



# Deconstructing the Workshop: A Colorado Experience

or: “Why it’s time to build a more  
progressive day service model”

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# Conversion summary

- Two sheltered workshops serving 200 people with developmental disabilities
- Conversion occurred from 1989 to 1996
- Experience by project participants drove other stakeholders to support conversion
- Culminated in publication of a “how to” booklet published by APSE

# CO DDD conversion facilitation

- 25% higher rate provided for persons with a community employment goal
- Mini-grants provided for staff training in best practice techniques
- Cooperative agreement with the CO DVR unit provided local project funding and joint effort with local DVR staff

# Primary agency considerations

- Funding conversion
- Preferences of people served
- Stakeholder persuasion
- Values clarification for staff
- Technical training for staff
- Implementation flexibility
- Fit with public policy

# The Olmstead Decision

## U.S. Supreme Court

### June 22, 1999



Mandating that Individuals  
with Disabilities *must* be  
served within the  
Most Integrated Setting

# *Olmstead Decision Background*

- Referred to as **Olmstead vs. L. C.**
- Supreme Court decision defining Title II of the ADA (services funded by state and/or local government)
- Based on case of two Georgia women with cognitive disabilities, **Lois Curtis & Elaine Wilson**
- “**Most integrated setting**” standard

# *State requirements*

## **Community placement when-**

- **Professionals state it is appropriate;**
- **Persons do not oppose it;**
- **State resources used are reasonable.**

Olmstead directs the State to administer services “in the most integrated setting,” when:

1. professionals reasonably determine such placement is appropriate (Supported Employment, “SE,” has been determined appropriate for all who desire it, i.e. “zero reject”),
2. the person does not oppose such placement (SE is nearly always preferred by people with disabilities over sheltered work), and
3. such placement can be reasonably accommodated on the basis of cost (SE has been shown to cost less than sheltered work, Cimera, 2001).

\*See references at end of handout

# 1. Professional approval

- professionals reasonably determine such placement is appropriate
- SE has been determined appropriate for all who desire it, (i.e. “zero reject”),
- Customized employment (negotiating the employment relationship to meet the needs of both employee and employer) can realize the original promise of SE

## 2. Person Does Not Oppose Community Placement

- Informed choice requires experience in integrated settings with appropriate support
- All people tend to feel more comfortable with what is known (status quo)
- Professionals (medical and disability) sometimes create low expectations for those who experience disability
- Freedom requires experience/information

# Case study of the interaction between community experience and preference for SE

YEAR	PERSONS WITH COMM. EXPERIENCE	PERSONS REQUESTING WORKSHOP
1980	15%	75%
1990	80%	14%
1996	100%	0%

# What have we learned about choice and employment?

- When people are provided experience in community employment settings with appropriate support they choose community employment over sheltered settings
- If all people were provided true informed choice, they would never or rarely oppose placement in “the most integrated setting”

### 3. Reasonable Cost (Cimera, 2001)

- Sheltered workshop services are not cost beneficial (\$ cost is more than \$ benefit)
- Supported employment is cost beneficial (for each \$ invested, more \$s are returned in taxes paid, fewer govmt benefits paid, forgone program costs)
- It may take as many as four years for SE services to break even/generate positive funding
- Individual employment is more cost beneficial than enclave (group) employment

# How does Olmstead fit with Supported Employment (SE)?

- Professionals know SE is appropriate for all who desire to be employed
- Persons will not oppose SE when they are able to access informed choice
- Data indicates SE more cost effective than segregated day services
- Approximately 185 U.S. agencies are in the process of conversion; ~20% are done
- If all this is true, when is the right time to “de-construct” our workshops???

Answer:

**NOW!**

## What you can do

- Talk to people with disabilities and their families about Supported and Customized Employment
- Support and develop local self advocacy groups
- Push for CE & SE for all
- Register an OCR complaint for all persons who have been denied employment services in the most integrated setting

# Office for Civil Rights Complaints

- Locate your regional OCR office at <http://www.hhs.gov/ocr/regmail.html>
- Go to the OCR home page at <http://www.hhs.gov/ocr/index.html> and click on “How to file a discrimination complaint with the Office for Civil Rights” under the “Your Rights” heading
- Contact me, [rlawhead@emplink.org](mailto:rlawhead@emplink.org) for suggested complaint protocols

# What you can do

- Write to and meet with your state public policy makers to get them informed
- Participate in the writing and revising of your state Olmstead plan (public participation is required)
- Get on your statewide advisory councils to represent your APSE chapter and the expansion of CE/SE
- Build alliances with advocacy groups like TASH, ADAPT, SABLE, the Arcs, the DD Council

# What you can do

Engage in a non-violent protest at your local segregated facility and let everyone know :

- “What do we want?”
- “REAL JOBS!”
- “When do we want them?”
- “NOW!”

## References supporting Olmstead's application to SE:

- Item 1. Bellemy, G. T. (1988). Supported employment. In G. T. Bellamy, L. Rhodes, D. Mank and J. Albin (Eds.) *Supported employment: A community implementation guide* (pp.1-18). Baltimore: Paul H. Brookes Publishing.
- Mcgloughlin, C., Garner, J. B., Callahan, M. (1987) *Getting employed, staying employed*. Baltimore: Paul H. Brookes Publishing.
- Moon, M. S., Inge, K., Wehman, P., Brooke, V. & Barcus, J. M. (1990) *Helping persons with severe mental retardation get and keep employment*. Baltimore: Paul H. Brookes Publishing.
- Murphy S. & Rogan, P. (1995) *Closing the Shop*. Baltimore: Paul H. Brookes Publishing.
- Wehman, P. (1988). Supported employment: toward zero exclusion of persons with severe disabilities. In P. Wehman and M. S. Moon (Eds.) *Vocational rehabilitation and supported employment* (pp.3-16). Baltimore: Paul H. Brookes Publishing.
- Item 2. Bob Lawhead, while coordinating the closure of Boulder County Enterprises' (now, Employment Link) two sheltered workshops, found that as persons served in the sheltered workshops gained experience in community work settings with customized support they chose community work settings over sheltered work settings without exception (N = 188). Please see Olmstead slide showing the relationship between experience in community job settings and choice of those settings based on the experience of people served by Employment Link.
- Item 3. Robert Cimera in Cimera, R., 2001. The economics of running supported employment programs. In P. Wehman (Ed.) Supported employment in business: Expanding the capacity of workers with disabilities. (pp. 287-298). St Augustine: TRN, studied the results of 16 cost-benefit studies conducted from 1981 through 1998. He found that "By the fourth year of operation, supported employment programs are typically producing more benefits for tax payers than costs." (p. 291).