstein) who as I mentioned is the Director for the Center for the Study and Advancement of Disability Policy.

Section 188 is our focus; we hope that we will be able to provide you both a perspective at a national level, a perspective from a state level and also an outside expert perspective through Mr. Silverstein.

Let me first turn to Bobby for providing us a framework for discussion of Section 188, and after Bobby I will then turn to Gregory Shaw. Bobby?

**Bobby Silverstein:** Thank you Michael. What I would like to do for about five to ten minutes is to kind of lay a thematic framework for our discussion. Section 188 deals specifically with non-discrimination on various basis. Our focus is on non-discrimination and equal opportunity for people with disabilities. But the major theme that I want to urge in my first five to ten minutes is to not look at this just as a issue for people with disabilities, but to look at what we are going to be saying in terms of establishing universal design features for a fully inclusive Workforce Investment system. In other words, after twenty or thirty years of working in disability policy, there are a number of broad principles and themes that have been developed and it is my opinion that these themes are not disability specific. They can be used to develop a generic system that provides for universal access--for all people. To summarize, I want to try to look at and identify a number of universal themes for making One-Stops and the One-Stop system, Workforce Investment System meaningfully and effectively available for all folks who use it.

When we talk about disability policy, we're basically saying that all people, including people with disabilities should be able to benefit from a program or service. In this case, Workforce services provided by the Workforce Investment system. Diversity is a

reality and it is good. Disability, like race, and gender is a natural and normal part of the human experience that in no way should diminish a person's right to fully participate in all aspects of One-Stops. When we say all, we mean all. In order to ensure that all people, including those with disabilities have access. There are certain basic goals that we must achieve. Equality of opportunity, full participation, community and independent living and economic self-sufficiency; these are the broad themes that in my opinion are universal and although they apply specifically with people with disabilities, can be used as the basis for judging the access for all people to One-Stops. Equality of opportunity has three components: Individualization, effective and meaningful opportunity, inclusion and integration. What we mean by individualization is that decisions should be made on a case by case basis, based on facts, based on object of evidence, based on state of science and a persons needs and preferences, not administrative convenience and not fear, ignorance and prejudice.

So, the first principle of Equality of Opportunity is Individualization. Judge people based on; facts and objective evidence, not generalizations and stereotypes. Second is effective and meaningful opportunity. Equal opportunity, that is the same services, does not always work. Sometimes we must make adjustment of accommodations for people in order to ensure that that opportunity is effective. To speak to a person who is hearing impaired is equal opportunity. They have the opportunity--you are speaking to them, but if you do not have an interpreter or another mode to ensure that the person understand what you are saying, that opportunity is not effective. So, the standard is not the same services, the standard is effective and meaningful services. The third concept is inclusion and integration. People should not be unnecessarily isolated or segregated. One should not assume because you have a disability, that automatically there should be a referral to Vocational Rehabilitation. There are many people with disabilities who can benefit from the generic service system.

The second goal is Full Participation. The concept here is that people, consumers should be involved in decision affecting their lives and they should be involved at the policy-making level as well. So, what we are talking about is real and informed choice, self-determination, empowerment, self-advocacy in order to insure that individuals fully participate in decisions affecting their life.

The third is Community and Independent Living. That the goal, that the outcome, one of the outcomes of our public policy must be to insure that folks can live independently in the community. In some cases, with necessary long-term services and supports if required, such as personal assistance services, assisted technology.

The fourth; Economic Self-Sufficiency. The goal should be a productive individual commiserate with their abilities to recognize the variations in disability. Some people can work full time, other people part time, some people can work some of the time and then because of their disability are not able to work. We need to recognize the various characteristics of people with disabilities.

If these are the essential goals of ensuring access for all people, how do we achieve that? Here it is important to look at what we call methods of administration. Does the infrastructure support these objectives? Looking at the planning documents that we prepare, do a needs assessment. Do we understand the multiplicity of needs of the constituency groups that we are trying to serve? Do we know what the inventory of existing programs? What is the prevalence of people with special needs? We need to be able to have a strategic plan that has goals and measurable objectives and action steps and quality performance measures as well as budgets. But then let's look at some of the other things that are critical to ensure that we achieve the goals of equality of opportunity full participation, independent living and economic self-sufficiency.

We need to look at things like Outcome Performance Measures. Do the measures that are used encourage the One-Stops to serve those with more significant disabilities, or with they be "punished" based on the outcome performance measures by serving those with more significant needs and more significant barriers? The finance system: if we use eligible providers, do we reimburse them in a way that will allow them to stay in business, or are we encouraging them to cream and only serve those that have modest needs. Some people with disabilities need reasonable accommodations. That may cost something. Does the reimbursement scheme established take those issues into consideration?

Interagency collaboration. Are folks using the expertise of others in the state who understand and have knowledge about how to serve people with disabilities, how to serve needs assessments, how to develop reimbursement schemes etc? The adequacy of the network of qualified, eligible service providers: Do we have people who have the expertise of serving those with special needs. Is there training of personnel to ensure that people understand the benefit for example, or the potential of assistive technology. Different options for interviewing an individual with a disability to make sure that they fully understand what the One-Stop can make available. Appropriate outreach, appropriate monitoring, appropriate systems change initiatives that disaggregate in terms of monitoring or evaluations or consumer satisfaction surveys. Do we disaggregate data to see how we are doing with the specific subpopulations? These are the kinds of broad issues that to me are important to have a universal, a system that is fully inclusive for all people. Michael I will stop there.

**Michael Morris:** Ok, thank you Bobby. That framework I think will be very helpful for some of the presentations to follow and also when we move to questions later in this audio conference. Let me next turn to Mr. Gregory Shaw, who is the head of Enforcement at the Civil Rights Center at the US Department of Labor and it is the part of the Dept of Labor in charge with overseeing the implementation and enforcement of Section 188 of the Workforce Investment Act. Gregory, let me turn to you.

**Gregory Shaw:** Thank you Michael, and Bobby thank you for the wonderful set-up.

My name is Gregory Shaw, I'm the Chief of the Office of External Enforcement and the Civil Rights Center which is located within the office of the Assistant Secretary for Administration Management within the Department of Labor.

As Michael said, the Civil Rights Center has that responsibility within the Department for overseeing the enforcement of the Civil Rights laws applicable to all of those who are recipients of financial assistance from the Department of Labor. Clearly the Workforce Investment Act is one of the Department's larger grant programs that has the one of the largest number of recipients within it. That includes not only the primary recipients that receives the money from the Department of Labor, but all of those down through the funding stream to the beneficiary or the customer that we serve, but excluding the customer.

I'll first want to go over the laws and regulations that are applicable to recipient of financial assistance. I'll give focus to Section 188, which is our topic today.

First I will say that the first law, Title VI of the Civil Rights Act of 1964, which covers rights of color and national origin. Title IX of the Education Amendments Act of 1972 that covers sex. Section 504 of the Rehabilitation Act, which covers disability. Many often talk about Americans with Disabilities Act that also protects discrimination on the basis of disability have recipients of financial assistance are required to comply with Section 504 of the Rehab Act. Clearly as your state and local governments, other agents, they are also required to comply with ADA. Then another law that we also enforce is the Age Discrimination Act of 1975, which prohibits discrimination in any age. Then, as our topic of today, Section 188 of the Workforce Investment Act, which prohibits discrimination on the basis of race, color, national origin, sex, religion, political affiliation or belief, disability and for beneficiaries only, citizenship and participation in WIA. For all of those laws, retaliation, intimidation and reprisal are prohibited.

Who is covered by all of these laws? Every recipient of financial assistance from the Department of Labor. Who is a recipient? Anyone who not only receives the money, but that may include particularly for purposes of WIA in these things called One-Stop systems which is the primary vehicle through which program services are delivered, all of those who are partners with that One-Stop system are also covered. That is not contingent upon that partner receiving money, WIA funds, but simply by being a participant within the One-Stop system in an undiscouraged system be that they may not be located within the One-Stop system or One-Stop center, but being a part of the One-Stop system, they are covered by Section 188 in our implementing regulation, which are putting on 29CFR part 37. So, all of those recipients that receive money and as well as those in One-Stop centers are a recipient for the purpose of Part 37 in Section 188.

So, what is the scope of the coverage? It covers the component as well as ....<inaudible>.... programs and activities. It covers decision such as planning council's designations. In terms of disability groups working maybe to be part of or believing they have been ...<inaudible> on planning councils, it covers the

decision.....<inaudible>...property. In issues regarding physical accessibility. It covers issues on procurement and procurement actions in terms of who gets monies and who doesn't get monies in those various decisions there.

Within Part 37, those regulations have prohibitions there on what is called prohibitive activities. In fact Part 37 devotes a number of sections to prohibitive activities on the basis of disability. You cannot deny enrollment or services or benefits to an individual on the basis of disability. Segregation: Bobby mentioned segregation as he opened that up for me. Segregation as we have known in American's history, with regard to race it has been found not to be acceptable, segregation on the basis of disability is not acceptable. In reviewing the WIA plans, we often commented to states that their plan and strategy simply for referring individuals to Voc Rehab was not acceptable. That it gave the perception of segregation or separate treatment. Segregation and separate treatment is not permitted ....<inaudible> and persons with disabilities <inaudible>..... And so, as Bobby was saying, they should have that equality of opportunity and should not be .....<inaudible>.... In addition, our regulations prohibit us from assisting in or perpetuating discrimination so that as we deal with the other side of the labor market equation, the employers, we are not in any way to assist those employers in the perpetuation of discrimination as we take their job orders and.....<inaudible>...activities or any other activities ....<inaudible>...employers or agents that we are dealing with in the workforce.

The Civil Rights Center accomplishes it's mission through several different ways. One, we believe in compliance assistance under the leadership of the Secretary Elaine Chao, as well as our Senior Director Annabelle Lockhart. A lot of the focus and attention is given on compliance assistance through training and education of our recipients, we believe that most of the....<inaudible>.....simply there are challenges....

**Operator:** Pardon me Mr. Shaw. I am sorry to interrupt. This is the operator. We are getting a lot of feedback coming from your line. We are hearing a lot of shuffling of papers and every now and then your speaker line is cutting in and out and it is kind of hard to hear, but it is coming from your line. I am not sure if you have it on a speaker phone.

**Gregory Shaw:** I am on a speaker.

**Operator:** You are on a speaker. Just to let you know that we can hear everything in the background and your line is cutting in and out, so it might be hard for the rest of us to hear.

**Gregory Shaw:** It is probably coming from my Washington office and I'll tell them to be quiet.

**Operator:** Okay, thank you.

**Gregory Shaw:** So the Civil Rights Center does compliance assistance through training and education and that is indeed a major priority of the Department of Labor is compliance assistance. We also do enforcement through complaint investigations. That means employees involved in administration and management of our programs as well as the beneficiaries have the right to file a complaint with Civil Rights Center, and we do investigate those complaints. In addition we do compliance monitoring. Back to our next years monitoring plan includes doing compliance monitoring to test out compliance in Section 504 with a number of our large cities.

We also do our enforcement through the ...<inaudible>...strategy called a Methods of Administration. The Methods of Administration is a document that is required and submitted by states. It is an obligation only of the Governor of all the recipients of that the department has, only governors have this obligation to prepare and submit a Methods of Administration. Method of Administration is a written document that contains a narrative and supporting documentation. The narrative is a description of the policies and procedures of systems that are designed to give a reasonable guarantee of compliance with all the equal opportunity laws and regulations that the recipient is required to comply with. The supporting documentation is the evidence that supports the narrative, that such a policy or procedure or system exists.

The Methods of Administration are cast in nine elements. These nine elements are really a recast of the Part 37 regulations. So that these Methods of Administration really if in fact effectively established and implemented would in fact give a reasonable guarantee of compliance with Part 37. One of the nine elements is what we call Element 5 that deals with disability requirements. One of those other elements is universal access, which the point that Bobby Silverstein made.

Universal Access, I'll begin with that one, deals with essentially outreach and recruitment. It begins with analyzing your local area really getting a good understanding of who is in your eligible population. Before you begin to develop various programs strategies it is getting out there and knowing who is out there and who it is that is likely to be coming through your door. So, universal access focuses on doing a great deal of outreach to impact who you actually serve.

Element 5 deals with a full range of compliance with all of the disability requirements. It deals with physical access; it deals with program access, with reasonable accommodations, reasonable modifications. It requires state ....<inaudible>...policies and procedures and systems are that are designed to fulfill compliance with Part 37, which are the regulations for Section 188 as well as Part 32, 29 CFR part 32, which are the Department's non-discrimination regulations implementing Section 504 of the Rehab. Act. At this particular time, all fifty states to date have been approved. In addition, the MOA, for the territories, only one is outstanding and the District of Columbia is MOA is approved. So, we have 53 entities and of those 53, 52 Methods of Administration documents are approved. That means that in all those 52 locations the Governor is believed to have put in place, policies and procedures and assistance that at a minimum provide a reasonable guarantee of compliance with Section 188 of the

Workforce Investment Act. Those reviews of those documents I've ever done without benefit of any onsite review in the policy/procedure system and that opinion is subject to some kind of onsite test to confirm whether or not that is truly working. For example, in terms of communication, an effective means of communication as affect as communicating with others.

**Operator:** Mr. Shaw? I am sorry to interrupt again. Is there any way that you could actually pick up your handset and do the speaking. Is this better?

**Gregory Shaw:** Is that better? So, the Methods of Administration on Element 5 should really provide a very specific and detailed description of how every governor, ever state agency, every local workforce investment area will indeed comply with all the disability requirement in Section 188 and 504. Now Michael I will stop there unless you want me to go further.

**Michael Morris:** Greg, let me stop you there and just ask a few questions.

**Gregory Shaw:** Sure.

**Michael Morris:** As you mentioned, all of the fifty states have MOA approved at this time. Is the subject of access and effective and meaningful participation of individuals with disabilities; is it one that has generated many or any complaints in from across the country to your office?

**Gregory Shaw:** Even though there are approved in fifty two of those fifty three MOAs are approved, I would say that in the issues across this country still and most all states deal with physical and program accessibility as well as issues around reasonable accommodations. In fact do we really have as effective procedures in place to deal with issues of reasonable accommodations and where we do, do those individuals who are on the front line really know and understand how those procedures work. So, sometimes we have an education task before us in terms of educating our staff on what these areas policies, procedures and systems are.

**Michael Morris:** Okay. And, in terms of the kinds of visits that you and your staff are making across the country and visiting the One-Stop center or as you mentioned in going beyond the One-Stop center in taking into effect the entire One-Stop system, which could be a variety of partners, are these issues of reasonable accommodation issues that you are looking at when you do those visits?

**Gregory Shaw:** Yes, our reviews on 504 and 188 will indeed encompass a look at issues, procedures for reasonable accommodation, physical and program accessibility. Our monitoring client calls for the next fiscal year beginning Oct. 1 to conduct these reviews of the One-Stop systems of the City of New York and the City of Miami.

**Michael Morris:** Bobby, let me turn to you either for some further questions or comments.

**Bobby Silverstein:** What I'm going to try to do in the next five to ten minutes is take Greg's framework of going through the nine elements and try to pose some kind of more detailed questions of the kinds of things that I think are important to look at. Just to ensure both compliance with 188, which is the topic of discussion, but to also look more broadly to say, will this make the system truly fully inclusive for all people, including people with disabilities? Is this really the essence of what we mean by universal design? Let's take Element 1 for example: designation of state and local level equal employment officers. When the key here for my point of view is, are the folks at the One-Stops, whether it is the Section 504 coordinate, or the EO officer, what kind of real education training and experience are they getting? Are they really learning from others about what it means to have access for people with disabilities? What I mean is ranging starting from the issue of the registration for services through screening and assessment and the actual delivery of services. Do people, are the EEO office, is the EEO officer have understanding of best practices for people with disabilities. Notice and communication. . . .

**Gregory Shaw:** Bobby, before you continue, can I respond to you?

**Bobby Silverstein:** Sure.

**Gregory Shaw:** The 188 regulations were strengthened by Director Lockhart to try having impact on making sure that the person serving at the state level, as the EO Officer at the state and local level was one who was qualified to do the job. Secondly, through compliance assistance she has annually this national conference for which she is able to track all of the state EO officers, like this year's conference, it's going to give a great deal of focus on the issue of access of persons with disability. Those individuals will be in attendance at that, that's the vehicle for the department-it's the primary vehicle to training to training and education at the state level EO officer. Go ahead Bobby.

**Bobby Silverstein:** So, then the question becomes, what's happening at the One-Stop level in terms of the actual recipient and what kind of training does the EO officer and the Section 504 Coordinator, they may be the same person, what are they getting in terms of that level to fully understand the goals and objectives of 188, the themes, the principles, that they are trying to achieve? And not just technical compliance.

The second element: notice and communication, when we talk about brochures and publications and general marketing and recruiting, are we for example featuring people with disabilities in the pictures. Do we have positive images? Are we looking at the range of people with disabilities so that it is not only those with mobility impairments, but you may show somebody with Down-Syndrome to indicate that there's a welcome for people with cognitive impairments as well.

So these are the kinds of questions or considerations in terms of what is the image? Are you putting out an image that all people are welcome? And part of it is how you do your marketing and the recruitment materials, etc. that are used.

In terms of Element 4, I am going to skip 3, assurances universal access. Do we really know who we are serving? Does the one stop understand the prevalence of disability or other needs in the population so that they can figure out based on need what kinds of expertise that are necessary? Are they are steps to affirmatively try to serve and seek out people with disabilities? Is there a plan at the recipient level, at the One-Stop level saying how are we going to serve people with disabilities? Have we actually though it through in a systemic way? Have we looked at the collaboration, the partnership, not just as a technical issue, but in terms of figuring out sharing of expertise. Then, the outreach to people with disabilities to different organizations. In our outreach efforts, do the written materials talk about accommodations and procedures to make it clear the message is We, the One-Stop understand disability and the needs of people with disabilities.

Then, in terms of Element 5, in terms of compliance with 504. To me, we need to break this down and I think that Greg was saying and I just want to emphasize it again at a lower level. In terms of reasonable accommodations and reasonable modifications to policies, practices and procedures, what does that mean? Well, let's start with the issue of things like registration and orientation. If somebody with a cognitive disability comes in are the intake officers, do they understand the need to help that individual fill out forms? Is there confidentiality that is assured for people who don't want the whole world to know that they have a disability? They may have a hidden disability like mental illness. Then, in terms of the initial screening and assessment and the testing, are there ways of insuring that we don't stereotype all people with disabilities in terms of the screening. Do the intake procedures identify disability and determine whether or not we may need a more comprehensive assessment and why is all this necessary? Because some people need accommodations and modifications and if we don't know, we don't provide those and if the individual is not aware of the obligation, nothing may happen and so those people with disabilities or with significant needs may not understand that these accommodations are required. But, more importantly, in terms of the assessment, the system may not know that that individual needs these accommodations to insure that the opportunity is meaningful and effective.

Then we go into service delivery. Let's say there is self-service. Are there procedures to say that we are going to provide assistance to those with disabilities who may need that assistance, whether it is because of a cognitive disability, or because of a physical disability? Is there a procedure for self-service to make sure that even if it is "self-service" that some people may need assistance in order to be able to benefit from the computer that might be there for example? Are we in terms of the eligibility criteria for intensive in-training services? Are we making sure that the tests or the criteria used truly tests the essential essence of what it needs to qualify, or are we actually testing the disability? Individual Training Accounts: do you establish a maximum amount for

the ITA's? What about somebody who needs an auxiliary aid and service that might cost something? Is that included in the amount, or do you provide additional funds for such persons? When you look at continuous improvement, are you disaggregating data to see how you are dealing with consumers with disabilities to see how you are doing? Are you looking at individuals with disabilities to see if in fact they are not succeeding in the training in part because they are not receiving appropriate accommodations? These are the kinds of things to me are really important to be looking at.

The issues of communication: If you provide telephones for the general public, are you providing a TDD for somebody who is deaf who may need that as a means for communication? Issues of data collection: again, are you disaggregating data so you know how you are doing for people with disabilities. The monitoring systems to see how you are doing. Are you asking specific questions dealing with things like accommodations and modifications and auxiliary aids and services and program accessibility and communication accessibility and non-discrimination for employees and applicants in terms of pre-employment inquiries and things like that? Are you automatically referring people with disabilities to Voc-Rehab? Which is stereotyping and making generalizations that all people with disabilities need specialized services. Some do, some don't. These are the kinds of things that to me are the essence of Section 188.

If I can just bring it together again, it is individualization, facts, objective evidence, not generalizations, stereotypes. It is insuring effective and meaningful opportunity. It is not unnecessarily isolating and segregating people, it is making sure that people are involved making decision effecting what kind of services they need, what kind of objectives they need. These are the kinds of things 188 are all about.

**Gregory Shaw:** And Bobby, to continue on, you stopped on monitoring, all but number seven. Are recipients really monitoring themselves in every phase of the program to see how well they are doing in serving persons with disability comparison with their incident in that labor force. Are really making known to persons with disabilities their rights? Their rights to file complaints if they feel they have been discriminated against? That final element where they've identified problems in their service system that has a potential of discrimination, have they corrected those problems?

**Bobby Silverstein:** And correction through training, policy development where they may be more specific in terms of how you are dealing with people with disabilities so there are actual written procedures and steps that are necessary and why? Because it may well be that a lot of the staff do not have the knowledge or background or experience working with people with disabilities and assume that because they have a significant physical and mental impairment that they can't benefit. In fact assistive technology of certain strategies might work and that's where training comes in.

**Gregory Shaw:** And we know that all 52 of the states who have approved MOAs have articulated a training plan for it's entire WIA system on the area of Equal

Opportunity and non discrimination. Specifically the Element 5 in disability requirements, the question is, have states actually executed those plans and how effective have they been with the penetration rate has been down to the lowest level within the system?

**Bobby Silverstein:** What a segue to our next speaker!

**Michael Morris:** Perfect. Let me jump in there. This is Michael Morris again. I want to turn from our sort of discussion on the national scale to Evelyn Rodriguez who is dealing with these issues on a state and local level in Washington State. Evelyn, let me turn to you and share some of your perspective on activities in Washington State.

**Evelyn Rodriguez:** Great. Thank you very much. Let me begin by stating that we do have an approved Method of Administration, MOA, and when we began developing that document for the State of Washington, we had extensive disability community participation in writing that document and it's elements. Certainly, they assisted us in presenting a three-day training conference of which the Civil Rights Center representatives attended that included our partners and some representation from community groups. There's certainly many initiatives that are going on in the state of Washington as it relates to providing services to people with disabilities.

I want to talk about first of all a group that was formed in the spring of 2001 last year. Our Executive Group; formerly known as the Executive Policy Committee, during the implementation of our One-Stop system formed this committee. The purpose of this committee or the team was to ensure universal access to all persons and specifically persons with disability. They proceeded to have informal focus groups around the state, which were provided by staff from the Employment Security Department, the Department of Vocational Rehab. The goal was to learn about field management and staff assessment of universal access and working with persons with disabilities. The result of these groups were numerous requests for assistance in accessing tools to deliver quality services and providing accessibility to persons with disabilities. The goal is to provide assistance to all work source centers and affiliates in those individual needs for the centers, but also to develop plans to meet those needs and provide assistance when requested.

The team had been working on some of the following things that I am going to be talking about to actualize the plan. First of all, and we are still continuing to do that, is to begin to determine the partners responsibilities in the areas of disability and define those roles. I can state pretty much and agreement by all partners and this paper would be shared with all work source partners and once it is approved then it would be signed by all partners. So, everyone was going to communicate and everybody throughout the state would know what was going on. So, this was very, very key in that initial plan. So, to actualize the plan we began to define those roles, the partner responsibilities, and we began to determine needs in all areas of the state and DVR has offered to provide assessments in each work source center and affiliate site. The results of each

assessment could then be used by each area or center affiliate in the development of an individually designed disability plans for their area.

Also, part of the plan was providing technical assistance. I don't know if most of you know Toby Olsen, he is the Executive Director of the Governor's Committee on Disability Issues and Employment in the State of Washington. He has been certainly a leader assisting us in these efforts. Well, part of this plan in the area of technical assistance would lead his staff; the Governor's Committee would take the lead in creating a technical assistance center for the state. They were going to be the primary resource in the State of Washington for assisting us through these efforts. It would be a single source of contact, for technical assistance, information, referral and practical problem solving on any issues related to providing open, accessible, effective services for people with disabilities.

In addition, I am aware that his staff is also in the process of scheduling in the month of September, two major conferences in the state. They will include the tribes. The focus is to educate them and provide them information about people with disabilities. It is my understanding that they have recruited some national speakers to attend those conferences in September.

The center's resources would include funding, training, and technical support for recommended package of assisted technology, a lending library and a more complex assertive technology, a central cost pool for high cost, reasonable accommodations and a distribution system for Braille large print and taped materials. We are setting up this center as the key resource for the state and also to certainly get some consistency in our areas in the translation of these materials.

The training component of the plan DVR created a team that is now in the process of designing and developing customer services training modules and these modules will include how we see the individual, not the disability. It will identify resources and certainly how we communicate that information. The modules will be made available as part of the disability plans for each of the local areas for the Workforce Centers and affiliates. In addition to the plan, part of the plan is the mentoring part of that. Many have requested the need for continued contact with disability experts after these assessments and plans and training's are completed. So, DVR has taken the lead to ensure that assistance continues beyond the initial development and implementation of disability plans. Also in the area of performance measures, the Workforce Board is presently working on performance measures as they relate to persons with disabilities. That's all evolving, so we don't certainly have a lot of information on that at this point.

As far as timelines are concerned, we anticipate that the assessments will begin in August and will be completed by the end of October of 2002. Workforce Centers and affiliates will develop their disability plans bases on the results of the assessment. So each area will have the opportunity to identify their needs. Assistance for the Employment Security Department, the DVR and the Services for the Blind will also be available in the development of these plans for the local areas. We anticipate that

training will begin in late fall or early winter of 2002 and the Technical Assistance Center will be fully available July 1 of this year. Although they already provide a lot of that assistance and resources as we speak.

The funding: this plan was designed without specific funds available or in mind. It was unanimously agreed by all of the partners in Washington State that the plan would be implemented and that funds would be secured. Well, three weeks ago Washington State received a million dollars for the Disability Work Incentive Grant. We are very, very excited about that. In addition, the Governor allocated out of his funds, discretionary funds, \$750,000.00 should be used in coordination with this grant. So, we are very excited about that. A large percentage of these funds will be used for requested assistive technology in the Workforce Centers and the affiliate sites and staff from the Employment Security Department and DVR, along with contractors from the Department of Labor Grant are committed to assist in the training needs of the state. I have identified three specific areas to pilot this program. One area will focus on employers, one other area will focus on mental health, and the other one, I think is on customers. I can't remember exactly.

I think it's just important to know that these are, I mean we have been working on these efforts for a long time in Washington State to serve people with disabilities. These are baby steps that we continue to take in Washington to provide universal access to all. We continue to monitor to ensure that all programs, services and activities are offered to individuals with disabilities. We have many challenges ahead of us, but we think we are making a great difference and that's all because we are all committed to providing universal access to all.

**Michael Morris:** Evelyn, thank you very much for that really very optimistic picture of activities that are both ready and underway and also in planning stages now in Washington State. What I would like to ask with help of the conference call operators is to open our lines. What we would like to do is take questions from the audience across the country. I ask that you follow a fairly simple procedure. Please identify yourself. Tell us where you are from. If you would like to tell us a little bit about where you work, if you are connected as a professional or if you are an individual who is a user or customers of the Workforce Investment system that would be helpful too. If you want to address your questions to a specific member of the panel, that would be fine, or if you would like it to be simply put to the entire panel and we will collectively work through hopefully a satisfactory response. So, with that we'll see if we can try to do this in an orderly way and see if there's someone who would like to jump in first to pose a question to one of the presenters today. Any first questions?

**Operator:** Thank you. If you do have a question at this time, please press the number one on your touch-tone telephone. If your question has been answered, or you wish to remove yourself from the queue, please press the pound key. Once again, if you do have a question, please press the number one. One moment for questions.

**Bobby Silverstein:** This is Bobby. While we are waiting for a question, Evelyn could you expand a little bit on the accommodation pools and the rationale and basis for that? Because I think that is one of the real more innovative things that some folks around the country are doing?

**Evelyn Rodriguez:** I have Jan here from the program division. She can assist me with that.

**Jan:** Are you talking about the accommodation pool, the collected pool?

**Bobby Silverstein:** Yes.

**Jan:** Well, the idea behind that, and this was actually prior to thinking that we would be able to provide packages of assistive technology into each of the centers, so it is actually a bonus for us. It's going to be used for those things that are special and specific to a particular center that would not be included in the assistive technology package.

**Bobby Silverstein:** And what was the rationale for having the pool in the first place?

**Jan:** Because one of the most common things people say out in the centers is there are needs, but how are we going to accommodate them in terms of ....<inaudible>....

**Bobby Silverstein:** So, this takes away the money issue from providing necessary services.

**Jan and Evelyn Rodriguez:** That is exactly correct.

**Bobby Silverstein:** See, I think that's the kind of thing that One-Stops around the country, or employers, those who are figuring out let's take the issue away from the department or the manager who says I only have ten thousand dollars in my budget and the accommodations are going to do it, I am not going to hire this key person with the disability, even if they're the most qualified. But if you have that decision of the accommodations at a much higher level, where then the individual is at the department level. Or, in this case the One-Stop can say this is what this person needs and I'll be able to provide the services and not worry that that's impacting my ability to provide services in my area to others.

**Gregory Shaw:** Bobby, Gregory Shaw here. I think that what you see from Washington State is the state demonstrating leadership and support of the local system. Where it sees a need to expand all across its local areas, it has really come to respond to that need. I think what we like to see is more leadership from the state level across the country like Washington State is showing.

**Operator:** Thank you. Once again, if you do have a question, please press the number one. We will take our first question from Nicholas Rose.

**Nicholas Rose:** Yes, I am with the New York state Developmental Disabilities Planning Council and we also have the State Advocate's Office present here.

We have a question for the people in Washington. We are interested in getting contact information on the technical assistance centers and also whether the training modules will be available in an electronic or online kind of format.

**Jan:** They certainly can be.

**Evelyn Rodriguez:** They certainly can be, and we or I am going to be providing some links so you can access this information.

**Michael Morris:** And, this is Michael Morris again. We'll take those links and you will find them at the University of Iowa website where there is the additional background information policy brief prepared by Bobby related to 188. Also, the links to the Civil Rights Center and guidance from the Civil Rights Center on Section 188 are there. We will be adding those as soon as we get them, probably sometime next week.

**Evelyn Rodriguez:** And this is Evelyn. You are certainly welcome to contact me and I'd be happy to send you any information that you need. I don't know, do you want my phone number, or?

**Nicholas Rose:** Absolutely.

**Evelyn Rodriguez:** It's 360-902-9534.

**Nicholas Rose:** Thank you very much.

**Evelyn Rodriguez:** You're welcome.

**Gregory Shaw:** Evelyn, will you be presenting at the Department of Labor's National Conference on this topic.

**Evelyn Rodriguez:** I will be speaking about limited English proficiency, but it also includes people with disabilities.

**Gregory Shaw:** Right it does.

**Evelyn Rodriguez:** So, yes, I will touch on the LET issues.

**Michael Morris:** I have a question while we wait, and this would be both for Evelyn and Greg. If you are a potential job seeker with disabilities and at a local

community level, and you have questions about reasonable accommodations and access, I have two questions. One is, is there someone the person should talk to within the One-Stop and second, is there any requirement of notice or information that would help them reach you at a State or at the Federal level required at a local One-Stop center. I guess both to Evelyn and Gregory, how might you answer that?

**Gregory Shaw:** I will go first, just so that Evelyn will be comfortable.

Every One-Stop center, and Evelyn will say every WorkSource Center should have an individual in there who is available to the general public to every customer who has information about the full scope of Equal Opportunity in particular reasonable accommodations. So, there should be an individual there with that responsibility to be able to communicate with the customer on that topic. Evelyn?

**Evelyn Rodriguez:** Yes, that's correct. In Washington State we have Disability Specialists in the WorkSource Centers that can answer those questions. Also one of our partners is DVR, so many questions are asked of their experts at DVR as well.

**Michael Morris:** Very good.

**Jan:** This is Jan. I'd just like to add something to the concept of having experts in the field to accommodate people with disabilities. Part of the goal in providing the training to all staff in the WorkSource Centers is to make those staff comfortable with anyone who walks in the door so that they won't have to automatically rely on a disability specialist, that they will be able to assess the needs and then refer. Our ultimate goal is anyone in the center could work with just about anyone who walked in the door.

**Gregory Shaw:** Jan, this is Gregory Shaw. Now, clearly that is our ultimate and desired goal, does that include the staff person that actually will receive the customer at the first point of contact?

**Jan:** Absolutely.

**Gregory Shaw:** Excellent.

**Operator:** Thank you. We'll take our next question from Judy Roth.

**Judy Roth:** Hi, this is Judy Roth from Cincinnati Ohio. I have one comment and then a question. The things that are happening in Washington is really an incentive for collaboration, which is ideal and I agree that it should be encouraged, you know, in other states because there is a financial incentive to do it.

The other thing I have, and I think this is to Gregory. Everybody has their ideas about what reasonable accommodation means. When you do the site visits, etc. first of all, are you going to make the reports available to other One-Stops, so that they know what

exactly they need to do? It may not be obvious, it should be, but may not be. Are there minimum guidelines that can be written out for the One-Stops. Not to say accessible, but what exactly for the universal accessibility item, what guidelines would be the minimum standard and what would be the idea, so that when a person comes in they don't have to ask somebody for, you know, people are embarrassed sometimes if they have a learning disability or may not know, but if they know various things are available, same as same as computer skills, et cetera. but my main question is whether there is going to be guidelines provided.

**Gregory Shaw:** I do thank you Judy for that question. As we do the site visits as we have findings and we gather information, one of our objectives and one of the objectives of the Civil Rights and the Director is to share that information with all other One-Stop systems across the country. We really want to use the knowledge that we gain to help the entire system. Not just as one particular local area. So, there will be information to share, and we will want to use our website, the CRC website for that purpose. In addition, we will be sharing with the nation that review guide that we are going to be using. That one that establishes what the guidelines are as we see it for compliance with 504 Part 37 or Part 32. We will be rolling that particular review guide out at our national conference which will be held July 31<sup>st</sup> through August 2<sup>nd</sup> of this year in Washington DC. That review guide is being developed in collaboration with the Office of Disability and Employment Policy, the National Association of State Workforce Agency and Mr. Bobby Silverstein. So, we think that we will have a quality review guide that will not only benefit the CRC to do its review, but also to the One-Stops understanding what the guidelines are, what the standards are that they will be measured by are. We will be rolling that out in July at our national conference.

By the way, all persons are really invited to attend the conferences if they so wish and information on the conference is on the CRC homepage.

**Operator:** Thank you. Our next question is from Wil Morales.

**Shelly Kaplan:** Hi this is Shelly Kaplan, the Director of one of the DBTACs. We are located in Atlanta. The Department of Labor has provided some funding to the DBTACs across the country to help One-Stops serve customers with disabilities. The question we keep hearing over and over again is the basic one of how the One-Stop would work effectively in a non-discriminatory way with VR. At this point, I guess my question is directed to anyone of you, aside from what we heard from Washington State, are you aware of any other states that we might be able to contact regarding successful collaboration between the One-Stop and VR?

**Michael Morris:** Shelly, this is Michael Morris. Let me give you a partial answer first and then others may want to join in. I think one of the most effective examples that we can give you are examples that are coming from the Work Incentive Grantees across the country, funded by the Employment and Training Administration of the Department of Labor. The WIGs, as they are sometimes called, W I G s, are in 23 states. In terms of the first round and as Evelyn mentioned, there was a new round of awards just

recently announced over the past two weeks which will bring funding in a series of pilot projects in I believe almost another 15 states. Some of the projects are focused on an individual Workforce Investment area. Some of the projects are statewide; some are covering a multiple Workforce Investment areas in a particular state. Within those projects there are several that offer outstanding example of collaborative activity, both in terms of systemic change within the how people with disabilities are served within the One-Stop, and some have excellent vignettes of successful experiences that have resulted for individual customers with disabilities. I think what we can do is add some further information at the University of Iowa website at the Law, Health Policy and Disability Center that can give some examples of lessons learned from the Work Incentive grantees. Particularly on this issue of effective collaboration, both in terms of service collaboration and cost sharing that are providing effective results for customers with disabilities. Also offer some direct links to several of those grantees that you can contact directly.

**Gregory Shaw:** Shelly, this is Gregory Shaw, Civil Rights Center. I will tell you that Voc. Rehab. is a required partner within the One-Stop system. So, there should be already some level of collaboration, some kind of communication, coordination already. The question is how effective in every state that is. I do know that the state of California is trying to really learn from the State of Washington. It has a number of initiatives going similar to the State of Washington. In addition, I think the State of New York is attempting to improve its collaborative effort to do similar kinds of things. Though, I think New York is simply at the discussion stage. Voc. Rehab. is indeed a required partner and we really need to think of how we can make these collaborations more effective at the state level.

**Michael Morris:** Greg, I think that one things I would add is that in many One-Stops across the country, Vocational Rehabilitation counselors are co-located. But, the array of challenges in terms of service coordination and cost sharing, obviously are at different stages of development depending on where the particular One-Stop and partners have worked through some of these challenges. I can offer an example that have been offered to me both through the Work-Incentive Grantee project in New Mexico and also some of the work that has been done with the project in Nashville, Tennessee. There, an individual with a disability, rather than simply being told to go to Vocational Rehabilitation. Has actually been offered funding support and service assistance by both the Vocational Rehabilitation Agency and at the same time from a variety of other partners. They have shared in the cost of training. They've shared in the cost of covering assistive technology support. They've also helped through resources at the One-Stop and helping individuals prepare with interviewing strategies to look for a job, interview for a job and actually been placed in a position that made a good match. So, slowly these examples I think we will be seeing greater numbers and very much a stimulus for them has been some of the activities funded through these Work Incentive Grants from ETA and Department of Labor.

**Operator:** Thank you. Our next question is from Nicholas Rose.

**Rosemary Lamb:** Actually, you are going to be hearing from Nick's colleague Rosemary Lamb. I am with the State Office of Advocate for Persons with Disabilities. Let me just clarify being two of the systems advocacy agencies from New York State, we certainly would like to think that we're further along in our collaborative efforts than the discussion stage. Having been involved with working in collaborative initiatives with regards to this issue for a long time. Although it may not be evident to you, there's lots of good collaboration going on.

A couple of questions here, and I'm jumping back to a couple of things that Evelyn had mentioned. First one is Evelyn's. The disability specialist that you mentioned that are at your centers, are they Vocational Rehabilitation staff? Or they are other staff people? I understand that your colleague had said that other people are being trained so that they don't have to have reliance on just as individuals. The other question is who's funding those folks if it's not VR? Your technical assistance centers, the funding for that, I missed that. You were talking at one point about discretionary funds allocated from the governor, I think those were WIA funds the Governor's Discretionary Funds and are those the resources that are funding the TA centers? If you could just clarify that.

**Evelyn:** Let me see if I can answer your question. The Disability Specialist in the WorkSource centers or the One-Stop centers, they are Employment Security Department staff. They have been with the department for many years. It was through the Wagner/Peyser program. They also could be because it is a working title for some of the DVR staff that appear in the One-Stops. So, we've got both. We've got Employment Security Department Disability specialist, then we also have DVR specialist, known as Disability Specialist in the offices.

Let me see if I understood the question around the technical assistance center for the state. That is through the Governor's Committee on disability issues, and employment staff. They are located and housed within the Employment Security Department. So they are employment security staff. They are not funded through WIA, was that your question?

**Rosemary:** I think I convoluted my question a little bit. You did clarify that that it was Governor's Discretionary funds vs. WIA funds. But thanks very much.

**Evelyn Rodriguez:** Yes, vs. WIA funds. Yes.

**Operator:** Thank you, our next question is from Mark Curtis.

**Mark Curtis:** Mark Curtis? Did we hit that? No. They just mentioned my name.

**Operator:** Pardon me, Mr. Curtis, your line is open.

**Mark Curtis:** Oh, well, we accidentally hit a button.

**Operator:** Do you have a question at this time?

**Mark Curtis:** No, we don't.

**Operator:** Ok, we'll go on to our next question.

Our next question is from Melinda Malandon. Pardon me Melinda, your line is open.

**Melinda and ?:** Ok, thank you. We have a question on foster kids with disabilities. What does the federal government plan to do with foster kids who are become of age and the foster parent is no longer required to take care of the child, even though they might want to, but they can't because they won't get paid for it. But, their disabilities are such that they can't get in on WIA or through One-Stop centers to get placed on a job, but they do need extra training maybe, but also they need to have a place to stay at the same time.

**Gregory Shaw:** Would you clarify what you said, they can't get into WIA?

**Melinda and ?:** What I mean is that the disabilities are such that it would be very hard to place them in a job from a One-Stop center trying to help them.

**Gregory Shaw:** So the question is what services that are available to assist these kinds of individuals in preparing them for job readiness?

**Melinda and ?:** Right. Because it's like a Catch-22. Once they reach a certain age, then the foster parent is no longer paid to take care of them, so therefore either the foster parent has to take care of them on their own or put them out. But, if they are put out, then they have to fend for themselves. In order to fend for themselves they have to have a job skill or something they can do to work, but maybe there are disabilities or such that it's keeping them from finding employment or being able to be placed at that particular time.

**Gregory Shaw:** Now Evelyn, I will defer to you on this in terms of the readiness of your One-Stop system to deal with that type of youth with disabilities.

**Evelyn:** Yes, I am not sure that I understand the question. I apologize. I missed some of the question.

**Michael Morris:** This is Michael Morris. Let me jump in for a second and Bobby I'd be interested in your perspective too. First is, if it's someone who is a youth, there is a possibility they are still within the public school system and there should be opportunities. If they are a youth with disabilities, they have certain rights related to transition planning, which would engage both the school system and potential other agencies who might become involved in preparing that individual for either skill development or some transition from school to work. The second is that within the Workforce Investment Act there is also a requirement at a local Workforce Investment area level that there be youth counsels and development of plans around the delivery of

services to youth with must include as well youth with disabilities. Some examples of the types of services that might be offered would be after school programs. It might include programs during the summer. In some cases, in some areas they have built some effective partnerships with employers in terms of internships, job-shadowing opportunities, and even on-the-job training opportunities. I would not I guess accept the initial premise of the question, which is I would not want to make the decision that the One-Stop system can't serve that individual or help identify other partners who might be able to help that individual including Vocational Rehabilitation. That would sort of be my perspective on how to respond. Bobby?

**Bobby Silverstein:** Well, part of the response goes to the broad conceptual question of what is it that we are talking about here in terms of One-Stops. Michael and I constantly have a dialogue about this issue. From my point of view, the One-Stop system has two distinct, but related functions. One concept is no wrong door. That means that if somebody comes in whether they have a disability or not, whether they have a significant disability or not, that intake officer is trained to work with that person to find what is the right place to go. That right place may be right there at the One-Stop and it may be core services or intensive or training services, or it might be an appropriate referral to Vocational Rehabilitation or to the Mental Health Agency. But the intake officers and other counselors understand the nature of disability, they understand the range of needs, they also understand that they don't make presumptions that all people with disabilities need to go in one direction or another. That's the seamless system no wrong door concept.

The second part is the service delivery that the system is actually going to provide and pay for direct services. It may well be that a person with a very significant disability who's enforced to care cannot be served directly by the One-Stop. But, given the seamless system, the intake officer will have the expertise and knowledge to help that individual get to the place were that individual can in fact receive appropriate services.

**Operator:** Thank you. Our next question is from Christine King.

**Bill Malcolm:** This is Bill Malcolm, I am from Anchorage Alaska. I'm a Community Advocacy Coordinator. My question is broken down into two different things. If you are already have been working and you need to go look for another job, does that intake person can handle which, and also know what they need and what the services, like computers from the previous job, did you have to go through this intake process? That's one. Number two, I believe it's already been answered, is I believe that when you hire the intake person, that person should and must be using the services that they are talking about, otherwise the person is coming in is not going to have faith in that person.

**Gregory Shaw:** This is Gregory Shaw, the Department of Labor Civil Rights Center. The design of the One-Stop system includes self-services to where individuals can come in and avail themselves of a full array of job search assistance vs. themselves. Then, there are some staff assistant services that don't require any level of registration

at all, some of the core services, and then on into the program in core services or intensive services is registration required. So, there may be a wide range of services operated in particularly in the same list of One-Stop systems that don't require any registration at all.

**Operator:** Thank you. Once again if you do have a last question, please press the number one. Our next question is from Paul Worrall.

**Paul Worrall:** Hello, my name is Paul Worrall. I don't really have a question, it is more of a comment and I was going to respond to a woman from Georgia I believe about partnering with VR. I work for the VR program in Illinois and we were also a grant recipient from the Department of Labor. We've used our grant to help provide assistive technology and One-Stops in Illinois. In addition, we've also been providing training to the One-Stops, including disability awareness training to help provide information and insight into disability issues for persons in the One-Stops, so that they can better serve persons with disabilities when they come in the door. We've also provided Ticket to Work training. We've done a lot of collaborating with other partners and we have shared case services, cost-of case services where one partner would pay for one aspect of a training program and somebody else would pay for something else, so there is a lot of collaborating going on. We also have apparently just been awarded a second grant and we are going to continue the accessibility training and do some technical support for the adaptive equipment that we are putting in to the One-Stops.

**Gregory Shaw:** Paul are you working with Hattie Askew in Illinois at the state level on those initiatives?

**Paul Worrall:** I'm not real sure. I am not a part of that grant recipient. I was aware of that. So, I'm not sure who all the people are that are working with the Department of Labor here.

**Gregory Shaw:** Because I'd really like to get some of those best practices that you have going in Illinois out and known so that we can share those with the rest of the nation.

**Evelyn Rodriguez:** This is Evelyn in Washington State. Could we get your name and number?

**Paul Worrall:** Sure. I'll spell my last name. First name is Paul, last name is Worrall. My phone number is area code 217-782-2004 my e-mail address is very personalized. It's [dhs00296@dhs.state.il.us](mailto:dhs00296@dhs.state.il.us), which is probably the best way to get in contact with me.

**Evelyn Rodriguez:** Ok. Could you repeat that one more time? The e-mail.

**Paul Worrall:** Certainly. [dhs00296@dhs.state.il.us](mailto:dhs00296@dhs.state.il.us)

**Evelyn Rodriguez:** Ok, thank you very much, we would like to contact you.

**Paul Worrall:** Certainly.

**Operator:** Thank you. Our next question is from Scott Steinbrecher?

Pardon me Scott, your line is open. Ok, we'll go on to our next question from Christine King.

**Christine King:** Yes, my name is Christine King, and I'm a Research Specialist for the Alaska Work Initiatives, our project here in Alaska. I had a question for Evelyn. I heard you say that in your early development process and with your Method of Administration you had involvement with persons with disabilities. Are there representation on your local Workforce Investment Board? People with disabilities to kind of help flush out how your going to define your performance measures and are there things that you are looking at like maybe doing secret shoppers like people with disabilities are going into the job centers to do those assessments?

**Evelyn:** Yes. We're just in the process of developing our Mystery Shopper Program and people with disabilities will be part of that program. I've already met with our commissioner and there is a real commitment to have that part of our customer service program.

Your second, first question around representation of people with disabilities. We do have individuals who do have that expertise on the board.

**Christine:** Thank you.

**Operator:** Thank you. Our next question is from Scott Steinbrecher.

**Scott Steinbrecher group:** Are we on now? Good, there is actually a group of us here. My question is that there are a number of states that have VR programs that are currently on order of selection with weight lifts and only the capacity to serve the most severely disabled first. Do you know what's doing on with trying to partner and do some of this wonderful innovative work when you have a state that's under order of selection with VR?

**Bobby Silverstein:** This is Bobby. I will try to answer the question generically and maybe somebody else in terms of specific in terms of what's happening in other states, but in those states where there is an order of selection it is even, it is the most critical area with the state for this collaboration. If a person with a disability is automatically referred to Voc. Rehab. the way things used to be, they will then go to Voc-Rehab and be told they have a moderate to moderate disability and they will be out on the street. When in fact it is the One-Stop that truly should be designed to address those folks needs who, because of order of selection are not served by Voc-Rehab. So, I don't know if I am just stating the obvious and not answering your question.

**Scott Steinbrecher group:** That's fine Bobby. I just wondered if anyone had developed any particular practices in trying to do some in-kind or some innovative, alternative funding.

**Bobby Silverstein:** Yeah, I thought you were asking for specifics and I hope that's the kind of thing that Michael, through the WIG grants, best practices we are going to be trying to identify and then be able to share with folks.

**Scott Steinbrecher group:** Great. If you could put links somewhere for those types of things on a website someplace so we could all get what you all are collecting would be wonderful.

**Bobby Silverstein:** Yeah, Michael?

**Michael Morris:** Yes. I will only confirm what you said and systematically I believe that a growing number of these Work-Incentive Grants, grantees will give us specific examples that you are looking for. I would expect that the information would actually become available both through the University of Iowa Law Health Policy and Disability Center site as well as at the Department of Labor ETA, doleta.gov. Also, I would expect over time with collaboration with the institute for community inclusion up in Boston and their work with the new office at Disability and Employment Policy, ODEP within the Department of Labor. They are also working on a new website of onestops.info and I would expect this kind of information to be up there sometime later this year.

**Gregory Shaw:** In that same length Michael it will be with the Civil Rights Center. We clearly want to try to be that clearing-house as we forge our relationship with ODEP as well as with you guys.

**Bobby Silverstein:** Right. Absolutely.

**Operator:** Thank you and our last question is from Wil Morales.

**Wil Morales:** Hi Greg this question may be geared toward Greg. What measures are in place to address accountability in the parts of the One-Stops if services are not being provided or if people with disabilities are just not being served appropriately? Is there a funding, I don't want to say penalty. But is there something around those lines. What kind of measures are in place to address One-Stops that are not effective?

**Gregory Shaw:** I think the first is when those issues become known to the Civil Rights Center, whether it is through complaints or through our own monitoring, then we first seek voluntary compliance. If the recipient does not willing to voluntarily take the course of actions to bring about compliance, then the department does have the authority to impose sanctions. Sanctions that are designed to either convince the recipient to make the corrections or to eliminate the recipient as a recipient.

More times than not when you are talking about enforcement and you are talking about withholding or putting any kind of sanctions on money, you generally do get corrective action. But the department does have full power to bring about corrective action when we do find discrimination.

**Bobby or Michael:** Greg, as a follow up question to Wil's. Does the Civil Rights Center have a 1-800 toll free number for people to call with questions?

**Gregory Shaw:** We don't at this time have a 1-800 number, we do have a number to the Civil Rights Center that with technology we can receive a call 24 hours a day, 7 days a week so even when we are not physically there, you may call 202-693-6500. We are also reachable by e-mail and that is the Civil Rights Center at dol.gov One of the items that is on our list of ideas to do with ODEP is the 1-800 number, that toll free number.

**Michael Morris:** Ok, looking at the time here, I am going to close off questions. I'm going to ask if any of our panelists want to make any kind of closing comments before I make my own closing comments for this audio conference. Gregory, anything you would like to add?

**Gregory Shaw:** Yes, I want to Michael, thank you for this opportunity. The Civil Rights Center is clearly working toward improving the Workforce System to ensure accessibility for all and trying to really link the Workforce Investment Act fulfill that principle of universal access to where there is as Bobby said, equal opportunity for all. We look to the Workforce Incentive Grants to really give ideas and help to the mainline system in terms of capacity building and system change. So, to that end, we look forward to working with the Work Intensive grantees to help the block grant states improve those mainline systems so that persons with disabilities really can enjoy benefits and services equal to all others. That's it Michael.

**Michael Morris:** Ok, thank you Gregory. Evelyn, any?

**Evelyn Rodriguez:** Well, certainly I want to thank you and anyone that is participating in the conference call because it's through actually these kinds of mechanisms that we can share information and certainly use each other as resources so that we can continue to provide universal access to people with disabilities and all individuals. So, I certainly want to thank you and if I can be of any assistance to anyone in the conference call today please feel free to call me.

**Michael Morris:** Thank you Evelyn and let me turn next to Bobby.

**Bobby Silverstein:** Just to summarize some points. The first one again is the concept that there are a number of folks with disabilities and advocates for people with disabilities. What I am doing now, myself, and I would recommend that you start thinking in this direction too, is instead of focusing solely on issues of access for people

with disabilities, instead say we've learned a lot over the years from disability policy on how to ensure access, but we should take those and can take those lessons in making sure that there is universal access, that there is a truly fully inclusive system and if it works for people with disabilities, it's going to make the whole system more accessible and usable by everyone.

The second point, which is to me so evident in this conversation and by everybody, the speakers and well as the questions, is that, when we talk about 504 and ADA, we're talking a whole lot more than about ramps and interpreters. We need to continue to get that message out to people that we're talking about the registration. We're talking about the initial screening and assessments and we're talking about the service delivery and we're talking about the reimbursement scheme and we're talking about the system for continuous improvement and all of those things must be considered when we look at 504 and ADA.

**Michael:** Thank you Bobby. On behalf of the Law, Health Policy and Disability Center at the University of Iowa Law School, and the Research and Training Center on Workforce Investment and Employment Policy, I want to thank each of you, Gregory, Evelyn, and Bobby for what I think was a very good open discussion of both the challenges and opportunities that are ahead for people with and without disabilities to access the services of the Workforce Investment System. Gregory, we appreciate the work you are doing at the Civil Rights Center, with Annabelle Lockhart and other staff that we have met with and to our very open and very active in moving forward with the goal of access and equal opportunity for job seekers with disabilities. Evelyn it is very, very helpful to get the very optimistic picture of activities in Washington State and look forward to continuing to learn from your promising and best practices. Bobby, as always you're framework related to disability policy and the approach to looking in the future at universal access beyond just removing physical barriers is really the message we on this call need to carry forward in our work at a local, state and national levels. I want to thank the participants for your questions and for being with us today. Let's look at this as just the beginning of a dialogue and continued discussion on improving opportunities for people with disabilities that advance their social and economic independence. So, with that I believe let's draw this conference call to a close. I do want to let people know that there are two more audio conferences in this series. One next month in June and a final one in July on topics that may interest you. Again, continuing with Service Coordination, a topic we talked about today within the One-Stop and Workforce Development system. Then, the final one in July on Medicaid Buy-In and where states are going in terms of improving access to affordable healthcare as people either enter for the first time, or re-enter the workforce. Information about registration is available on the University of Iowa website. So, thank you everyone for participating and we look forward to continuing the dialogue. Thanks again.