

A SYSTEMATIC APPROACH TO ARMING STUDENTS AND JOB SEEKERS WITH DISABILITIES AND THEIR ADVOCATES IN SECURING MEANINGFUL EMPLOYMENT

**by Olegario D. Cantos VII, Esq.
Office of the Assistant Attorney General
Civil Rights Division
U.S. Department of Justice**

Last Revised December 4, 2007

Introduction

Disability will touch the lives of most Americans at some point during their lives either through firsthand experience or acquaintance with someone who has a disability. Census figures indicate that, in 2002, more than one in six Americans had a disability involving limitations in seeing, hearing, speaking, walking, learning, or undertaking other major functions central to daily life.¹

As career and guidance counselors, vocational rehabilitation professionals, social service providers, for-profit headhunting firms and career placement organizations, federal government officials, governors' committees on people with disabilities,² disability rights advocates, and others seek to empower students and job seekers with disabilities to maximize employment opportunities available to them and as people with disabilities themselves are armed with the tools they need to succeed in the workplace, of utmost importance is the need effectively to understand both the social context within which members of the disability community must be viewed and the various support network elements that have been put into place to enable them to reach their full economic potential. A working comprehension of these concepts³ will allow stakeholders to know how to utilize a myriad of approaches which, when examined either alone or in their aggregate, will lead to actual employment outcomes for people with disabilities.

A Brief History of the Disability Rights Movement

For centuries, people with disabilities were viewed on the fringes of mainstream society. As a class of individuals, they were economically disadvantaged, socially segregated, politically excluded, and almost universally regarded as being less capable than others. In fact, the term "handicap" is said to have originated from the old practice of people with disabilities holding "cap in hand" as they begged for a pittance just to survive from one day to the next.⁴ Those who were not on the streets and who were not cared for by family or other loved ones (most typically, individuals with severe psychiatric and developmental disabilities) were placed in institutions, and many spent their lives in such settings whose conditions would be considered

¹ See <http://www.census.gov/hhes/www/disability/sipp/disable02.html>. More recent data on the characteristics of those with a disability are available from the American Community Survey, though these statistics are based on a less detailed set of questions. For more information on the American Community Survey, see <http://factfinder.census.gov>.

² See the National Association of Governors' Committees on People with Disabilities: <http://www.nagcpd.com/>.

³ The U.S. Department of Justice does not necessarily endorse the views expressed or the facts presented on any website or other resource mentioned in this article that fall outside the federal government. Further, the Department does not endorse any commercial products that may be advertised or otherwise available on such sites or through such cited resources.

⁴ See "A Brief History of the Disability Movement," <http://www.vsarts.org/x537.xml>.

inhumane by today's standards. But, as the result of a series of documented events that date back to 1817 to the present, both people with disabilities and their families eventually built what is collectively known today as the disability rights movement.⁵

That movement has spawned the passage of landmark civil rights legislation including the Rehabilitation Act of 1973, the Education of All Handicapped Children Act of 1975 (which was renamed the Individuals with Disabilities Education Act in 1990), the Air Carrier Access Act of 1986, the Fair Housing Act being amended in 1988 to include people with disabilities as a protected class, the Americans with Disabilities Act of 1990, the Assistive Technology Act of 1998, and the Help America Vote Act of 2002.

These and other federal laws have formed the tapestry of civil rights protections afforded to people with disabilities, paving the way for full participation in every aspect of societal life and enabling the United States to serve as a model for other countries around the world to follow. Driven by a philosophy of self-determination, the old medical model which focused on curing individuals with disabilities has now significantly been replaced by an approach that entails promotion of equality of rights and responsibilities.

Steps for Easing Smooth Transition Into Employment

STEP 1 – LEARN ABOUT HOW BEST TO WORK WITH PEOPLE WITH DIFFERENT TYPES OF DISABILITIES.

Often, when members of the general public envision whom would be a “person with a disability,” they tend to think of disabilities that are visible. In reality, disabilities are both visible and invisible.⁶ Examples of the former include people who have mobility impairments, are blind or visually impaired, are deaf or hard-of-hearing, have developmental disabilities, or have muscular or neurological conditions. Invisible disabilities include psychiatric disability, asthma, arthritis, heart disease, HIV/AIDS, Attention Deficit Hyperactivity Disorder, or learning disabilities.

That is why close collaboration with organizations of and for people with disabilities plays such a critical role. As career counselors and other job placement professionals build strong working partnerships with those serving physical,⁷ psychiatric,⁸ developmental,⁹ and learning¹⁰ disability constituencies, new possibilities will arise for building cohesive cross-agency/cross-organizational clusters to advance mutual goals.

⁵ For a general timeline of pivotal events that led to the rise of the disability rights movement which itself includes those with physical, developmental, and psychiatric disabilities, see <http://www.sfsu.edu/%7Ehrdpu/chron.htm>.

⁶ The U.S. Office of Personal Management has put together a piece entitled “Working with People with Different Types of Disabilities.” See http://www.opm.gov/disability/appempl_4-09.asp#people_with_invisible.

⁷ Throughout the country in communities of every size, organizations known as “independent living centers” have been formed to serve people with all types of disabilities and are often most noted for their work in serving people with physical disabilities. To view a complete list of these organizations, along with their contact information, visit the website of the Independent Living Resource Utilization Project at <http://www.ilru.org>, which also lists the Statewide Independent Living Councils (SILCs) whose members are appointed by the governor of each state.

⁸ A detailed list of local organizations serving those with psychiatric disabilities may be found at the website of the National Alliance on Mental Illness (formerly, the National Alliance for the Mentally Ill) at <http://www.nami.org>.

⁹ To reach the State Developmental Disabilities Council (or “DD Council”) for each state, visit the website of the National Association of State Developmental Disabilities Councils at <http://www.nacdd.org>.

¹⁰ For information about the nature of learning disabilities, along with local, state, and national resources that may assist people with learning disabilities and their families, see <http://www.ldonline.org>.

STEP 2 – ASSIST IN ENHANCING UNDERSTANDING OF EMPLOYMENT-RELATED CIVIL RIGHTS LAWS.

Let students and job seekers with disabilities know that Title I of the Americans with Disabilities Act¹¹ requires employers with 15 or more employees to provide qualified individuals with disabilities¹² an equal opportunity to benefit from the full range of employment-related opportunities available to others. “For example, it prohibits discrimination in recruitment, hiring, promotions, training, pay, social activities, and other privileges of employment. It restricts questions that can be asked about an applicant's disability before a job offer is made, and it requires that employers make reasonable accommodation to the known physical or mental limitations of otherwise qualified individuals with disabilities, unless it results in undue hardship. Religious entities with 15 or more employees are covered under Title I.”¹³ The federal government is covered under Sections 501 and 504 of the Rehabilitation Act of 1973.¹⁴

Regional and specialized Business and Disability Technical Assistance Centers (or DiBTACs) have been established to help the general public better to understand rights and obligations under the law.¹⁵

STEP 3 – GIVE STUDENTS AND JOB SEEKERS ASSESSMENT TOOLS THAT WILL HELP THEM DECIDE THEIR CAREER PATH, AND STRENGTHEN CONFIDENCE THROUGH EXPOSURE TO SUCCESSFUL ROLE MODELS.

For people with disabilities, career goals are just as diverse as members of the disability community themselves. Many students and job seekers have found different career assessment tools¹⁶ to be helpful such as the Myers-Briggs test as a basis for determining personality type,¹⁷ whose results are then cross-referenced with careers that have often been associated with different classifications.¹⁸

However, these assessment tools must be considered to be but a part of an overall approach to assist people in deciding their own career path. Here, within a disability rights context, it is critical that one remains mindful of possible perceived limitations based on old and outdated stereotypes about disability.¹⁹ As such, identification of successful role models,²⁰ both those who are well known²¹ and those who are not as much so²², may assist in

¹¹ 29 C.F.R. Parts 1630, 1602.

¹² An individual with a disability is defined by the Act as a person who has a physical or mental impairment that substantially limits one or more major life activities, a person who has a history or record of such an impairment, or a person who is perceived by others as having such an impairment. The Act does not specifically name all of the impairments that are covered.

¹³ <http://www.ada.gov/cguide.htm#anchor62335>.

¹⁴ See <http://www.ada.gov/cguide.htm#anchor65610>.

¹⁵ See <http://www.dbtac.vcu.edu/>.

¹⁶ See <http://www.rileyguide.com/assess.html>.

¹⁷ See http://www.quintcareers.com/career_assessment.html.

¹⁸ See <http://www.geocities.com/lifexplore/mbcareer.htm>. Also see <http://www.personalitypage.com/careers.html>.

¹⁹ For a youth-oriented discussion on removal of attitudinal barriers to equal treatment, which would also be of interest to job placement professionals, visit http://www.ncwd-youth.info/resources_&Publications/disability_Basics/attitudinal_barriers.html.

²⁰ Students with disabilities in high school may gain invaluable insight by learning the ways of leadership through direct exposure to role models with different types of disabilities via a three- to five-day event called a Youth Leadership Forum. These are organized in many states. For the Association of Youth Leadership Forums, see <http://www.montanaylf.org/?p=aylf>. Youth in post-secondary settings may become involved in the National Youth Leadership Network. See <http://www.nyln.org>.

bolstering the confidence of those seeking either to enter or re-enter the workforce, including in the fields of law²³ as well as science, engineering, and mathematics²⁴ (among others). For youth, “Guideposts To Success” in making the transition into adulthood include school-based preparatory experiences, career preparation and work-based learning experiences, youth development and leadership, connecting activities (such as mental and physical health services, transportation,²⁵ tutoring, financial planning and management, post-program supports, and other services), and family involvement and support.²⁶

Other key endeavors to help ensure success must surround high dropout prevention. These include systemic renewal, school-community collaboration, safe learning environments, family engagement, early childhood education, early literacy development, mentoring/tutoring, service-learning, alternative schooling, after-school opportunities, professional development, active learning, educational technology, individualized instruction, and career and technical education²⁷

STEP 4 – ENCOURAGE GREATER EXPOSURE TO CAREER OPTIONS THROUGH FACILITATING JOB SHADOWING AND HANDS-ON CAREER EXPLORATION.

As a creative way of providing students and job seekers with opportunities to see what life is like in an actual workplace setting, career-oriented mentoring²⁸ by those in their chosen profession provides future potential employees with invaluable exposure to others in the field, paves the way for greater understanding about the abilities and aspirations of people with disabilities, and may lead to internships that could result in job offers. Events such as Disability Mentoring Day,²⁹ most typically held during October which is annually declared by the President as National Disability Employment Awareness Month,³⁰ may prove quite useful as people

²¹ See http://www.washington.edu/doit/Resources/role_model.html.

²² With support from the Office of Disability Employment Policy of the U.S. Department of Labor, InfoUse.com produced an interactive CD-ROM entitled “Open Futures: Role Models for Youth with Disabilities” which profiles everyday people with different types of disabilities, pursuing different types of careers. See http://www.infouse.com/openfutures/cd_overview.html.

²³ The American Bar Association Commission on Mental and Physical Disability Rights Law offers a mentoring program for law students and has also produced a report, detailing the present status of employment of people with disabilities in the legal profession. See <http://www.abanet.org/disability/>.

²⁴ The National Association for the Advancement of Science has established “Entry Point,” a program designed to recruit people with disabilities into science and related fields. See <http://ehrweb.aaas.org/entrypoint/>. The National Federation of the Blind has engaged in efforts most particularly for students who are blind or visually impaired. See <http://www.BlindScience.org>.

²⁵ Advocates should note that, at the federal level, under Executive Order 13330 which established the Interagency Coordinating Council on Transportation and Mobility in February 2004, leadership continues to take place at a national level to provide coordinated human service transportation for constituencies including senior citizens, low-income individuals, and persons with disabilities. See <http://www.UnitedWeRide.gov>. Also see the National Resource Center on Human Service Transportation Coordination at <http://www.canar.org/map/default.asp>. This is important because, as service providers seek to help people with disabilities to receive the supports they need for gainful employment, access to transportation is critical.

²⁶ See http://www.ncwd-youth.info/resources_&_Publications/guideposts/.

²⁷ See <http://www.dropoutprevention.org/effstrat/default.htm>.

²⁸ Non-profit organizations that operate career-oriented mentoring programs may benefit substantially from ensuring that these programs also serve individuals with disabilities. See http://www.ncwd-youth.info/resources_&_Publications/mentoring.html.

²⁹ See <http://www.dmd-aapd.org>.

³⁰ As an illustration, see the 2007 Proclamation by the President at <http://www.whitehouse.gov/news/releases/2007/09/20070929-3.html>.

endeavor to learn as much about chosen career pursuits. Assisting students and job seekers with career preparation and work-based learning experiences is an effective tool for helping them to enhance economic opportunity.³¹ Promoting real-world experience through service learning is also an effective tool for people with disabilities to gain a multitude of experiences far outside the classroom.³²

STEP 5 – EXPOSE STUDENTS AND JOB SEEKERS WITH DISABILITIES TO EXISTING WORK INCENTIVES THAT WILL ENABLE THEM TO KNOW HOW TO ENHANCE THEIR ECONOMIC SELF-SUFFICIENCY.

Many students and job seekers with disabilities receive federal government benefits such as Supplemental Security Income (SSI) and Social Security Disability Insurance (SSDI)³³ and, according to the 2005 American Community Survey of the U.S. Census Bureau, the domestic employment rate among people with disabilities ages 21-64 is only 38.1%.³⁴ However, this figure need not necessarily remain extremely low.

Indeed, a number of work incentives have been put into place by the Social Security Administration to assist people in easing themselves away from economic dependency.³⁵ With particular rules being applied respectively to SSI and SSDI recipients, these work incentives include deduction of Impairment Related Work Expenses, the value of “subsidies” and “special conditions,” and, in the case of self-employed individuals, unincurred business expenses from net earnings.³⁶ Other special rules entail consideration of Unsuccessful Work Attempt and, for individuals who lose benefits eligibility under Social Security rules, they may still receive benefits through Continued Payment Under a Vocational Rehabilitation Program (otherwise known as Section 301 Payments), testing of one’s ability to work through the Trial Work Period, and an extended period of eligibility for benefits if successfully completing the Trial Work Period at the “Substantial Gainful Activity” level.”³⁷ In addition, particularly for people with disabilities who rely on medical benefits such as Medicare or Medicaid,³⁸ knowledge of work incentives is essential.³⁹ After all, health and wellness are important, including to people with disabilities.⁴⁰ Through this nation’s network of more than 16,000 one-stop career centers designed to provide employment services, led by the Employment and Training Administration of the U.S. Department of Labor, those seeking employment may receive additional assistance.⁴¹ In fact, Disability

³¹ See <http://www.dol.gov/odep/categories/youth/career.htm>.

³² See the National Service Inclusion Project of the Institute for Community Inclusion at the University of Massachusetts, Boston: http://nationalserviceresources.org/resources/tta/university_mass.php.

³³ See <http://www.ssa.gov>.

³⁴ See http://www.ilr.cornell.edu/edi/disabilitystatistics/StatusReports/2005-html/2005-StatusReports_US.html?CFID=22539169&CFTOKEN=64997919#employment.

³⁵ See <http://www.socialsecurity.gov/disabilityresearch/workincentives.htm>.

³⁶ See <http://www.socialsecurity.gov/disabilityresearch/wi/detailedinfo.htm>.

³⁷ *Id.*

³⁸ See <http://www.medicare.gov/>.

³⁹ *Id.* at Note 31.

⁴⁰ In July 2005, along with the Office on Disability of the U.S. Department of Health and Human Services, the Surgeon General for the first time in history issued a Call to Action to Improve the Health and Wellness of People with Disabilities. The following year, a “People’s Piece” was issued to assist in knowing how to make this more of a reality. See <http://www.hhs.gov/od>.

⁴¹ See <http://www.doleta.gov/>. This page also discusses the awarding of millions of dollars in grants to expand the Disability Program Navigator effort to serve job seekers with disabilities.

Program Navigator grantees have been provided with specific tools and resources to assist them in providing services that are physically and programmatically accessible.⁴²

A prudent move for vocational rehabilitation counselors and other career placement professionals in helping those with disabilities on government benefits to know the range of possibilities available to facilitate long-term employment is to recommend that they take full advantage of Work Incentive Planning and Assistance Programs that exist in every state to provide guidance on what to do.⁴³ “Benefits Calculators” are also available to be of assistance to government benefits recipients.⁴⁴

STEP 6 – SHARE INFORMATION ABOUT OPPORTUNITIES TO WORK FOR THE FEDERAL GOVERNMENT.

The federal government is actively seeking qualified individuals with disabilities to fill job vacancies⁴⁵ at all levels of leadership through what is known as the Excepted Service appointment process, which literally means that agencies may accept resumes without being required to post job notices.⁴⁶ Through the U.S. Office of Personnel Management, prospective employees as well as human resource professionals alike may learn about supports that have been established to help members of the disability community join the federal workforce.⁴⁷ Of significant importance is the need to become familiar with U.S. Office of Personnel Management’s Schedule A⁴⁸ hiring authority which supports the hiring of people with physical disabilities, psychiatric disabilities, and “mental retardation”⁴⁹ in cases where physicians/medical professionals, federal government agencies issuing or providing disability benefits, state vocational rehabilitation agency counselors,⁵⁰ or private vocational rehabilitation or other counselors issuing private disability benefits may certify disability and job readiness.⁵¹ Veterans may receive appointment through Veterans Recruitment Appointment, the 30% or More Disabled Veterans Program, and Veterans Employment Opportunity Act appointments.⁵² Veterans may also receive vocational rehabilitation assistance through the U.S. Department of Veterans Affairs⁵³ and a whole host of other programs including for job seekers⁵⁴ and entrepreneurs.⁵⁵

⁴² See the One-Stop Toolkit for Serving People with Disabilities: <http://www.onestoptoolkit.org/>.

⁴³ See <http://www.socialsecurity.gov/work/ServiceProviders/WIPADirectory.html#service>.

⁴⁴ See [http://www.disabilitybenefits101.org/planning/\(S\(m4egvevwocutmqq3g1sbav\)\)/index.aspx](http://www.disabilitybenefits101.org/planning/(S(m4egvevwocutmqq3g1sbav))/index.aspx).

⁴⁵ See <http://www.USAJobs.gov>. Each federal agency also has internal websites posting current job vacancies.

⁴⁶ See http://www.opm.gov/disability/appointment_disabilities.asp.

⁴⁷ See <http://www.opm.gov/disability>.

⁴⁸ See 5 C.F.R. Part 213.3102(u): <http://www.opm.gov/fedregis/2006/71-072606-42246-a.htm>.

⁴⁹ The term “mental retardation” is used instead of “cognitive disability,” “developmental disability,” or “intellectual disability,” because it is the official terminology used in the authorized Executive Order 12215, dated March 15, 1979. See *Id.* at Note 48.

⁵⁰ To view a national directory of state vocational rehabilitation agencies, see <http://www.jan.wvu.edu/SBSES/VOCREHAB.htm>.

⁵¹ *Id.* at Note 49.

⁵² See <http://www.opm.gov/veterans/html/vetsinfo.asp#Special>.

⁵³ See <http://www.va.gov>.

⁵⁴ See <http://www.vetsuccess.gov/>.

⁵⁵ See <http://www.vetbiz.gov>.

As a way of facilitating coordinated expansion of the use of these various hiring authorities by bringing together stakeholders including people with disabilities, hiring managers,⁵⁶ selective placement program coordinators⁵⁷ who (among other things) seek qualified applicants with disabilities, and others, the U.S. Equal Employment Opportunity Commission in June 2006 launched the LEAD (Leadership for the Employment of Americans with Disabilities) Initiative.⁵⁸ These innovations are dovetailing quite well with the efforts of the Federal Disability Workforce Consortium, a cross-agency working group of federal agencies that comes together on a regular basis to take action on recruitment, hiring, retention, and career advancement strategies for people with disabilities.⁵⁹

STEP 7 – ENCOURAGE STUDENTS AND JOB SEEKERS TO INVESTIGATE CAREER POSSIBILITIES IN THE NON-PROFIT WORLD OR IN THE PRIVATE SECTOR.

More than 600,000 non-profit organizations of every description exist in the United States and are dedicated to causes of every description, and information about each of these and where they are located is readily accessible online, free of charge.⁶⁰ As students and job seekers delve into endless possibilities, they may decide to consider factors such as salary,⁶¹ proximity to one's residence, and possibilities for upward advancement.

Assisting in the expansion of career opportunities in the private sector should also be considered. An effective approach to helping to educate the business community about disability issues would be to direct them to the Americans with Disabilities Act Homepage, organized and maintained by the Civil Rights Division of the U.S. Department of Justice, at <http://www.ada.gov>. In particular, they should be directed to the Division's ADA Business Briefs, information about the ADA Business Connection, and free online training available to small businesses. Business owners may also have an interest in learning about the tax credits and tax deductions that are available for making access improvements including architectural adaptations, equipment acquisition, services such as sign language interpreters,⁶² and transportation adaptations.⁶³

Both in the non-profit and private sectors, innovative efforts have been afoot to expand career possibilities for people with all types of disabilities, and the approaches have evolved from being of a charity-oriented nature to one that is more focused on the business case for including more people with disabilities in jobs of every description, including in tasks that may not have been seen as being practical or possible for those with certain types of disabilities.⁶⁴

⁵⁶ For a useful Question and Answer document for hiring managers within the federal government, see http://www.opm.gov/disability/appointment_disabilities.asp.

⁵⁷ An online directory of Selective Placement Program Coordinators in every state as submitted by agencies to the U.S. Office of Personnel Management may be found at http://apps.opm.gov/sppc_directory/. Any information found either to be inaccurate or out of date should be brought to the attention of Kitty Kobert at Kitty.Kobert@opm.gov.

⁵⁸ See <http://www.eeoc.gov/press/10-4-06.html>.

⁵⁹ The Consortium is led by a steering committee, currently comprised of four co-equal agencies: The U.S. Department of Commerce (Jennifer Croft – JCroft@doc.gov), U.S. Department of Labor (Akinoyemi Banjo – Banjo.Akinoyemi@dol.gov), U.S. Department of Transportation (Alison Levy – Alison.Levy@dot.gov), and U.S. Department of the Treasury (Jay Young – Jay.Young@occ.treas.gov).

⁶⁰ See <http://www.Guidestar.org>.

⁶¹ See <http://salaries.com.33496.fb.dbbsrv.com/>.

⁶² To locate a national registry of certified sign language interpreters, located in communities around the country, see <http://www.rid.org>.

⁶³ See <http://www.ada.gov/taxpack.htm>.

⁶⁴ See <http://www.boozallen.com/about/article/16575149>.

For situations in which individuals wish instead to start businesses of their own,⁶⁵ the Small Business Administration, in joint collaboration with the Office of Disability Employment Policy (ODEP) of the U.S. Department of Labor, has assembled information to assist entrepreneurs with disabilities to become successful through the New Freedom Small Business Initiative.⁶⁶ At a national level, private businesses have joined forces to promote greater employment opportunities and physical and programmatic access for people with disabilities, and they are successfully sharing and implementing best practices among themselves and encouraging other businesses to do the same.⁶⁷ Other important information is also available from the Self-Employment Technical Assistance, Resource, and Training Center to help entrepreneurs with disabilities successfully to own and operate their own profitable businesses.⁶⁸

STEP 8 – INCREASE PLACEMENTS THROUGH PROFESSIONAL NETWORKING.

Of utmost importance for those seeking to increase meaningful opportunities for students and job seekers with disabilities is the need to expand one's personal network of contacts, particularly among those who may either know about pending career opportunities and sources of talent or who may be aware of those with such knowledge.

In putting together or being a part of such a network, guiding principals⁶⁹ should be present such as establishing and strengthening trust between and among job developers who in various settings are competing with one another for job leads and qualified recruits, engaging in "fair play" with sharing leads and exchanging information and ideas, fostering an environment in which different job placement philosophies may be tolerated in order to determine areas of common ground, and abiding by high standards of professionalism from the outset. To promote long-term sustainability, leadership roles and responsibilities within the networking group should be clearly documented so as to create more of an institutional memory, something that is especially critical in light of staff turnover that often exists in the employment placement arena. A cooperative and collaborative atmosphere should prevail in successful professional networks, and there are a number of key strategies that have proven extremely beneficial to those who seek to work in partnership with one another rather than against them.

Key professional networks in the disability employment field include working with those in what is called "supported employment,"⁷⁰ Various organizations have also been established to support minorities with disabilities including the American Indian Disability Technical Assistance Center (which also serves Native Americans and Alaska Natives),⁷¹ Proyecto Vición that strives to meet the needs of Latinos with disabilities,⁷²

⁶⁵ See <http://www.dol.gov/odep/pubs/ek00/small.htm>. Also see <http://www.smallbusinessnotes.com/interests/disabled.html>.

⁶⁶ See <http://www.dol.gov/opa/media/press/odep/ODEP2003858.htm>.

⁶⁷ See the homepage of the U.S. Business Leadership Network, a national organization of for-profit businesses that is committed to doing its part to remove physical, programmatic, and attitudinal barriers to full participation by people with disabilities based on the business case for marketing to and serving the disability community: <http://www.usbln.org>.

⁶⁸ See <http://www.start-up-usa.biz>.

⁶⁹ Material contained in this paragraph was based on a brief entitled "Increasing Placement through Professional Networking – Institute Brief Issue No. 23," put together by the Institute for Community Inclusion at the University of Massachusetts, Boston. See http://communityinclusion.org/article.php?article_id=209&staff_id=123.

⁷⁰ The Network on Employment, formerly the Association for Persons in Supported Employment, was established to improve and expand integrated employment opportunities, services, and outcomes for people with disabilities. See <http://www.apse.org>.

⁷¹ See <http://aidtac.ruralinstitute.umt.edu>. Also, for a directory of Native American vocational rehabilitation programs nationwide, see <http://www.canar.org/map/default.asp>.

the Family Village Community Center that enumerates disability issues within the African American community,⁷³ and the National Technical Assistance Center for Asian Americans and Pacific Islanders.⁷⁴

STEP 9 – ARM STUDENTS AND JOB SEEKERS WITH INFORMATION ABOUT JOB ACCOMMODATION POSSIBILITIES.

Perhaps surprising to some, most job-related accommodations are not expensive, and 71% cost less than \$500; and, job accommodations may reduce workers' compensation and other insurance costs, increase the pool of qualified employees, be as simple as rearranging equipment, and increase opportunities for people with functional limitations.⁷⁵ An effective strategy for helping to remove attitudinal barriers to employment would be to utilize valuable informational resources available at the Job Accommodation Network.⁷⁶

In addition, for people with disabilities working for the federal government, they may receive work-related adaptive technology through the Computer/Electronic Accommodations Program (CAP),⁷⁷ spearheaded by the U.S. Department of Defense which has cooperative agreements with more than 60 federal agencies.⁷⁸ Certain agencies are not CAP partners due to their own self-contained programs and CAP not wanting to duplicate the electronic accommodations already provided to their employees. These agencies include the U.S. Department of Education and the U.S. Department of Housing and Urban Development as well as the Internal Revenue Service of the U.S. Department of the Treasury and the Social Security Administration.

⁷² See <http://www.proyectovision.net>.

⁷³ See http://www.familyvillage.wisc.edu/frc_afrc.htm.

⁷⁴ See <http://www.ntac.hawaii.edu>.

⁷⁵ See <http://www.jan.wvu.edu/media/Stats/BenCosts0799.html>.

⁷⁶ See <http://www.jan.wvu.edu>.

⁷⁷ See <http://www.vetsuccess.gov/>.

⁷⁸ The U.S. Department of Defense, in addition to its extensive work in supporting its own employees with disabilities, has formed Computer/Electronic Accommodations Program (CAP) partnerships with the following agencies from the executive branch of the federal government seeking to maximize opportunities for their own employees with disabilities to compete effectively in the workplace. These agencies include components within the Departments of Agriculture, Commerce, the Interior, Energy, Health and Human Services, Homeland Security, Justice, Labor, State, Transportation, the Treasury, and Veterans Affairs. The partnership also includes many non-cabinet level agencies which include but are not limited to the Access Board (Architectural and Transportation Barriers Compliance Board), African Development Foundation, Agency for International Development, American Battle Monuments Commission, Committee For Purchase From People Who Are Blind or Severely Disabled, Commodity Futures Trading Commission, Consumer Product Safety Commission, Corporation for National and Community Service, Court Services and Offender Supervision Agency for the District of Columbia, Environmental Protection Agency, Equal Employment Opportunity Commission, Executive Office of the President, Export- Import Bank of the United States, Farm Credit Administration, Federal Communications Commission, Federal Deposit Insurance Corporation, Federal Energy Regulatory Commission, Federal Housing Finance Board, Federal Labor Relations Authority, Federal Maritime Commission, Federal Mine Safety and Health Review Commission, Federal Trade Commission, General Services Administration, Holocaust Memorial Museum, Institute of Museum and Library Sciences, International Broadcasting Bureau, International Trade Commission, John F. Kennedy Center for the Performing Arts, National Aeronautics and Space Administration, National Archives and Records Administration, National Council on Disability, National Credit Union Administration, National Endowment for the Humanities, National Gallery of Art, National Labor Relations Board, National Indian Gaming Commission, National Science Foundation, Nuclear Regulatory Commission, Occupational Safety and Health Review Commission, Office of Government Ethics, Office of Personnel Management, Office of Special Counsel, Overseas Private Investment Corporation, Peace Corps, Pension Benefit Guaranty Corporation, Railroad Retirement Board, Securities and Exchange Commission, Selective Service System, Small Business Administration, Smithsonian Institution, Surface Transportation Board, and Trade and Development Agency.

STEP 10 – IF ON A COLLEGE OR UNIVERSITY CAMPUS, BRIDGE THE GAP BETWEEN CAREER PLACEMENT OFFICES AND OFFICES FOR STUDENTS WITH DISABILITIES.

Far too frequently, as college and university students seek to complete their post-secondary education with the ultimate goal of securing gainful employment, they experience a disconnect between the office for students with disabilities designed to meet their academically-related accommodation needs and the on-campus career services office whose role is to serve all students, including those with disabilities. For this reason, efforts by administrators of both offices should be geared toward providing more seamless services as is accorded to students without disabilities. To be sure, such efforts have already been underway across the country on hundreds of college and university campuses.⁷⁹ Taking active part in this trend toward greater coordination will only result in expansion of opportunity for students with disabilities whom, like others, are simply seeking to obtain gainful employment.⁸⁰

Conclusion

Various stakeholders play such a pivotal role in the lives of those they serve, including those with visible and invisible disabilities. Now armed with a number of informational resources, the next step is immediately to put into action the specific suggestions discussed, utilizing the vast array of agency and organizational references that have been provided here, many of which are portals to countless other resources. When combined with a positive belief in the abilities of members of the disability community who themselves are pushing forward to shatter limited expectations about what they can do, the only real bounds are those of the imagination.

[Olegario “Ollie” D. Cantos VII, Esq., a leader in the disability community for more than 17 years, is Special Counsel to the Assistant Attorney General for Civil Rights in the U.S. Department of Justice and is the immediate past Associate Director for Domestic Policy at the White House, serving as the President’s key staff lead in implementing the New Freedom Initiative, which was launched on February 1, 2001. Mr. Cantos may be reached by phone at 202-514-8191 (Voice/Relay) or via email at Ollie.Cantos@usdoj.gov. Readers are encouraged to provide feedback on success stories and suggestions of additional national resources that may be of practical assistance to students and job seekers with disabilities.]

CITATION: Cantos VII, Olegario D., “A Systemic Approach to Arming Students and Job Seekers with Disabilities and their Advocates in Securing Meaningful Employment ,” Civil Rights Division, U.S. Department of Justice, revised December 4, 2007.

⁷⁹ In order to facilitate greater coordination between offices for students with disabilities and career services offices, Career Opportunities for Students with Disabilities was founded to centralize best practices, exchange information and ideas, and spawn greater opportunity for people with disabilities to participate in the economic lives of their communities. See <http://www.cosdonline.org>.

⁸⁰ As an illustration, on October 28, 2007, The Washington Post highlighted the fact that students with autism and other disabilities may succeed in a college setting. To view the article entitled “Providing the Structure the Autistic Need for College Life,” which spotlights College Living Experience, see <http://www.washingtonpost.com/wp-dyn/content/article/2007/10/28/AR2007102801501.html>.