

# MAKING **a** DIFFERENCE

REAL HOMES. REAL CAREERS. REAL LEARNING. REAL INFLUENCE. REAL SUPPORTS.



## CONQUERING THE EMPLOYMENT FRONTIER

**NEWS  
FOR YOU:**

**ASSET BUILDING:** Bringing the ABLE Act to Georgia

**EMPLOYMENT FIRST GEORGIA:** Meaningful Employment

**DOJ CHALLENGES THE GADOE:** The GNETS Program



**On the Cover:**

Eren Niederhoffer makes a presentation at his workplace. He is leading the way as a person with a disability who has meaningful employment as a data-mining analyst. (See story on page 12.)

The Georgia Council on Developmental Disabilities, a federally funded state agency, works to bring about social and policy changes that promote opportunities for persons with developmental disabilities and their families to live, learn, work, play and worship in Georgia communities.



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**On the Back Cover:**

ABLE Act Advocacy Day will be held in 2016 to train people with disabilities to advocate for passage of the law in Georgia. Join our advocacy team and meet with legislators at the Capitol! (See story on page 6.)

# MAKING a DIFFERENCE

A quarterly magazine of the Georgia Council on Developmental Disabilities

VOLUME 16, ISSUE 2

**Bringing the ABLE Act to Georgia** ..... page 6  
Before the passage of the ABLE Act, asset building was not possible for individuals with disabilities due to the risk of losing benefits received through Medicaid and Social Security.

**Conquering the Employment Frontier** ..... page 12  
October is National Disability Employment Awareness Month (NDEAM) and 2015 marks 70 years since the first observance. Employment First Georgia (EFG), supported by GCDD, is leading the way to make meaningful employment a first choice for Georgians with disabilities.

**Department of Justice Challenges the Georgia Department of Education Over GNETS Program** .....page 18  
The DOJ investigated the State's GNETS program, determining it violates the Americans with Disabilities Act by unnecessarily segregating students with disabilities from their peers.

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In order for someone to truly build the **CAREER THEY LOVE** and **SUCCEED IN IT**, you have to look at the essence of who they are. That essence is **not** their disability.

## Conquering the Employment Frontier

By Ruksana Hussain

**N**ational Disability Employment Awareness Month (NDEAM), observed every October, is a celebration of the many contributions of America's workers with disabilities. It also offers a perfect time to raise awareness about disability employment issues.

The United States Department of Labor (USDOL) marks 70 years since the first observance of NDEAM with the announcement of the 2015 theme, "My Disability is One Part of Who I Am."

This year also marked the 25th anniversary of the Americans with Disabilities Act (ADA), and while disability leaders and advocates celebrated the progress of the ADA, overwhelming consensus declared that the next frontier for disability rights will target competitive employment.

With a high unemployment rate, people with disabilities are greatly marginalized in society. Advocates, disability supporters and professionals have made it a goal to address this issue for current and future generations.

"For a long time, people with disabilities tended to be defined by their disability. Many people, both with and without disabilities, in and out of the disability community, would say someone with disabilities can't work, or if they worked, they can only do this or that, giving them a narrow range of options," says D'Arcy Robb, EFG's co-coordinator. "In order for someone to truly build the career they love and succeed in it, you have to look at the essence of who they are. That essence is not their disability. It is what they love, what motivates them, it is the reason why they get out of bed every day to go to a job. 'My disability is one part of who I am' is an apt theme [for NDEAM 2015]."

### Employment First Georgia

Locally, Employment First Georgia (EFG) is leading the way to make meaningful employment a first choice. EFG is a coalition of people with disabilities, their family members, service providers and advocates who are bringing awareness to disability employment.

Supported by the Georgia Council on Developmental Disabilities (GCDD) and the Georgia Advocacy Office (GAO), EFG is currently advocating for statewide legislation to make Georgia an Employment First state. Throughout Georgia's social service system, meaningful employment would become a primary objective for all working-age Georgians with disabilities.

"For a long time, people with disabilities tended to be defined by their disability."

Many employers and members of society, however, may not be aware of the ability of people with disabilities to carry out certain jobs. They can't imagine this is possible. Traditionally, options have been limited. People with disabilities were resigned to attend adult day care centers where they performed job tasks that held little meaning for them and were paid at subminimum wage while segregated from the general workforce. But it has been demonstrated that people with disabilities can thrive in jobs alongside other workers with the proper supports.

### EMPLOYMENT FIRST GEORGIA

(EFG) is a statewide resource that promotes innovative, customized employment practices. Individuals will be supported with technical assistance and consultation to pursue their own unique path to work, a career or contribution to participation in community life.

For more information, visit [www.employmentfirstgeorgia.org](http://www.employmentfirstgeorgia.org) or contact Employment First Co-Coordinator D'Arcy Robb at [darcy.t.robb@gmail.com](mailto:darcy.t.robb@gmail.com).

Elizabeth Persaud, training coordinator at the AMAC Accessibility Solutions and Research Center at Georgia Tech, more than thrives in her position.

“My supervisor truly embraces the idea of accommodations and individuals working the best time and way that allows them to productively and successfully accomplish their responsibilities,” said Persaud, who uses up to 30 forms of assistive technologies to succeed in her position. “As a result of this, I am able to accomplish my tasks and also successfully further my career.”

EFG is committed to changing conditions in Georgia so all people are able to obtain meaningful work and pursue careers of their choice, including those with the most significant disabilities.

**But it has been demonstrated that people with disabilities can thrive in jobs alongside other workers with the proper supports.**

“I’ve never spoken with an employer who has said they don’t want to employ people with disabilities,” shares Robb. “A lot [of employers] say this is a great idea, but they want to know *how* to employ people with disabilities. We are collectively working to educate people and work together on the how.”

The House Study Committee on Post-secondary Education and Employment Options for Individuals with Intellectual and Developmental Disabilities is poised to take Georgia a step closer to becoming an Employment First state. Five Georgia legislators were appointed to the study committee in July this year.

The committee recognized that young Georgians with intellectual and developmental disabilities finish high school, only to become frustrated “couch kids” with nothing to do. They want jobs and careers, but the current system dis-incentivizes employment so most Georgians with disabilities who want to work remain unemployed.

# My disability is one part of who I am.

At work, it’s what people can do that matters.

**National Disability Employment Awareness Month — Celebrating 70 Years!**



OFFICE OF DISABILITY EMPLOYMENT POLICY  
UNITED STATES DEPARTMENT OF LABOR  
dol.gov/odep



“What EFG has to celebrate in October is that we have specific legislative attention on this issue with the study committee,” says Robb. “Last year was the first time we in the disability community fully started to talk about Employment First, specifically in the post-secondary program.”

The committee will study the conditions, needs, issues and problems related to Employment First and recommend any appropriate action or legislation necessary.

“We’re asking the committee for an Employment First policy for Georgia. We need it to pass legislatively to retool the whole system so all of the Georgia disability support system prioritizes employment as a first option for everyone,” says Robb.

The results would benefit Georgians with disabilities, families and employers as well as taxpayers.

## The Link to Post-Secondary Education

One area where Georgia has made great strides is Inclusive Post-secondary Education (IPSE), going from just one university to four since 2012. The Academy for Inclusive Learning and Social Growth at Kennesaw State University (KSU) was the first IPSE School in Georgia, started in partnership with GCDD.

Thanks to legislative appropriations that brought in the extra financial support, Georgia is a blooming success story with three additional IPSE programs – the Inclusive Post-secondary Academy at

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## Post-Secondary Education and Employment Options for Individuals with Intellectual and Developmental Disabilities Study Committee:

- Chair Katie Dempsey, R-Rome
- Rep. Amy Carter, R-Valdosta
- Rep. Bubber Epps, R-Dry Branch
- Rep. Valencia Stovall, D-Lake City
- Rep. Bill Werkheiser, R-Glenville



Rep. Katie Dempsey (center), chair of the new study committee, has long been an advocate for people with disabilities. She is pictured with GCDD Public Policy Director Dawn Alford (r) and Rep. Michelle Henson at Disability Day 2014.

## Georgia Schools with Inclusive Post-Secondary Education Programs

Thanks to legislative appropriations that brought in the extra financial support, Georgia is a blooming success story with a total of four IPSE programs across the State.



Georgia Institute of Technology in Atlanta, the GOALS Program at Columbus State University in Columbus and the CHOICE Program for Inclusive Learning at East Georgia State College in Swainsboro.

“To build a good program takes resources. You need the right people and financial resources. IPSE is a fairly new concept so when you look at these four organizations, that is just part of the story. You have to look at our tremendous growth over the years,” said Robb.

There is a financial obstacle from the student and the program perspective. EFG is requesting the study committee set a basic dollar amount in appropriations every year for IPSE schools.

“We have learned IPSE programs benefit if they are not dependent on tuition fees but have funds available as a building block to ensure a quality program,” added Robb.

Another education-related aspect EFG is working on is seeking a mirror to the statewide HOPE Scholarship Program. The HOPE Program (Helping Outstanding Pupils Educationally) is Georgia’s unique scholarship and grant program that provides students with financial assistance in degree, diploma and certificate programs at eligible Georgia public and private colleges and universities and public technical colleges. Such scholarships could aid students who meet the criteria and wish to go to IPSE.

IPSE grew through a grassroots movement called the Georgia Inclusive Post-Secondary

Education Consortium (GAIPSE). It began as an informal working group of advocates, parents, school personnel, transition specialists and university professionals committed to increasing post-secondary education opportunities in Georgia. The group came together in September 2011 seeking to create opportunities for students who have historically not had access to higher education.

It works with members of diverse communities to help higher education institutions implement programs that extend the dream of higher education to young people with intellectual and developmental disabilities. The programs target those individuals who previously were excluded from the college experience under the belief that “they can’t.” The consortium is bringing together members from all over Georgia to show that with innovation, compassion and the right resources, they can.

The numbers prove it – students who participated in IPSE were 26% more likely to leave vocational rehabilitation services with a paid job and made 73% higher weekly wages.

But, wages, however, remain a topic of debate.

### The Wage Debate

Through its Wage and Hour Division (WHD), USDOL allows subminimum wages for special employment. The WHD enforces several requirements of the Fair Labor Standards Act (FLSA) including a provision for the employment of certain

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individuals at wage rates below the statutory minimum. Section 14(c) of the FLSA authorizes employers, after receiving a certificate from the WHD, to pay special minimum wages for work performed by workers with disabilities. These wages are less than the federal minimum wage.

Subminimum wages tend to be paid in sheltered workshops that employ workers with disabilities and provide a controlled environment where workers usually do repetitive work and coworkers are people with disabilities as well. There is little room to grow and people could literally be paid pennies per hour.

“When we say Employment First and we say work, we do not include work in a sheltered workshop,” says Robb. “Part of the point of work is for you to care for yourself or your family economically. Pennies on the hour, the low minimum wage, that’s not going to do it.”

“Part of the point of work is for you to care for yourself or your family economically. Pennies on the hour, the low minimum wage, that’s not going to do it.”

In an Employment First world, people with disabilities are looking at jobs that are at least at or above the minimum wage or becoming self-employed. The subminimum wage sheltered workshop jobs are not part of an Employment First culture. EFG wants the sheltered workshops to go away but understands the need to transition people out of them, being careful about how it is done.

“It’s going to impact people’s lives in a bad way if we just go in tomorrow and shut the doors,” Robb said. “It is a process. It’s a ‘how’ piece – we need to get out of sheltered workshops and we will, we just need to be careful about how we do that – that’s the takeaway.”

A recently published midterm report by the federal advisory committee on the

Workforce Innovation and Opportunity Act (WIOA) is full of facts, conclusions and recommendations around phasing out segregation and subminimum wages. And, those things are necessary to build the capacity to make segregation and subminimum wage jobs obsolete.

“We have some exemplary providers in our State who have been doing individualized competitive integrative employment. We must learn from our best providers how you go about including everybody, not accepting that subminimum wages or segregation is necessary just because somebody has a particular disability,” said Ruby Moore, executive director of the Georgia Advocacy Office. Moore also sits on the federal advisory committee for WIOA.

According to Moore, when someone does not have the skills to do a particular kind of job, narrowing the options doesn’t help. Ensuring that anybody who is in a subminimum wage job actually gets the opportunity is to go through a process called discovery – a program paid for by Georgia Vocational Rehabilitation Agency. This allows the individual to learn how their talents and skills match an employment opportunity that is meaningful and competitive.

“Employees with disabilities who have jobs and are happy with them are our pioneers. They have the potential to be ambassadors for a whole community because it’s much easier to show somebody the possibilities than to just describe it in theory,” says Robb. “People with disabilities, who work, are the lucky minority. In the coming decades, that is going to be the norm. These people are on the front lines of this very exciting time.”



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### EFG initiates Georgia’s first Take Your Legislator To Work Day

A recent commendable effort being supported by GCDD is EFG’s Take Your Legislator To Work Day (TYLTWD). Robb first heard about TYLTWD from the director of the Developmental Disabilities Council of Wisconsin. The national organization Association for People Supporting Employment (APSE) used its template as a toolkit for other states to replicate, making Georgia one of the first states to implement TYLTWD. In October 2015, working Georgians with disabilities will invite their legislator to visit them at work. Legislators will have the opportunity to see how people with disabilities contribute to the local economy when employees give them a tour of their workplace, introduce them to co-workers and discuss why their job is important to them.



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HELP MAKE  
THE ABLE  
ACT A LAW  
IN GEORGIA.

Meet with Georgia legislators at the State Capitol after a morning of advocacy training by the Georgia ABLE Coalition.

**Get Involved!**



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Join us at the ABLE Act  
Advocacy Day in 2016!

