

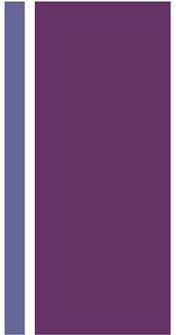
Rhode Island Settlement
with the US Department of
Justice

+ Failure to comply with ADA

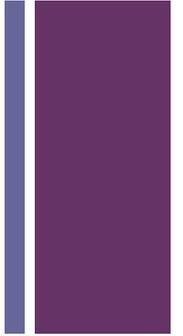
- Based on Title II and its integration mandate, the United States Supreme Court held that the “unjustified isolation” of persons with disabilities by State and local governments constitutes discrimination under Title II.
- Accordingly, the civil rights of persons with disabilities are violated by unnecessary segregation in a wide variety of non-residential settings, including segregated employment, vocational, and day programs.



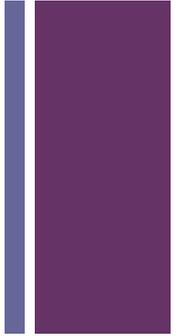
+ Facts



- Thousands of individuals spend the majority of their daytime hours receiving employment and day services in segregated sheltered workshops and facility-based day programs
- 46.2% of individuals in facility-based employment have been there a decade or longer
- 34.2% have been there for fifteen or more years



- Those in sheltered workshops earn an average of \$2.21/hour while those receiving individualized supported employment services in integrated settings earn an average of \$8.92/hour

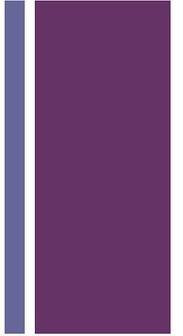


- 80% of individuals with I/DD (2,700 people) are placed in segregated sheltered workshops or facility-based day programs.
- Only 12% (385 individuals) participate in individualized, integrated employment
- The investigation found that the state has over-relied on segregated service settings

+ The Remedy

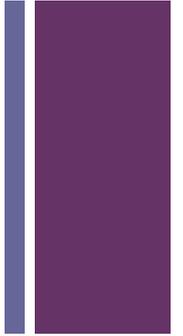


- The State has committed to transform its service system over the next 10 years providing relief to approximately 3,250 people
- Supported employment services will be provided to 2000 individuals including 300-350 youth in transition



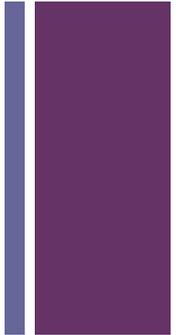
- SE placements must provide services in integrated employment settings where they:
 - Are paid at least minimum wage
 - Work the maximum number of hours consistent with their abilities and preferences
 - Interact with peers without disabilities to the fullest extent possible

- As a group, they must average 20 hours/week

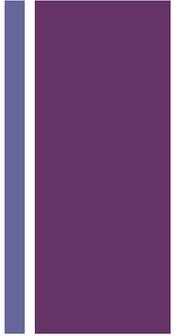


To ensure informed choice, individuals with I/DD may remain in segregated programs if they request a variance ***after they have received a vocational assessment, a trial work experience, outreach information and benefits counseling.***

+ Youth in Transition

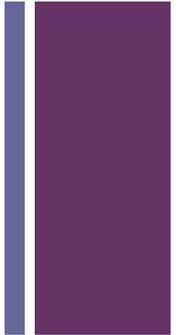


- **The Finding:** The ADA and *Olmstead* prohibit public entities from placing individuals, including young people with I/DD, at serious risk of unnecessary segregation.
- According to state data, among youth with I/DD who transitioned out of Rhode Island secondary schools between 2010 and 2012, ***only about five percent transitioned into jobs in integrated settings***, even though many more of these youth are able to work in integrated employment and are not opposed to doing so.

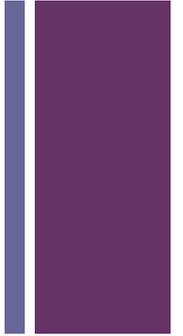


- **The Remedy:** Under the consent decree, the state will provide transition services to approximately *1,250 youth* between the ages of 14 and 21. Also under the consent decree, *the Rhode Island Department of Education (RIDE) will adopt an employment first policy, making work in integrated employment settings a priority service option for youth.* State agencies will promote the implementation of a school-to-work transition planning process that will include specific timelines and benchmarks for all youth between the ages of 14 and 21.
- Youth in transition will receive integrated vocational and situational assessments, trial work experiences, and an array of other services to ensure that they have meaningful opportunities to work in the community after they exit school.

+ Other Provisions



- The State will:
 - Provide outreach, education and support including an Employment First Task Force
 - Build Provider Capacity including a conversion institute and trust fund; and, provide leadership, training and technical assistance
 - Develop Interagency Collaboration including interagency agreements
 - Reallocate funding resources to SE and/or integrated day services
 - Implement a statewide quality improvement initiative and will regularly conduct on-site reviews
 - Collect data and monitor compliance



***Most other states are
watching with bated
breath....all are asking
are we next on the list?***