

# BREAKING

# GROUND

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**IN THIS  
ISSUE:**

**WELCOMING  
EMPLOYEES WITH  
DISABILITIES TO WORK**



**TENNESSEE COUNCIL**  
on developmental disabilities



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Cover photo: Governor Bill Haslam meets with Kevin Wright,  
Executive Director, Tennessee Technology Access Project.

## A NOTE FROM THE EXECUTIVE DIRECTOR



*Wanda Willis,  
Council Executive Director*

Each year National Disability Employment Awareness Month is celebrated during October, led by the U.S. Department of Labor's Office of Disability Employment Policy (ODEP). In this issue of Breaking Ground, we showcase just a few initiatives in Tennessee that are in motion to open more employment opportunities for Tennesseans with disabilities.

Youth and adults with disabilities continue to face more barriers than the general population in finding and maintaining employment in their communities. The Council is working in partnership with public and private organizations to aggressively address these barriers by implementing innovative policies and practices and by increasing the effectiveness and efficiency of government programs.

In this issue the Tennessee Department of Human Resources shares how state government is working towards recruiting more qualified employees with disabilities. The Department of Labor and Workforce Development explains how the Workforce Innovation and Opportunity Act, a major national public policy development, is being implemented in Tennessee and how changes created by this legislation will impact job seekers with disabilities. We summarize recommendations from the Employment First Task Force year 2 Report to the Governor about how Tennessee can continue to increase the employment rate for Tennesseans with disabilities. This issue also highlights how individuals and families can share their own stories about their experiences of living with a disability with legislators, in an effort to improve the lives of all Tennesseans with disabilities through policy and advocacy.

We hope to engage members of our communities in strategic conversations about how we, as a state, can continue to increase access to real jobs for real wages for Tennesseans with disabilities. We invite you to participate with us in this important conversation about employment by staying connected through reading Breaking Ground, following the Council on Facebook, signing up for our monthly e-newsletter and reading the full Employment First Task Force report at [www.tn.gov/cdd](http://www.tn.gov/cdd).

- Wanda Willis

# WELCOMING EMPLOYEES WITH DISABILITIES TO WORK



*Tony Mitchell,  
Front Desk Clerk, DIDD*

by Ashley Fuqua, Legislative Liaison & Public Information Officer, Tennessee Department of Human Resources

## MODELING THE WAY

In Tennessee, Governor Haslam has focused on making the State the number one location in the Southeast for high-quality jobs. This initiative does not end with private industry but extends to careers in state government. State government is currently the largest employer in Tennessee with over 42,000 employees and strives to be the employer of choice. Embracing the Governor's vision of providing services in a customer-focused manner while strengthening the efficiency and effectiveness of state government, the Department of Human Resources partners with state agencies across the enterprise to ensure Tennesseans of all backgrounds are offered employment opportunities. With a vision of strategically driving transformation through innovative human resources leadership and practices to shape the best workforce for state government, the Department is at the forefront of increasing opportunities for individuals with disabilities and alleviating barriers to employment, while becoming a model employer for individuals with disabilities.

## RECRUITMENT EFFORTS

With the inception and passage of the Tennessee Excellence in Accountability Management Act (T.E.A.M. Act), state government's employment practices were updated to refocus efforts and resources on recruitment with a vision to recruit, retain and reward a talented workforce. The Department recognizes that individuals with disabilities are important and valued members of the State's current and future workforce.

On May 20, 2015, the Department participated with TennesseeWorks (a collaboration of agencies and organizations focused on promoting employment for individuals with disabilities), the Middle Tennessee Society for Human Resource Management, and various other organizations to host a career expo for job seekers with disabilities. Several other state agencies joined in the job fair, with the Department of Labor partnering to provide a career coach to facilitate résumés, computer skills and application submission. This was an important first step in raising awareness, as it showed individuals with disabilities the state's efforts to accommodate and attract persons of all backgrounds. In the future, the Department plans to continue to partner and participate with organizations to demonstrate the State's commitment to diversity. The Department is exploring possibilities to extend its outreach to the disability community, either through job expos, speaking engagements at community events, literature distribution, or simply being available to meet with individuals during the application and interview process.



*Paul Ford, Distributive  
Programmer/Analyst IV, DIDD*

Another way the Department has continued to ramp up recruitment efforts to individuals with disabilities is through the establishment of a TTY/TDD service to assist persons who are hard of hearing/deaf with application

questions. Department staff stands ready to assist persons with reading disabilities, visual impairments, or impaired manual dexterity in setting up required accounts in our application tracking system, in an effort to make it as seamless as possible to apply for open positions. Staff is available and ready to assist any state employee who needs assistance with filling out applications or any related issues. For more on applying for state positions and available services, please visit: <http://www.tn.gov/hr/topic/employment-opportunities>.



*Teresa Trimble,  
Accounting Technician  
Department of Finance & Administration*

Embarking on a journey to implement best practices enterprise-wide, the Department has instituted a new first round interview process. The new process provides more inclusivity by utilizing an online forum to test knowledge, skills, abilities and competencies of applicants. Agencies utilize this process for first round interviews which allows applicants to answer these questions in a neutral, online environment, and those candidates meeting criteria are sent to agencies to conduct further interviews. It may seem simple, but by creating an online forum for the first round interviews, applicants enjoy a more neutral and fair process while agencies are given more qualified candidates to interview. While these strides have lessened some barriers, the Department's focus on continuous improvement does not stop the conversation with these efforts.

## VISIONING FOR THE FUTURE

With the focus on innovation and collaboration, the Department has several goals to continue increasing opportunities for individuals with disabilities while alleviating barriers to employment.

The Department is designing and establishing a new statewide training for human resource professionals and managers entitled, "Detecting Accommodations: Understanding the Manager's Role in ADA." We envision the training will give managers the necessary tools to assist employees and open conversations around disabilities. The training will help employees recognize avenues for accommodations, while reducing any stigma associated with requesting them.

This fall DOHR Commissioner Rebecca Hunter reached out to Alan Muir, Director for UT's Center for Career Development COSD program (Career Opportunities for

Students with Disabilities), which promotes employment of college graduates with disabilities. Mr. Muir consults with higher education institutions across the country to facilitate collaboration among colleges and universities and major employers on how to best conduct outreach to recent college graduates with disabilities to recruit and hire them. The Department is exploring how state government might partner with the COSD program to link college graduates with disabilities to jobs in state government.

The Department is also working to create and design an internship for persons with disabilities. The Department currently operates and facilitates an internship program but we want to ensure all communities know about the opportunities. It is our hope that individuals with disabilities will see the internship program as a way to get work-related experience and will open the door for employment as positions become available. Experiential learning gives interns a broader and more in-depth knowledge of state government and provides skills that employers value.

## ESTABLISHING A SUPPORT NETWORK

Sometimes it can be tough to navigate and understand the accommodation process and can prove frightening to even the most seasoned employee, but the Department of Human Resources is here to help.

While the disclosure process is voluntary, state employees with disabilities are encouraged to contact their HR offices or the Department for special assistance or questions. It is our hope that with the roll out of the new training, any stigma or fear of self-reporting will be lessened.

In its role as equal employment officer, the Department actively seeks information requiring accommodations and hiring plans for person with disabilities. Currently, the Department requires departments to disclose their efforts to recruit and hire employees with disabilities through affirmative action plans.

Tennessee State Government has made it our top priority to provide superb customer service through a talented and customer-focused workforce. By working across the enterprise



*James Shannon  
Managed Care Specialist 1  
Bureau of TennCare*

of departments and agencies, and engaging the support of public and private partners, Tennessee State Government stands ready to become a model employer for individuals with disabilities.

# THE IMPACT OF THE WORKFORCE INNOVATION AND OPPORTUNITY ACT FOR TENNESSEE



Susie Bourque

by Susie Bourque, Director of Policy and Special Projects, Tennessee Department of Labor and Workforce Development

On July 22, 2014 the Workforce Innovation and Opportunity Act (WIOA) was passed into law. WIOA is designed to help job seekers, including those with disabilities, access employment, education, training and support services to succeed in the labor market. The new

law replaces the Workforce Investment Act of 1998 and puts a greater emphasis on the American Job Centers (AJC) achieving results for job seekers, workers and businesses.

Through strategic coordination, WIOA brings together:

- Employment and training services for adults, dislocated workers (those who have been or are about to be laid off) and youth, and Wagner-Peyser employment services (established by The Wagner-Peyser Act of 1933) administered by the Department of Labor (DOL) through formula grants to states; and
- Adult education and literacy programs and Vocational Rehabilitation state grant programs that assist individuals with disabilities in obtaining employment administered by the Department of Education (DOE).

Through the new law, Congress continued the emphasis on the American Job Center as the location for the workforce development system to align training with needed skills and match employers with qualified workers in the state. By locating mandatory and optional partners in the AJC, participants have access to the full array of services available to them. In coordination with the employers in the area, job seekers can align and employers can connect.

Most importantly, WIOA increases access to high-quality workforce services for individuals with disabilities to prepare them for competitive integrated employment. The AJCs are required to meet higher standards for accessibility both physically and programmatically in order to assist participants with disabilities. Accessibility also includes providing services, technology, program materials in various forms, staff training and support for addressing the needs of individuals with disabilities.

Local Workforce Boards are required to conduct an annual assessment to ensure accessibility and collaboration between partners in order for a career center to achieve certification.

In Tennessee the career center certification process will include specific benchmarks for the number of participants served with disabilities, and the number of key-partner services coordinated to enhance the service strategy for the participant. High quality training will provide access to industry-recognized credentials for in-demand jobs. Through the AJCs participants can access career pathways for education and training assistance such as Registered Apprenticeship, transitional jobs, on-the-job training and customized training.

Transitional jobs are particularly important for participants with disabilities; they are a time-limited work experience that are subsidized and are in the public, private or nonprofit sectors for individuals with barriers to employment who are chronically unemployed or have an inconsistent work history. These jobs are combined with comprehensive career and supportive services and help to establish a work history and develop the skills that lead to unsubsidized employment.

Another difference with WIOA is the order in which services are provided. With WIA, services were required to be offered in a specific sequence, which caused delays in access to training in a more efficient manner. With WIOA, services have been collapsed into "career services" enabling the access for training service to be faster and helping people become employed more quickly. WIOA restricts compensation to an individual with disabilities from receiving subminimum wages, assisting the participant to achieve competitive integrated employment.

Services for youth with disabilities have also gone through significant changes with the implementation of WIOA. Local workforce investment areas must increase the percentage of youth funds to serve out-of-school youth to 75% of their funding, from the previous requirement of 30%. In addition, 20% of youth funds must be spent on work experience activities such as summer jobs, pre-apprenticeship, on-the-job training and internships so that young job seekers will be prepared for employment. The youth get on-site experiences in employment to help determine a true interest.

The WIOA services, and the WIOA Vocational Rehabilitation youth services, will form an ongoing support for participants to successfully transition from school into employment.

For location of the career center nearest you, go to: <http://jobcenter.usa.gov/find-a-job>.



# EXPECTING A FOLLOW-UP

## IN JUNE 2013,

Governor Haslam established Tennessee as an Employment First state with Executive Order No. 28. In recognition of Tennessee's high levels of unemployment for job seekers with disabilities, mental illnesses and substance abuse disorders, this order created an Employment First Task Force to support the commitment of state partnership agencies in increasing opportunities for integrated, competitive employment.

The Task Force, comprised of representatives from state agencies, people with disabilities and family members, advocates, service providers, employers and other community members, released its first Employment First Task Force Report to the Governor in August 2014. Its purpose was to outline findings and provide recommendations for expanding community employment for Tennesseans with disabilities. This initial report identified barriers to employment, including, but not limited to, a lack of coordination among state agencies; insufficient funding; a service delivery system that is inaccessible or inflexible, as well as inadequate training for those who provide those services; transportation challenges; and a cultural mindset of low expectations.

Many of these obstacles are not unique to Tennessee. Nationally, we know that only 19.8% of people with disabilities participate in the labor force, compared to 68.8% of other employment age citizens (U.S. Dept. of Labor, Office of Disability Employment Policy, May 2015). On the bright side, we also know that for states that have committed to the Employment First philosophy, trends are starting to show that a shift in public and private attitudes leads to improvements in the employment rate for people with disabilities.

A new 2015 Expect Employment Report describes some of the specific results and progress achieved over the past year, as well as strategies for sustaining and measuring progress. The first recommendation in the 2014 report was to

execute a Memorandum of Understanding (MOU) between the state partner agencies committed to Employment First: the Departments of Intellectual and Developmental Disabilities, Labor and Workforce Development, Education, Human Services (Division of Rehabilitation Services), and Mental Health and Substance Abuse Services. All five state agencies approved and signed the MOU this year, removing potential barriers and strengthening the level of coordination among these partners to improve employment outcomes. The Council serves as the lead agency for the purposes of convening the MOU Oversight Committee.

Another important step has been the collaboration between TennCare and the Department of Intellectual and Developmental Disabilities (DIDD), which helped inform a recent proposed amendment of the state's Medicaid waivers to emphasize employment as the preferred option for individuals with intellectual disabilities who receive long-term services and supports. Furthermore, an employment incentive will be available for employment service providers who successfully support a person with ID in finding and maintaining employment.

Additionally:

- The coordination of services between DIDD and Department of Human Services Division of Rehabilitation Services (DHS) has improved, through the sharing of service plans for individuals with disabilities.
- A three-year strategic plan was developed that includes metrics and measurable objectives for creating and expanding employment opportunities for students and adults with disabilities.
- Project SEARCH, a nationally recognized and replicated program that places people with disabilities in internships that often lead to jobs, has been expanded to include 60 interns participating at seven program sites statewide. A total of 42 individuals have been employed through Project SEARCH.

# EMPLOYMENT: REPORT

by Cissy Mynatt and Ned Andrew Solomon

- Federal grants have been secured and resources reallocated to expand an Individual Placement and Support (IPS) initiative to include transition age youth and homeless veterans, and locations in West Tennessee. IPS, an initiative started in 2013 by the Tennessee Department of Mental Health and Substance Abuse Services (DMHSAS) in partnership with DHS, supports individuals with serious mental illness and co-occurring mental and substance use disorders to obtain competitive and integrated employment. To date, over 270 individuals have been served by IPS and 148 have been placed in employment receiving a competitive wage.
- DHS and DIDD are coordinating efforts to train vendors who will participate in a pilot project to implement Customized Employment in Tennessee this year.
- DHS is providing support for students with intellectual and developmental disabilities who attend one of Tennessee's five post-secondary programs.
- Tennessee Department of Education celebrated the first graduates in May 2015 who received the new Occupational Diploma. A total of 11 students in 4 pilot districts received the diploma and that number is expected to grow significantly for 2015/16.

In an effort to expand upon and sustain the recommendations in the 2014 Expect Employment report, the Task Force engaged its members and other stakeholders to develop a strategic plan. The three-year goals, metrics and strategies of this plan serve as the framework to drive the collaborative effort for 2015-17. The Task Force is already measuring its progress against specific objectives for the current year set out in each of these five goal areas aimed at increasing employment:

- Alignment and Coordination of Service Systems: Align service delivery systems and strengthen coordination to

increase employment opportunities for Tennesseans with disabilities.

- Community Commitment: Build shared community commitment to "employment first" for individuals with disabilities.
- More Employers Hiring: Increase the number of businesses and employers throughout the state who actively seek and hire individuals with disabilities.
- Tennessee as Model Public Sector Employer: Make Tennessee a model public sector employer through actions to employ more people with disabilities and through policy and regulatory change.
- Student Transition to Employment: Prepare students for employment throughout their education and connect them to essential services.

The Council appreciates the hard work of the Employment First Task Force members, and Governor Haslam's leadership in making this collaborative effort possible. We look forward to providing continued progress reports as public and private partners committed to Employment First in Tennessee work to ensure that "people with disabilities have the same opportunities for employment as anyone".

The Council would like to thank the following Tennessee Employment First Partner agencies for their collaborative work on this initiative: Department of Intellectual and Developmental Disabilities, Department of Labor and Workforce Development, Department of Human Services, Department of Education, Department of Mental Health and Substance Abuse Services, TennCare and the Vanderbilt Kennedy Center.

*Cissy Mynatt is a consultant with the Center for Non-Profit Management. Ned Andrew Solomon is the Council's Director of Partners in Policymaking.*

# THE STATEWIDE INDEPENDENT LIVING COUNCIL DISABILITY RIGHTS TENNESSEE



by Tiffany Mason

*The Alliance at Legislative Plaza. (l to r) Lisa Primm, DRT; Tiffany Mason, TN Council on DD; Wanda Willis, TN Council on DD; Angela Webster, DRT; Carrie Guiden, The Arc TN; Doria Panvini, The Arc TN.*

# DISABILITY POLICY ALLIANCE

**T**he Disability Policy Alliance of Tennessee is a collaboration of agencies united to advance policies and practices affecting Tennesseans with disabilities and their families. Alliance members are affiliated with leading national organizations in the disability field, and the collaborative is modeled after the national public policy alliance established by The Arc US and United Cerebral Palsy Associations in December 2002.

Today's Disability Policy Alliance members are The Arc Tennessee, the Tennessee Council on Developmental Disabilities, Disability Rights Tennessee (DRT) and the Statewide Independent Living Council (SILC) of Tennessee. By working together, skills and resources of the members can be shared and maximized to impact public policy in greater ways. While each member organization maintains strong internal public policy structures, the Disability Policy Alliance has gained recognition as an effective and influential collaborative organization.

The Disability Policy Alliance develops joint policy statements and works together to educate legislators, stakeholders

and others regarding issues that are important to persons with disabilities and their families. Each year, the Alliance focuses its collective energies on a small number of legislative priorities. In the last session, members worked together to support the Aging Caregiver bill, an effort that would require persons with intellectual disabilities whose caregivers are 80 years old or older to be served by the Self-Determination Waiver through the Department of Intellectual and Developmental Disabilities (DIDD). The Tennessee General Assembly appropriated \$1.1 million to fund the Aging Caregiver legislation.

The original language of the Aging Caregiver legislation would have allowed persons with intellectual disabilities whose caregivers were 75 years old to automatically receive services from the Self-Determination Waiver. During discussions, legislators were sympathetic to the fact that the stress on families caring for a loved one with an intellectual disability can be extreme, especially when caregivers are aging parents. Aging parents often have their own healthcare needs that compromise their ability to provide adequate support – putting the person's health and safety at risk. But the

legislators' next question was the stumbling block. "Where will Tennessee find the \$3.5 million needed to provide services for the estimated 400 persons with intellectual disabilities that would become eligible with the passage of this bill?"

This is where having a collaboration of different organizations focusing on the same goal is essential to successfully developing good public policy. By dividing up the 133 members of the Tennessee General Assembly between the members of the Disability Policy Alliance, every legislator was educated about the importance of the bill and what it would mean to persons with disabilities and their families in their district.

It turned out there were \$3.3 million discretionary dollars available for projects not funded within Governor Bill Haslam's budget. Legislators wanted to pass the Aging Caregiver legislation, but informed stakeholders that the bill would have to be amended by raising the age of the caregiver to 80 in order to lower the fiscal impact to the state. The compromise lowered the fiscal note to \$1.1 million and led to the passage of the Aging Caregiver bill.

But it also left work undone. This January the Alliance will once again inform legislators that more help is needed for aging caregivers. Although educating legislators about the need for services for persons with disabilities who have aging caregivers will be the Disability Policy Alliance's biggest priority, there are other issues of importance. Some of these include:

- Developing legislation to prohibit prone restraint in schools. This legislation clarifies that use of prone restraint is prohibited from being used on students receiving special education and defines "prone restraint" as a restraint in which a student is held face down on the floor or other surface. Last legislative session, the bill was taken off notice to allow the Tennessee Department of Education to work with stakeholders to increase overall support.
- Providing input in the development of the rules and regulations for the Individualized Education Act, which allows parents of some children with disabilities to use state dollars to attend private school or to assist with homeschool needs. In order to utilize the program, the parent must withdraw their child from their Local Education Authority (LEA) and relinquish all protections held under the Individuals with Disabilities Education Act (IDEA). In return, state and local dollars, estimated at \$6,600 per

year per student, may be used to pay for educational services including tuition for private school, educational and other therapies, tutoring services and technology. The Tennessee Department of Education has been charged with proposing rules and regulations to implement the bill over the next year. The law will not go into effect until school year 2016-17.

- Providing input in the development of the rules and regulations for the implementation of the Achieving a Better Life Experience (ABLE) Act. This legislation will assist families in saving funds for supporting individuals with disabilities without losing other benefits. The federal legislation passed Congress in 2014, but states are required to also pass legislation to implement the law. In Tennessee, the state treasurer will establish a qualified ABLE program, and is charged with developing a plan to include provisions for the implementation, administration, operation, marketing, investment options, customer service and investment management services of the program. For a person with a disability to qualify, the onset of the disability must have occurred before the age of 26. An ABLE account could fund a variety of essential expenses for individuals, including medical and dental care, education, community-based supports, employment training, assistive technology, housing and transportation. It will eliminate barriers to work and saving by preventing dollars saved through ABLE accounts from counting against an individual's eligibility for any federal benefits program.
- Continuing to educate legislators on the dangers associated with repealing Tennessee's motorcycle helmet law. Legislation that would exempt drivers and passengers from the requirement of wearing a crash helmet while riding motorcycles has been introduced for the past 13 years. Last year's legislation exempted persons from wearing a helmet if they were covered by medical insurance other than insurance through TennCare. The bill was deferred until 2016.

The Disability Policy Alliance strives to address national, state and local policy issues that affect persons with disabilities and their families. By working together, they have become a valuable source of information and leadership in the disability community and to policymakers. The Disability Policy Alliance's main goal is to continue to advocate for good public policy so Tennesseans with intellectual and developmental disabilities can be independent, productive and meaningfully included in their communities.

# THE PARTNERS IN POLICYMAKING LEADERSHIP INSTITUTE:



*Partners Graduate Brandi Brown at the Capitol*

## EFFORTS TO INFORM COMMUNITY MEMBERS ABOUT PUBLIC POLICY AND ADVOCACY

by Ned Andrew Solomon, Director of Partners in Policymaking, Tennessee Council on Developmental Disabilities

**SINCE 1993**, the Council has funded and facilitated the Partners in Policymaking Leadership Institute. This intensive, multi-month training for adults with disabilities and family members of persons with disabilities strives to enhance the Partners' leadership, advocacy and self-advocacy skills.

Selected attendees from across the state learn about a variety of disability topics from national and local experts in the field. Topics include the history of the disability experience; building inclusive classrooms and communities; supported and independent living; supported and customized employment; assistive technology; strategies for making positive change; and the state and federal legislative process.

It is the Council's hope that graduates of the program – there are about 500 of these in Tennessee right now – will become informed about the laws that govern and impact the lives of Tennesseans with disabilities and their families. In that way they can help others in their communities, develop relationships with legislators and other policymakers, and become "voices at the table", serving on committees, boards, councils and task forces, both disability- and non-disability focused.

There are a few ways we try to empower and prepare our graduates to fulfill these critical roles in their communities.

### **HOMEWORK ASSIGNMENTS**

In between each of the seven Partners weekend sessions, participants are required to complete homework assignments, which they then report out loud to the group

at the following session. In the early months they're asked to write about topics like their greatest challenges and successes, or profiles about local organizations that serve persons with disabilities. As their training gets "deeper", Partners are asked to select a disability issue that they're particularly passionate about, and to research who might be allies to support this issue, as well as who might advocate against it.

In the past, Partners have written about the lack of accessibility in public places; accessible transportation options; segregated classrooms; insurance reform; closed captioning for the Deaf; and many other timely topics. In a subsequent homework assignment, Partners are asked to contact their state representatives to introduce themselves, and to discuss their topic, or to address a particular current piece of legislation. As the Partners graduate, it is suggested that they stay legislatively involved, by continuing to track bills that will affect the disability community, if not themselves or their family members.

### **STATE AND FEDERAL LEGISLATIVE "CIVICS" LESSON**

Each Partners "season", the Council recruits a speaker to explain the state and federal legislative processes – including how government is structured and how a bill becomes a law. For some it's a review of their high school civics lessons; for others, it's the first time they've learned about how government functions, in detail. Some have already been involved in local candidate campaigns, or have met with their representatives about bills of concern.

Others are surprised to learn that as citizens they can take on an active role, by informing legislators about issues they might not be familiar with, or even by helping to draft a piece of legislation. We also discuss the most effective and least effective ways for citizens to contact or develop relationships with their elected representatives.

In addition, during the Annual Partners Reunion Conference, attendees listen to the Council's Director of Public Policy explain current disability-related issues – what they mean, what the ramifications will be if they pass or don't pass, and where they are in the journey from submitted bill through committee work, on its way to the House or Senate floor.

## THE MOCK TESTIMONY AND THE CAPITOL TOUR

Most people who have not had experience visiting with a legislator, or attending a hearing in the House or Senate, are intimidated by the very thought of it. They can't get past the notion that public policy involves dealing with "powerful people who do powerful work". They think that they would never have enough information to talk to these elected individuals who must know everything about everything. Well, most legislators would contradict that statement, and admit they don't know everything, and that often they rely on other people in the community – sometimes lobbyists, and sometimes, yes, typical citizens – to educate them on particular issues.

About eight years ago, the Council decided to introduce a Mock Testimony component to the regular Partners curriculum. This is a great opportunity to "demystify" the legislative process, and to give Partners practice in developing testimony for or against a particular issue. In the afternoon, Partners review and "dissect" a "mock" bill, discussing its ramifications if passed or not passed, as well as its fiscal consequences. Then they, separately or as a small group, work on writing and practicing a 3-minute "testimonial", intended to convince the members of a legislative committee to vote for or against the bill in question. The next morning, bright and early, Partners give their testimony to a panel of "mock" legislators who make comments and ask follow-up questions. Even though it is "mock" all the way, it can be an anxiety-inducing experience, but one

that is often rated as the most valuable activity during the entire Partners training.

To further "demystify" the legislative process, Partners tour the Tennessee Capitol to see where our congressmen and women meet to discuss and vote on laws. At the end of the tour, Partners meet with a legislator to have an informal conversation about the power of personal stories, the power of one vote, and the best ways to advocate for what you believe in, and to get personally involved with the legislative process.

The Council is very proud of those Partners who have gone on to establish lasting relationships with their elected officials, and those who have become intimately involved with the legislative process, by serving on task forces and committees, helping write and promote ground-breaking disability legislation, and in some cases, even running for office.

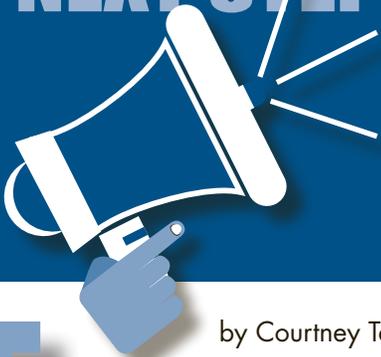


*Partners 2012-13 Class visits Capitol on graduation weekend*



*Partners 2014-15 Graduate, Michelle Hayes at Legislative Plaza*

# NEXT STEPS AT VANDERBILT ENCOURAGES



# AND TO

by Courtney Taylor, Associate Director of Communications and Dissemination, Vanderbilt Kennedy Center

**F**or many people, the college experience is a time of personal growth and discovery. It's a time to learn, to reflect, to become more self-aware, and to set the stage for expanded worldviews. Most students graduate from college with a better sense of who they are and what they have to offer. The growing postsecondary education movement for students with intellectual and developmental disabilities is allowing for a new generation of self-advocates who are increasingly embracing their ability to meaningfully contribute to our communities and who are finding and sharing their own voices in order to make the world a better and more just place.

That journey toward self-awareness for students with intellectual and developmental disabilities enrolled in the Next Steps

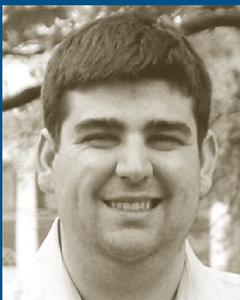
at Vanderbilt program includes encouragement to engage in public policy advocacy. The students write letters and meet with their legislators about issues that are important to them. They participate in Disability Day on the Hill at the Tennessee legislature, are members of YouthACT, and are even sharing their stories and testifying before Senate and House committees. Whatever the activity, these self-advocates are learning that they have a right to express their wants and needs and that their voices make a difference.

"We started getting our students involved by asking them to participate in Disability Day on the Hill," said Tammy Day, Next Steps at Vanderbilt program director. "It is a way for them to learn to self-advocate and to actually practice

## THE IMPORTANCE OF SELF-ADVOCACY,

**Q: Why should people with disabilities get involved?**

**Will McMillan:** I think self-advocates should get involved in public policy, because we need to stand up for ourselves and for other people, too.



Manhein Hardin  
Photo by Kylie Muccilli

**Daniel Bautista:** People with disabilities should get involved, because they need to know that their views are important.

**Hardin Manhein:** I think it is important because we need to have a voice in our lives. We need to speak up for ourselves.

**Q: In what types of activities have you been involved?**

**McMillan:** I was involved in the Step Up bill, which is scholarship money for students in programs like Next Steps. I told them it would be good for the programs to have scholarships for people with intellectual disabilities so they can put on their résumé that they went to college. I helped talk about it, I proved it was important, and I'm still showing it right now with the jobs that I have. People can talk with their legislators about the jobs that they have and then they can help get more jobs for other people.

**Bautista:** I enjoyed meeting my legislators at the Capitol. We talked about the Step Up bill before it was passed and then we thanked them for



Daniel Bautista  
Photo by Vanderbilt University/Joe Howell

## STUDENTS TO FIND THEIR VOICES...

# USE THEM

using their voices. When the Step Up scholarship bill, which provides financial aid for students with disabilities attending postsecondary education programs, came about, the students were ready. They had an opportunity to share their own experiences, to work alongside The Arc Tennessee, the Tennessee Disability Coalition and other students to assist in getting the bill passed. Sharing their stories became an easy way for them to be a part of making a difference. They were able to advocate for something that not only would benefit their own lives, but the lives of students following after them."

A handful of Next Steps students also have been involved in YouthACT, which is a project of the National Collaborative on Workforce and Disability that strives to get youth with

disabilities involved as leaders. Students have traveled to Washington, D.C. to meet and build relationships with their representatives. Day believes that these experiences have made a big impact on the students' confidence.

"We hear over and over that our legislators want to hear from us, and guess what? They do want to hear from us," said Day. "We want our students to understand that they can have an impact, and I honestly believe that they have felt valued and heard. That's important. I think that they're able to understand that if their elected official will stop and listen to them, then others should as well. These are busy and important people, and they are stopping to listen to them. That's a very powerful message."

## IN SELF-ADVOCATES' OWN WORDS:

passing the Step Up bill. I also go sometimes with my brother to talk about issues that immigrants have.

**Manhein:** I talk with politicians by telling them my story. I tell them about how I got involved in the community and how I became a leader. I talked with them about postsecondary programs and about how college helps me to be a better person. I am in YouthACT and we talk about postsecondary programs, too. They help us find our voice, and tell us we can speak up about ourselves.

**Q: Do you have any advice for people who want to get involved?**

**McMillan:** Start by talking to the people you know and then step up to your legislators. Talk to teachers, talk to the kids, talk to the people you know will support you, and then talk

to your legislators. Start small and then go big. There's no reason to be nervous because you know you're going to be ready for it. I get nervous, too, but you already know what you're going to do, so just be prepared and you'll be ready.



Will McMillan  
Photo by Tony Maupin

**Bautista:** I was a little nervous when I went to talk with my legislator. I worked through it by staying confident and by remembering to be a self-advocate.

**Manhein:** All I can say is to be calm and try not to be too nervous. You will be nervous, but that's OK. If you speak clear and from your heart, then they will listen and try to help you when you need it.

# ANDY THE FUTURE

By Ned Andrew Solomon

# IMPARATO: THE FUTURE OF DISABILITY POLICY

**T**his past January, Andy Imparato, the Executive Director of the Association of University Centers on Disability (AUCD), spoke at the Vanderbilt Kennedy Center on the occasion of its 50th anniversary.

It was Andy Imparato's "anniversary" too. He was born in 1965, the same year the Vanderbilt Kennedy Center was founded. It was also the second anniversary of Martin Luther King, Jr.'s "I Have a Dream" speech and the attending march on Washington.

Imparato considers himself a "second generation disability activist". He graduated law school in 1990, the year the ADA was activated into law. Coincidentally, he experienced his first serious episode of depression during his last semester of law school, and was ultimately diagnosed with bipolar disorder. "I am part of a generation of professionals who have been able to be open with my disability in part because we have a civil rights law and we have the movement behind it," explained Imparato. "It has encouraged us to be proud of our status, as people with disabilities. When you look at the influence of the Autistic Self Advocacy Network and other groups promoting neurodiversity, and when you think about a future of a disability policy, a big part of that is having people with a wide range of disabilities being comfortable owning that status, and seeing it as a source of identity."

Recognizing that mentors have played a vital part in his career, Imparato has spent a good deal of time cultivating the next generation of leaders in the disability movement. He was involved in an internship program in Washington that recruited college students with disabilities to work and live together in D.C. for the summer. The interns worked for members of

Congress and in the executive branch, which proved to be a valuable learning endeavor from both perspectives.

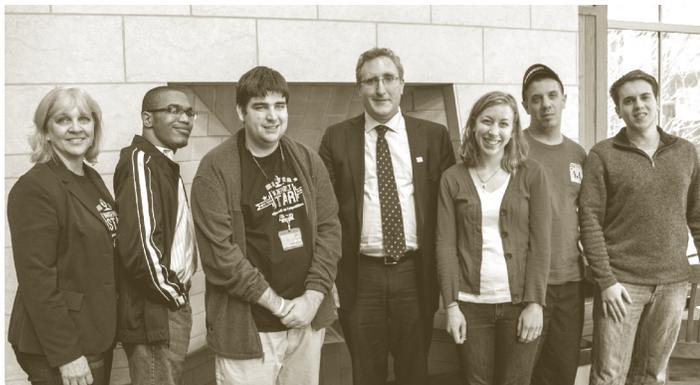
Concerning the future of disability policy, Imparato believes there are opportunities around the 25th anniversary of ADA, and the recent 40th anniversary of the Individuals with Disabilities Education Act (IDEA). He also acknowledges a "hole" left by Senator Tom Harkin, who served from 1985

till his retirement this year. A champion of many disability causes, Harkin was the chair of the Senate Committee on Health Education, Labor and Pensions (HELP), which had jurisdiction over K-12 education, early childhood education, higher education, workforce development and vocational rehabilitation. "But we have a new generation of leaders in both parties who are ready to figure out where we go from here," said Imparato.

It may come as a surprise that federal contractors represent over 20% of the labor force. That means there are a number of large employers in the health care sector, defense and information technology. Those companies that do significant business with the federal government are now greatly encouraged to diversify their workforces, and to include employees with disabilities. "They also have a reason to want their employees with



Andy Imparato



*Andy Imparato with Next Steps students and staff  
Photo by Kylie Muccilli*

disabilities to be comfortable self-identifying,” Imparato said. “The federal contractors have to find a way to build an inclusive work environment where people want to self-identify, and feel like they will be welcomed and supported as part of an overall diversity strategy. This creates a real opportunity and a lot of demand on Vocational Rehabilitation (VR). I don’t think VR has enough funding in every state to meet that demand. If they are going to be successful, VR will need partners from all over the disability community to step up and really meet the demands.

“The federal government is still the largest employer in the country,” continued Imparato. “So if you have the largest employer in the country getting more serious about finding talent within the disability community, progress is being made. If you look at the initiative, there will be specific goals to include people with targeted disabilities...There are going to be specific goals around people with intellectual and developmental disabilities and people who may need more significant support needs met.”

Imparato also points to some “breaks” for persons with disabilities through the Affordable Care Act: insurers can no longer exclude a person from coverage due to pre-existing conditions, annual and lifetime caps were eliminated, and the private health insurance sector is becoming more responsive to people with more significant medical needs, as well as the new focus on meaningful community engagement in Medicare and Medicaid services. “All these things together are trying to push us as a country to make sure the money we are spending to support people with disabilities is getting spent in a way that supports the vision and goals of the Americans with Disabilities Act and the Developmental Disabilities Act,” said Imparato.

For Imparato, the future of disability policy will be “leveraging all these things to accelerate progress so we start to see more labor force participation, less poverty, a higher quality of life, more supports for families, and a more sustainable approach to whatever money we spend to support this population.”

He sees other encouraging signs. He is impressed by the bipartisan work at the federal level that created the ABLÉ (Achieving a Better Life Experience) Act, which passed in the 2014 session of Congress. ABLÉ is about creating tax-favored savings accounts - like a college savings account - where a family can set aside money that their children with disabilities can have access to, without losing their eligibility for disability benefits as adults.

But there is still a lot of work to be done, some that will take a complete shift in the way we think about benefits. “Right now we are spending more than \$400 billion on SSI, SSDI, Medicaid and Medicare,” Imparato said. “All four of those programs turn on a definition of disability that was written in 1956. The inability to engage in substantial gainful activity is what you have to prove in order to get into those programs. That reflects 1956 thinking about people with disabilities. We all know that people with very significant disabilities can work. So forcing them, particularly young people at the beginning of their work lives, to prove to the government they cannot work is bad policy. So the question is: how do we change that without creating other problems? How do we change an environment where the two parties are not known to collaborate?”

Imparato thinks the answer may be in letting states be the innovators. He points to Governor Haslam’s Tennessee Promise initiative – setting the stage for qualifying students to have two years of free community college education – and the creation of an Employment First Task Force as strong examples of creativity at the state level. “If we can get that kind of innovation going led by governors at the state level and bipartisan efforts,” said Imparato, “it could lay the foundation for a more modern way to support long term services and supports.”

*Ned Andrew Solomon is the Council’s Director of Partners in Policymaking, and the Editor-in-Chief of Breaking Ground.*



*Andy Imparato with Ross Winetsky and Lorre Mendleson  
Photo by Kylie Muccilli*



*Tiffany Mason,  
Director of  
Public Policy.*

*Photo by  
Ned Andrew  
Solomon*

# IN THE LEGISLATIVE PROCESS 101

by Tiffany Mason, Director of Public Policy, Tennessee Council on Developmental Disabilities

Every state law in Tennessee is beholden to the 132 people elected to represent the Volunteer State in the General Assembly. The group has immeasurable power: to change, amend or remove the measures that play an intimate role in the day-to-day lives of roughly 6.5 million Tennesseans. The Tennessee General Assembly consists of 33 Senators and 99 Representatives elected by the voters of their legislative district.

For a piece of legislation to become a law in Tennessee, the bill must have a House and Senate sponsor and the House and Senate clerks assign the bill to the appropriate standing committee. For instance, if the bill addresses education issues, it will be assigned to the Education Committee. The bill sponsor will present the merits of the legislation during a committee meeting and the members vote for or against the bill.

The bill sponsor may have to repeat the committee process a few times before it reaches the House and Senate chamber at the State Capitol. At that time, every member of the House and Senate will have the opportunity to ask questions, debate the merits of the bill or even send the bill back to the committee for further review. If it receives a majority vote in the House and the Senate, it goes to the Governor to be signed and becomes law.

So through that entire committee process, where can you make a difference? Many times, citizens become aware of legislation that could affect them through social media, forums, television/radio and even by casual conversations with friends. A person with a disability or a family member

will be affected by a piece of legislation and will want to express their concerns or support to their State Representative or Senator, but may not know where to start. Below are some tips on how to be involved, stay informed and communicate with legislators regarding issues that are important to you, your family and your community.

## BE INVOLVED

- **Vote!** If you don't vote, you don't have a voice when it comes to politics. Legislators are more receptive to a constituent who votes in their district. Know the names of the legislators who represent you on the federal, state and local level.
- **Get to know your legislator.** Don't be nervous about meeting your representative, because their job is to "represent" you! Send them an email to introduce yourself, drop them a note to congratulate them on winning the election, invite them to a neighborhood event. If you support the candidate, request a yard sign or bumper sticker at election time, volunteer to work the polls or attend a political fundraiser. If they know you, they are more inclined to help if you ever need any assistance from them.
- **Get involved.** There are others out there who are interested in the political process and the same issues that are important to you. Find them on social media or at community functions. Attend forums or informational sessions that are important to you and build relationships with others who have the same interests.

## STAY INFORMED

Stay informed on issues that are important to you through social media, community organizations and official state websites. One website you should bookmark immediately is [capitol.tn.gov](http://capitol.tn.gov). This is the Tennessee General Assembly's website and it contains an abundance of information regarding legislators, committees and legislation.

[Capitol.tn.gov](http://Capitol.tn.gov) is an award-winning website, packed with features and functionality that makes it interactive and easy to use. One of the highlights is its mobile-friendly design. The website will resize based on the type of device being used, whether it's a computer, tablet or smartphone.

A significant feature on the main page is the real time display of each day's sessions and a list of those that are upcoming. Clicking one of the session names launches the streaming video area for that committee, and you can view past committee meetings by using the On-Demand video option. Another important addition to the site is a visual indicator of where a bill is in the process of becoming a law. The bill history page now more clearly shows when a bill moves between the Senate and House, making it easier for citizens to understand what is taking place with legislation that they are tracking.

You can also track an unlimited number of bills by using the "My Bills" area. It's easier than ever to search for legislation by subject, sponsor or bill number!

Many other websites, including the Council's (<http://www.tn.gov/cdd/>), will have alerts and updates regarding legislative issues. Most state departments, non-profit organizations and political groups have a presence on social media. Look them up and stay connected with Facebook, Instagram and Twitter.

## COMMUNICATING AND MEETING WITH LEGISLATORS

Legislators are elected officials who come from many walks of life, with widely varying experiences, occupations and knowledge. Legislators can't be an expert on everything, and that's where you can become a valuable resource. You are the expert on what is important to you, your family and your community. Legislators want to hear from their constituents when a bill affects them because your point of view matters when it comes to voting yea or nay on a bill.

The following are tips on how to have a great meeting with a legislator.

Schedule the meeting beforehand and let them know what issue you would like to discuss by email or phone. If you are their constituent, meaning you live in their district, mention that as well. Prepare for your meeting by knowing the bill number and sponsor of the legislation you would like to discuss. There are over 2,000 bills drafted during a legislative session, so bringing a copy of the bill and being prepared to give a brief explanation of the bill is also helpful.

When you enter the office, introduce yourself with a smile to the real boss, the legislator's executive assistant. Always be courteous to the person at the front desk and remember to thank

him or her before and after the meeting.

It is not unusual for legislative schedules to change unexpectedly, so be prepared to be as flexible as possible. If the legislator is not available at appointment time, take advantage of the opportunity to become acquainted with the legislator's staff. Meeting with a staff member can be equally or even more productive than meeting with your elected official! Staff can have tremendous influence over legislators and in many cases know far more about the legislation than the legislators themselves. Be sure to ask the staff person to convey your views and legislative requests to their boss.

Meeting with your legislator can be a little scary, but these strategies may help ease your nerves:

- When you meet with your legislator, introduce yourself and thank them for taking the time to meet with you.
- Set the stage at the beginning of the conversation by reinforcing some common ground, such as shared interests or acquaintances.
- Most meetings with legislators are scheduled in 15-minute increments, so stay focused on the one or two issues you would like to discuss.
- If you aren't sure about the answer to a question, it is perfectly ok to say, "I don't know." It is far better to be honest about your lack of knowledge than to deliver a dishonest response.
- It is also ok to say, "Can I look into that and get back to you about that issue?" But if you say that, make sure you follow through!
- If you have a real life example that is related to the issue, tell it. Personal stories help humanize issues and may impact how the legislator will vote.
- If your legislator has a different opinion regarding an issue, agree to disagree. You may not agree on this bill but you both will probably be on the same side regarding another piece of legislation.
- Before you leave, ask if there is anything you can do for them and listen to their ideas or suggestions.
- If there is time, make a memory out of your visit by taking a picture with your legislator.
- Don't forget to send a thank you note about your visit when you return home.

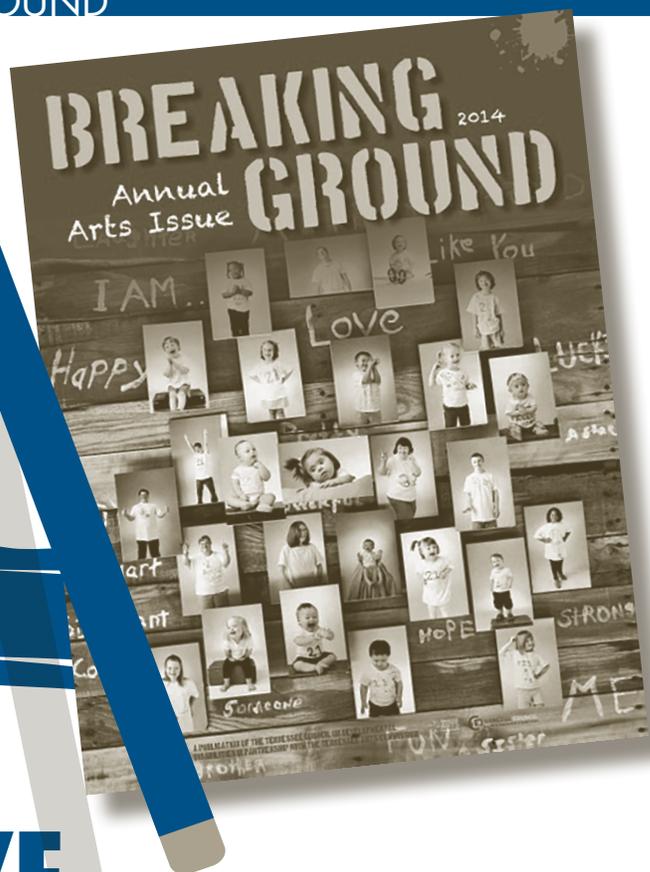
Legislators play a big part in developing public policy and everyone is affected by legislation crafted, debated and implemented by state government. When you become involved in the political process, from voting to participating in a community meeting to visiting with your legislator, you are taking a major step in becoming an advocate for you and your family. With your involvement, you can help ensure that people with disabilities and their families have a voice in public policies that impact their lives.

**DO YOU WRITE  
SHORT STORIES,  
CREATIVE ESSAYS  
OR POETRY?**

**DO YOU PAINT**

**SCULPT, DRAW  
OR TAKE**

**PHOTOGRAPHS?**



**IF SO, WE'D LOVE TO SEE YOUR WORK FOR POSSIBLE PUBLICATION.**

**BREAKING GROUND MAGAZINE** invites you to contribute to our Annual Arts Issue for 2015. We will consider fiction, creative essays and poetry up to 1,000 words, photos and all other forms of artwork.

Content is devoted to work by or about persons with disabilities.

We will give published contributors a prominent by-line, a biographical note and copies of the printed magazine. Please include your full name, complete contact information, and a one-to two-sentence bio with your submission.

**PLEASE LIMIT SUBMISSIONS TO  
THREE (3) PER PERSON.**

Send your submissions, electronically, to:

**Ned Andrew Solomon at  
ned.solomon@tn.gov**

**QUESTIONS?**

Please call 615.532.6556

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Davy Crockett Tower, 1st Floor  
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