



The Council  
of State  
Governments

# Preparing for Work in a Pandemic

INCLUSIVE WORKFORCE READINESS POLICIES

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**By Dexter Horne | January 2022**

*This brief was produced in collaboration with the [State Exchange on Employment & Disability \(SEED\)](#), an initiative of the U.S. Department of Labor's Office of Disability Employment Policy (ODEP). In partnership with intermediary organizations like The Council of State Governments (CSG), among others, SEED helps state and local policymakers develop and implement meaningful policies and practices that lead to increased employment opportunities for individuals with disabilities and a stronger, more inclusive workforce and economy.*

In November 2020, SEED launched the COVID-19 Policy Collaborative for an Inclusive Recovery, also known as the Collaborative, to support SEED intermediary partners and other stakeholders in responding to the pandemic and to ensure newly implemented policies align with disability and civil rights laws and policies.

From February to May 2021, key stakeholders and subject-matter experts met during a series of three virtual meetings to discuss issues surrounding returning to the workplace, workforce retention and preparing for work amid and following the pandemic. Participants included SEED's formal intermediary partners;

researchers; members of academia; federal, state and local government representatives; disability employment policy specialists; and other thought leaders.

The content of this brief was informed by information and data gleaned through the Collaborative, including presentations, panel discussions, discussion-based breakout sessions and additional research conducted by the SEED team.

SEED produced three resources based on the Collaborative: [Framework for a Disability-Inclusive Recovery](#), [Policy Checklist for a Disability-Inclusive Recovery](#) and [Convenings Report: COVID-19 Policy Collaborative for an Inclusive Recovery](#).

# Introduction

During the COVID-19 pandemic, states shifted to using virtual programming and tools in order to continue much of their workforce readiness efforts, including reemployment services, paid pathways to employment and career coaching.

Now and after the pandemic subsides, states can benefit from adopting or continuing to support the innovative workforce initiatives created in the past year, many of which increased inclusion for individuals with disabilities. Policymakers can better prepare a more robust generation of workers by supporting inclusive policies focused on education, job training and vocational rehabilitation that facilitate full community inclusion of all job seekers.

This report covers how states are making workforce readiness initiatives, such as work-based learning programs, traditional education programs, job center services and vocational rehabilitation services, more adaptive and resilient during the COVID-19 pandemic. This report also highlights ways in which these changes can be applied so that they further the inclusion of individuals with disabilities in the years to come. It does this by providing:

- **An overview of the workforce readiness strategies and programs used by states during the pandemic**, including new and existing pathways to sustainable employment for youth and adult job seekers with disabilities
- **Best practices and policy options for making workforce readiness programs inclusive**, including key considerations for maximizing the likelihood their policies and programs are disability-inclusive
- **Examples of state policy and guidance that provide a template for how workforce and education guidance, regulations and policy can achieve disability inclusion goals**

## Workforce Readiness Strategies and Programs

By the spring of 2020, [the unemployment rate for all working-age people with disabilities rose to 12.6%, an increase of 5.3 percentage points from 2019](#). In comparison, the unemployment rate for persons without a disability rose to 7.9%, an increase of 4.4 percentage points from 2019.

With traditional education and skills training programs disrupted in the wake of COVID-19, coordination and collaboration among government agencies are more important than ever in order to promote workforce readiness.

A crucial component of such work is ensuring workers are able to upskill for the jobs of today and youth are able to transition successfully from high school into a postsecondary environment or the world of work through effective programming. State- and city-supported workforce readiness initiatives create pathways to training and employment and can be designed to include individuals with disabilities who, like their peers, desire meaningful careers.

Since the pandemic began, there have been some employment gains since the pandemic started. According to the Kessler Foundation and the University of New Hampshire Institute on Disability, the labor force participation rate for people with disabilities rose by 4.1 percentage points, from 33.6% in November 2020, to 37.7% in November 2021. This increase is higher than the slight gains made among people without disabilities, which rose from 75.9% in November 2020 to 76.7% in November 2021 (a 0.8 percentage point increase).

Source: [\*https://kesslerfoundation.org/press-release/ntide-november-2021-jobs-report-historic-employment-gains-continue-people\*](https://kesslerfoundation.org/press-release/ntide-november-2021-jobs-report-historic-employment-gains-continue-people)



There are a variety of disability-inclusive workforce readiness strategies states have pursued during the pandemic, including:

- Work-based learning
- Maintaining inclusive access to education programs
- Workforce development programs, such as career counseling and help with job searches, operated by state-run job centers
- Vocational rehabilitation programs, including pre-employment transition programs

## Work-based learning for youth and adults

Work-based learning experiences that connect classroom curricula to workplace environments give participants valuable skills that they may not get from classroom learning experiences alone. Skills such as understanding workplace culture and expectations, how to apply theoretical concepts and how to interact with a team on industry-specific issues are all key qualities of an individual's potential career success that take more than classroom instruction to master. As such, work-based learning experiences for

youth and young adults with disabilities are an imperative part of any state's workforce readiness efforts. Such experiences include:

- **Apprenticeships** are an industry-driven, high-quality career pathway where employers can develop and prepare their future workforce, and individuals can obtain paid work experience, classroom instruction and a portable credential.
- **Internships** are paid or unpaid work experiences within for-profit and/or not-for-profit organizations that expose individuals to the world of work on a "trial" basis to build work skills and to help individuals better frame their career pathways.
- **Mentoring** is a relationship whereby a person, through support, counsel, friendship, reinforcement and constructive example, helps another person reach their work and life goals. Mentoring relationships provide valuable support to individuals by offering effective role models of leadership, interpersonal and problem-solving skills.
- **Job shadowing** is the pairing of an individual with an employee who works in a business aligned with the career interests of the individual, so they can learn the essential aspects of the job or organization as well as expected behaviors or competencies.
- **Paid employment** places individuals in initial jobs to build basic work skills that assist in laying a foundation for a future career path.
- **Service learning** allows participants to gain work experience through service-focused activities and positions that benefit others and the community, while also advancing the goals of a given curriculum.
- **Workplace tours** provide opportunities for individuals to explore and observe occupations.
- **Informational interviewing** provides a way for individuals to build a network of



interpersonal connections and discover new fields of interest by asking questions of and gathering information from various employers and professionals.

- **Summer work experiences** are set up in partnership with the educational or workforce system where the wages are paid through participation in U.S. Department of Labor, vocational rehabilitation or other initiatives.

Work-based learning experiences are traditionally offered in multiple in-person settings, such as a classroom or work site. To protect the health of participants and staff, many in-person instruction sites temporarily shut down or permanently closed during the COVID-19 pandemic. States

and local communities are finding new ways to support work-based learning programs as the pandemic continues. These include providing:

- Guidance to help employers and academic institutions renegotiate the terms of work-based learning experiences so criteria for completion can be accomplished remotely
- Guidance on how to run programs safely
- Ongoing support to high school students through the use of virtual pre-apprenticeship activities
- Financial support to individuals no longer receiving on-the-job learning-related pay

## What is an apprenticeship?

Apprenticeships provide a variety of benefits to workers, employers and state and local governments. For example, apprentices earn compensation while receiving hands-on learning; employers' benefit from increased knowledge transfer through mentors and enhanced employee retention; and state workforces with apprenticeship programs gain from an increased pipeline of qualified workers and reduced onboarding costs by letting employees learn on the job. Inclusive apprenticeships incorporate untapped talent into crucial positions in various high-demand fields by focusing on diversity, accessibility and inclusion to increase workplace output and culture. Apprenticeships come in several forms, including:

**Registered apprenticeships** are an industry-driven, high-quality career pathway where employers can develop and prepare their future workforce, and individuals can obtain paid work experience, classroom instruction and a nationally recognized, portable credential.

**Youth apprenticeships** are designed specifically for high school students and combine academic and technical classroom instruction with work experience through a registered apprenticeship program.

**Pre-apprenticeships** are recognized by the U.S. Department of Labor but are not registered with the department. These programs prepare individuals to enter and succeed in a registered apprenticeship program.

## STATE EXAMPLES:



The **Ohio** Department of Education issued [guidance](#) in response to school closures during COVID-19 outbreaks that allowed students to continue participating in work-based learning programs “if the student’s work-based learning experience is safe and attentive to social distancing” (i.e., the student interacts with very few other people).

Additionally, the **Ohio** Department of Education issued [guidance](#) on credential preparation programs during the pandemic, including instruction on pre-apprenticeship services. Recognizing that career and technical education would resume as the 2020-21 school year drew closer, the department recommended:

- Program providers should collaborate with parents/caregivers and employers to determine appropriate industry-recognized credentials
- When minimum training hours cannot be met due to COVID-related government restrictions that limit student participation, an alternative assignment should be provided

- In the event students cannot access school lab equipment and instruction because of split scheduling or alternating days, face-to-face instruction should concentrate on mastery of performance skills while theory and knowledge competencies should be reserved for the remote learning environment
- Program providers should review state certification and license agency websites for the most current testing location information, policies and procedures and suspension to state law
- If students cannot complete required hours for state certification because of limited lab instruction or work-based learning time, schools should contact the Department of Education for assistance in working with the credentialing agency or vendor



In March 2020, the governor of **Texas** [waived regulations](#) to make sure funding would continue to support college work-study programs. This allowed students to receive pay for hours they would have worked had colleges not shut down and work-study programs had been allowed to continue.



According to the [National Center on Education and the Economy](#), the top performing countries in apprenticeships prioritized three strategies:

1. Flexibility in sequencing academic and work-based modules, such as allowing students to focus on completing academic credits when work-based opportunities were limited, as opposed to requiring a rigid order of completing academic and work-based modules
2. Moving assessments of student competency and skills to video conference
3. Allowing students to advance through the program with the expectation they would complete subjects or work placements in the future



## Maintaining inclusive access to education programs

Not all skills are learned best at a workplace. Traditional educational environments, such as the high school or college classroom, provide an environment for future workers to learn important concepts, experiment with new ideas and tools and gain crucial social and self-advocacy skills. Many states and local communities have implemented remote learning environments in light of COVID-19. However, these environments may limit access to the critical services students normally receive during a traditional in-person school day. In order to provide students the services needed for their successful transition into meaningful careers, states and local communities are thinking creatively to create a robust and inclusive remote environment.

According to the [Center for Advancing Policy on Employment for Youth](#) (CAPE-Youth), states and local communities have supported the needs of students with disabilities during the COVID-19 outbreak through:

- Providing assistive technology
- Allowing districts to offer distance learning
- Allowing families to engage in their children's changing learning plans
- Offering guidance on individualized education programs (IEPs)
- Expanding or offering new mental health services for youth
- Allowing telehealth services for youth
- Continuing youth transition services virtually

## Center for Advancing Policy on Employment for Youth

CAPE-Youth is a collaboration funded by the U. S. Department of Labor's Office of Disability Employment Policy with The Council of State Governments and the K. Lisa Yang and Hock E. Tan Institute on Employment and Disability at Cornell University focused on improving life outcomes for youth and young adults with disabilities. CAPE-Youth exists to:

- Conduct research on new and existing innovative policies and practices designed to improve transition and employment-related outcomes for youth and young adults with disabilities
- Develop strategic partnerships among national, state and local workforce systems
- Share best practices among key stakeholders from individuals and families to state legislators and beyond
- Help states identify opportunities to expand career pathways, work-based learning, strategic partnerships, systems coordination and professional development for youth and young adults

For more state policy examples, blogs and research from CAPE-Youth visit [capeyouth.org](https://capeyouth.org).



## STATE EXAMPLES:



The governor of **California** [announced](#) partnerships to support the transition to distance learning and bridging the digital divide. Major features of this initiative included:

- Commitments from companies, business leaders and philanthropists to provide internet access to hundreds of thousands of households and technology such as laptops and tablets to over 70,000 students
- \$30 million from the California Public Utilities Commission to help school districts get computing and internet devices to families for distance learning
- Seven transit buses from the California State Transportation Agency converted into internet hotspots around Sacramento



The **Florida** Department of Education created a [resource](#) explaining the services available to students and parents for coping with mental health issues during the COVID-19 pandemic.



The **Indiana** Department of Education (IDOE) issued [guidance](#) on how to apply and replicate traditional accommodations in a remote setting using free online resources and apps. For every daily accommodation an educator might make for students in-person, IDOE suggests remote accommodations that can fulfil the same learning objectives.



**Ohio** provided [recommendations](#) to students as they transition out of high school. The state provides:

- Information sheets regarding COVID-19 operations
- Safety requirements for work-based learning programs

- Requirements for professional development adjustments for each of the 16 Career-Technical Education “pathways” (arranged by subject matter) it offers
- [Resources](#) for virtual job-coaching during the pandemic



The **Vermont** Agency of Education published [Supporting Learning While Social Distancing: Companion Document for Families of Children with Disabilities](#), which provides families of children with disabilities information on what they can expect from educators in a distanced learning environment and what additional support they are able to provide, if requested.



**West Virginia** provided a list of special education and family support [resources](#), including links to transition planning toolkits, to families of students with disabilities so the students’ skills building and transition planning work could continue at home.

## Workforce development programs operated by state-run job centers

Not everyone who desires to to attain employment or change careers has access to the necessary training and skills development in work-based or traditional educational environments. In such circumstances, individuals can access workforce development opportunities at local job centers. The increase in unemployment during the pandemic elevated the need for the training and employment services provided by job centers. Like businesses and schools, a desire to protect client health services has led job centers to rethink the delivery of services. Job centers adapted by offering virtual services (e.g., career counseling, job fairs).

Many state governments and local workforce development boards have found innovative ways to deliver job center services such as providing online and remote options for training, referrals, career counseling, job listings and other employment services.

# American Job Centers

Funded by the U.S. Department of Labor's Employment and Training Administration, American Job Centers (AJCs) provide job seekers with assistance for a variety of career and employment needs. Career counselors work with job seekers to identify their interests, assess their skills and abilities and advise them on potential jobs and training opportunities. AJCs were created by the Workforce Investment Act of 1998 (WIA) and resumed under the Workforce Innovation and Opportunity Act (WIOA) in 2014. AJCs are operated locally, and services vary by location. One can search for nearby AJCs by visiting:

[www.careeronestop.org/LocalHelp/AmericanJobCenters/american-job-centers.aspx](http://www.careeronestop.org/LocalHelp/AmericanJobCenters/american-job-centers.aspx).

Though AJCs operate under federal law, state governments and local workforce development boards are responsible for establishing the physical location of each job center and for implementing the service delivery system. The state governments and local boards have discretion over the partner entities that carry out the services of each AJC and discretion over how they translate and adapt the national vision for an integrated, customer-focused workforce system<sup>1</sup>.







## STATE EXAMPLES:



In May 2020, the governor of **Connecticut** [announced](#) statewide support for public-private partnerships that expand access to online job matching platforms and training programs for underemployed and unemployed workers, including workers with disabilities. The announcement includes:

- The expansion of the SkillUp CT program to increase the number of recently laid-off workers able to upgrade their skills and earn industry-recognized certifications virtually
- Allowing eligible Connecticut residents access to about 5,000 online Skillsoft courses in areas such as information technology, business analysis, customer service, project management and digital literacy, among others
- Allowing eligible Connecticut residents career coaching through the state's workforce boards



The state of **Idaho** operates an [accessible online platform](#) for employers to post job openings. The platform contains digital forms that allow job seekers to get resume assistance, employers to scout talent and training entities to get approved to become WIOA eligible training providers.



In April 2020, **Rhode Island** secured a [\\$2.3 million CARES Act grant](#) through the federal Dislocated Worker Grants fund to provide employment and training services to residents laid off because of COVID-19's effect on local businesses. The Rhode Island Department of Labor and Training received and is responsible for disseminating funds to job centers. Dislocated Workers Grants are supported by the WIOA 2014.



The **Tennessee** Department of Labor and Workforce Development designed the [Tennessee Talent Exchange](#), which helps transition workers from one industry to job opportunities in another industry in need of an expanded workforce. The exchange lists "work-at-home" job openings on its website and has hosted virtual events during the pandemic to connect residents to employment opportunities.

## Access to vocational rehabilitation programs, including pre-employment transition programs

The effects of the pandemic have not been felt evenly across society. This is especially true for people who have historically faced barriers to employment, including individuals with disabilities. [A special report from the Kessler Foundation](#) found that from March 2020 to April 2020 alone, the number of employed working-age people with disabilities fell 20%, while the number of employed working-age people without disabilities decreased 14%. To make up for the disproportionate impact felt by individuals with disabilities, state vocational rehabilitation agencies have done more to bridge the gap between job seekers with disabilities and meaningful employment.

Vocational Rehabilitation (VR) programs are federally funded, state-run programs that provide vocational and rehabilitative services to help individuals with disabilities prepare for, secure or retain employment. Like work-based learning experiences, traditional classroom instruction and job center services, state vocational rehabilitation agencies were forced to move to a distance service delivery model during the pandemic. Detailed below are state examples of effective distance delivery practices adopted by VR agencies, including:

- Providing guidance on how to conduct remote services to providers
- Allowing supported employment services to be offered virtually
- Creating opportunities for virtual pre-employment transition services

**Title I of the Rehabilitation Act as amended by the Workforce Innovation and Opportunity Act (WIOA) of 2014 requires vocational rehabilitation agencies to set aside at least 15% of their federal funds to provide pre-employment transition services (Pre-ETS) to students with disabilities who are eligible or potentially eligible for vocational rehabilitation services. Required Pre-ETS include:**

- Job exploration counseling
- Work-based learning experiences (including both in-school and after school programs)
- Counseling opportunities for enrollment in transition or postsecondary educational programs
- Workplace readiness training to develop social and independent living skills
- Instruction in self-advocacy

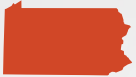
Source: [www.wintac.org/topic-areas/pre-employment-transition-services](http://www.wintac.org/topic-areas/pre-employment-transition-services)



## STATE EXAMPLES:



The **Maryland** Department of Public Health authorized the use of [telephone services for Supported Employment services](#) during the State of Emergency brought on by COVID-19.



In order to maintain adequate provision of pre-employment transition services, **Pennsylvania's** Office of Vocational Rehabilitation (OVR) issued guidance to OVR staff and schools on how to safely provide services during the COVID-19 pandemic. The guidance includes:

- OVR staff may continue to provide all required pre-employment transition services virtually either individually or in groups using available online platforms
- Students housed in a residential facility who receive pre-employment transition services may continue their services, including paid work experience within the facility, following the Department of Human Services' guidance
- Provider group instruction services (job exploration, workplace readiness training, instruction in self-advocacy or independent living skills) may be offered virtually at the request of OVR staff
- All materials must be accessible and accommodations must be provided to students who need them. No person with a disability shall, based on the disability, be excluded from participation in virtual services when provided



**Utah's** Department of Workforce Services, the agency that houses the State Office of Rehabilitation, issued [Leadership Guidance for Supervising Telework Counselors](#). This guidance outlined the basic expectations for the supervisors of teleworking counselors, which include establishing best lines of communication, specifying work hours for each team member, scheduling virtual daily meetings with the team and maintaining the team's client appointment schedule.



The state of **Virginia** made the counseling component of their Vocational Rehabilitation and Employment Program available remotely. Through VA Video Connect, veterans in the state can access scheduled [tele-counseling services](#) on video enabled devices.

As vocational rehabilitation (VR) grantees continue operations for the benefit of individuals with disabilities during the COVID-19 pandemic, the Rehabilitation Services Administration (RSA), within the U.S. Department of Education's Office of Special Education and Rehabilitative Services, issued [Questions and Answers](#). These came in response to inquiries concerning the administration of the state VR services and American Indian VR services programs under the Rehabilitation Act of 1973 (as amended) and Business Enterprise programs under the Randolph-Sheppard Act. While these questions were submitted by grantees under these programs, many of the answers apply generally to RSA formula grantees.

## Coordination and collaboration among agencies

COVID-19's impact on the health system on the health system and economy have been of particular concern to states, necessitating joint efforts across workforce, human services and economic development agencies to address. Fortunately, in many states and local communities, the partnerships established through the Workforce Innovation and Opportunity Act (WIOA) have prepared workforce

development and VR systems to respond quickly in a coordinated, effective manner.

Six ways state VR and workforce programs can and do coordinate and leverage each other's resources to address the effects of COVID-19 on workers with disabilities in both the short- and long-term are:

- **Regular coordination meetings.** VR administrators, state workforce development boards, workforce agencies and other key workforce development stakeholders have consistent, systematic lines of communication that allow them to regularly coordinate service delivery and ensure overall strategic alignment.
- **Open sharing of resources with the public and across program partners.** VR programs and agencies have platforms through which they are able to disseminate relevant information with participants, others who may be eligible for services and other entities operating in coordination or that serve similar populations.
- **Connection of customers to essential service jobs.** VR agencies ensure their access to up-to-date information about jobs immediately available, especially those that are deemed essential, so they are able to quickly match those they serve with positions for which they are qualified.
- **Coordination of referrals.** VR agencies coordinate across government units to refer individuals to all programs and benefits for which they are eligible to ensure all individuals are aware of their options and can receive the maximum level of support.
- **Cross-Staffing to Support Partner Programs.** VR agencies coordinate with other programs and agencies to ensure consistent staff capacity in agencies experiencing higher than normal levels of demand to maintain consistent service delivery.
- **Cost-Sharing.** VR agencies coordinate across units and programs to identify opportunities to share costs incurred due to COVID-19 response efforts to minimize the burden on any one entity.



## STATE EXAMPLES:



**Arkansas** [House Bill 1651](#) allows the Board of Developmental Disabilities Services to coordinate the planning and implementation of intellectual and developmental disabilities programs and institutional and community activities of all public agencies.



**California** [Assembly Bill 1331](#) requires the statewide director of crisis services to coordinate behavioral health programs statewide to ensure continuity of services and access points across county lines, other geographic boundaries, or both, and to promote and enhance cross-agency information exchange and resource sharing.



**Colorado** [Senate Bill 18-270](#) establishes a statewide Behavioral Health Crisis Transition Referral program, which coordinates referrals of high-risk individuals in need of behavioral health transition services.



**Virginia** [Senate Bill 1485](#) directs the Department for Aging and Rehabilitative Services to make referrals to any employment services organization that provides competitive or commensurate wages and is eligible to receive state-funded Long-Term Employment Support Services or Extended Employment Services. The bill also establishes the Employment Service Organization Steering Committee as an advisory board in the executive branch of state government.

## Best Practices For Making Workforce Readiness Programs Inclusive

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State and local policymakers have leveraged opportunities for innovation during the COVID-19 pandemic to ensure job seekers continue to receive the benefits of disability-inclusive workforce readiness programs and initiatives. Policymakers have an opportunity to continue such innovation by learning from their peers and taking steps to sustain the advances made over the past year.

Policy options that are applicable to a range of workforce readiness programs and would maximize the likelihood these programs remain inclusive during and after the pandemic include:

- Online accessibility and usability
- Assistive technology devices and services
- Reasonable accommodations
- Mental Health Sensitivity and Support
- Training and provision of technical assistance to managers, supervisors and people with disabilities
- Coordination and collaboration among providers

Many examples of state-level inclusive youth workforce readiness policy come from research conducted by CAPE-Youth. For more examples from across the nation, visit their webpage, [State COVID-19 Response: Youth with Disabilities](#).



## Online accessibility and usability

Accessible and usable technologies are important for making state workforces more inclusive and for fulfilling the requirements of the law. The Americans with Disabilities Act (ADA) and Section 504 of the Rehabilitation Act of 1973 require government agencies receiving federal funding to make their electronic and information technology (EIT) accessible to persons with disabilities. To ensure compliance with federal law, state and local policymakers may want to consider adopting policies that ensure websites, mobile apps and online systems that provide remote services and supports (including teleworking for staff, tele-counseling for clients, tele-facilitation between service providers and clients, workshops, digital coaching and job fairs) are accessible to and usable by persons with disabilities consistent with Web Content Accessibility Guidelines (WCAG) 2.1, A and AA.

Published by the [World Wide Web Consortium](#) (W3C) in June 2018, the Web Content Accessibility Guidelines (WCAG) 2.1 is a set of recommendations for making content more accessible to a wider range of people with disabilities. These recommendations include accommodations for individuals who experience blindness or low vision, deafness or hearing loss, limited movement, speech disabilities, photosensitivity, cognitive limitations or learning disabilities. While the Guidelines do not cover every need a user might have, these recommendations can make the web more usable in general. Guidelines cover a wide range of accessibility issues and provide ratings of either A (lowest level of compliance), AA (moderate compliance) or AAA (highest level of compliance).







## STATE EXAMPLES:



**Alabama's** [Information Technology Standard](#) was created to ensure equal access to electronic and information technologies and applies to all executive branch agencies, boards and commissions except those receiving special exemptions. The standard requires Alabama state websites adopt the Design of HTML Pages set by the W3C and Access Board to increase accessibility. These standards include using alternative text on every graphic, providing alternate means for accessing online forms (such as by phone) and ensuring websites are compatible with a range of browsers, among other provisions.



In 2017, **California** passed [Assembly Bill 434](#) which requires all state agency chief information officers post on the home page of the agency's or entity's website a signed certification that the site complies with sections [7405](#) and [11135](#), and the [Web Content Accessibility Guidelines 2.0](#).



**Missouri** state law ([RSMO 191.863](#)) requires state agencies to develop and procure accessible information technology unless an undue burden would be imposed. Missouri's law defines information technology the same as [Section 508](#). The statute also charges the Missouri Assistive Technology Council and the Office of Information Technology with responsibility for adopting standards to be used by state agencies in the procurement or development of accessible information technology.



In April 2020, the **Texas** Department of Information Resources issued [Rule §206.50](#) of the Texas Administrative Code. The rule states all new or changed state web pages must comply with Section 508 Standards (ensuring access for people with physical, sensory or cognitive disabilities). The rule also requires state agencies to establish an accessibility policy and directs the Texas Department of Information Resources to establish statewide agency website accessibility compliance goals and track agency progress towards achieving those goals.

## Assistive technology devices and services

State and local policymakers may want to consider adopting policies that ensure job seekers have access to assistive technology devices and services to enable them to fully participate in employment services and supports.

### STATE EXAMPLES:



The **Florida** Department of Education created a resource spreadsheet to help students and families adjust to online learning.

The [spreadsheet](#) offers over 70 tools for families to utilize while continuing education at home, including front-loading digital content, text help tools and Google Chrome extensions.



The **Indiana** Department of Education [documents](#) remote learning accommodations that can be employed for a variety of situations to meet the needs of students with disabilities. This comprehensive resource lists a variety of accommodations a student might need and provides suggestions for remote accommodations to support the student. For example, if a student utilizes word prediction software, the document suggests informing parents on the use of co-writer or other built-in word prediction software and points them to written or video instructions for enabling these programs on devices.



The **Michigan** Department of Education shared a list of assistive technology resources for families, students and teachers. This compilation of online resources offered by the Michigan Office of Special Education [Grant Funded Initiatives](#) includes links to online tools such as Google Chrome extensions that increase accessibility and word processors with quality speech feedback.

The Michigan Department of Education offers access to the [Alt+Shift Lending Library](#), which allows educators to check out assistive technology equipment and software and ship it directly to a student's home address.



The **Tennessee** [Technology Access Program](#) provides

acquisition and access to assistive technology devices and services. The statewide program supports people with disabilities find tools they need by partnering with technology centers and coordinating with vocational programs, medical communities and businesses across the state.



The General Assembly of **Virginia** passed [Acts of Assembly Chapter 224](#), which directs the Department of Medical

Assistance Services to establish a work group to study and develop recommendations for the permanent use of virtual supports and increasing access to virtual supports and services for individuals with intellectual and developmental disabilities. Recommendations should consider strategies to promote access to assistive technology and appropriate environmental modifications. The work group is to report its findings and recommendations to the governor and state General Assembly by Nov. 1, 2021.



**Wisconsin's** Assistive Technology Program, [WisTech](#), loans assistive technology devices to people with disabilities, their families, service providers and employers. The program works with people of all ages and disabilities and provides devices in all areas of assistive technology, including daily living, hearing and vision and computer access. Amid COVID-19, WisTech has encouraged Wisconsin's Aging and Disability Resource Centers to apply part of their COVID-19 economic stimulus funding, provided through the Coronavirus Aid, Relief and Economic Security (CARES) Act, toward expanding their assistive technology offerings.

## Reasonable accommodations

State governments and local agencies may want to consider strategies that encourage service providers and employers and people with disabilities to engage in an interactive process to ensure people with disabilities enjoy an opportunity to benefit/participate in a way that is as effective and meaningful as that provided to others. Reasonable accommodations include permitting telework where an employee has difficulties coming into the office, providing adjustable height desks for employees who use wheelchairs and providing enlarged-print documents for employees with vision disabilities.

### Reasonable Accommodation Requirements

Under the Americans with Disabilities Act (ADA), employers with 15 or more employees (including state and local governments) are required to provide reasonable accommodations to enable an individual with a disability to obtain equal employment opportunities, unless doing so would pose an undue hardship to the employer.

Source: [U.S. Equal Employment Opportunity Commission Enforcement Guidance on Reasonable Accommodation and Undue Hardship Under the ADA](#)

- Directing employers to offer protection to an individual whose disability puts that individual at a greater risk of contracting COVID-19 and who therefore requests accommodations to eliminate possible exposure
- Encouraging employers to consider accommodations for those who request reduced contact with others due to a disability (which may include changes to the work environment such as designating one-way aisles, using plexiglass, tables or other barriers to ensure minimum distances between customers and coworkers) or other accommodations that reduce chances of the individual's exposure to COVID-19
- Encouraging employers to implement temporary restructuring of marginal job duties, temporary transfers to a different position or modifying a work schedule or shift assignment to allow an individual with a disability to perform the essential functions of the job safely while also reducing exposure to others in the workplace or while commuting



**Georgia** has a [State Telework Policy](#) on record and provides Virtual Leadership guides for managers and supervisors as part of their training.



**Nebraska's** 2016 [Telecommuting Guidelines](#) specify telecommuting policies must be implemented in a nondiscriminatory manner and mandates that consideration be given to all reasonable requests.

## STATE EXAMPLES:



[Guidance](#) issued by the governor of **Colorado** in response to the COVID-19 pandemic included several steps to ensure equal opportunity employment and reasonable accommodations in workplaces, including:

- Directing employers to make reasonable accommodations for individuals with disabilities (absent undue hardship)



**Utah's** Department of Human Resources uses a [centralized control](#) methodology for accommodation decisions in which human resources management contacts the ADA coordinator (in human resources) immediately for accommodation requests. The ADA coordinator then works directly with management and the employee for granting necessary accommodations. Utah maintains that this procedure encourages consistency and confidentiality by avoiding lengthy detailed accommodation procedures.



# Highlight on Inclusive Telework


The State Exchange on Employment & Disability (SEED) publication, [Disability-Inclusive Telework for States: State Approaches to Increasing Access & Inclusion](#) provides a guide for developing and/or modifying telework policies and programs to be inclusive of people with disabilities.

It recommends that policies and programs consider three main principles:

1. **Clarity** in expectations and procedures.
  2. **Flexibility** in accommodating individual situations, when needed.
  3. **Universal design** in the creation of policies and the selection of telework tools. [Universal Design](#) is a strategy for designing places, products, environments, operational systems and services that are
1. **Telework policies**, which outline the purpose of a telework program, eligibility and participation criteria, telework processes and other considerations.
  2. **Telework agreements**, which establish the specific terms and conditions for telework for an individual employee.
  3. **Management of telework programs**, which refers to the methods and strategies for implementing and operating telework programs.

accessible, understandable and usable to the most diverse range of people possible, regardless of ability.

It further provides examples of how to enhance inclusion across three telework components:

 **Vermont** Statute [21 V.S.A. § 309](#) allows employees flexible working arrangements. Under the statute flexible working arrangements are defined as “intermediate or long-term changes in the employee’s regular working arrangements, including changes in the number of days or hours worked, changes in the time the employee arrives at or departs from work, work from home, or job-sharing.”

## Mental Health Sensitivity

New research suggests the pandemic is [has led to an increase in the number of people worldwide who are experiencing anxiety, depression, post-traumatic stress and insomnia](#). At the same time, access to mental health services has been significantly limited. The Centers for Disease Control and Prevention (CDC) [reported](#)

In the first year of the pandemic, the percentage of Americans working remotely jumped from 15% to 50%. While telework can create technological barriers, it also has the potential for reducing architectural, communication and transportation barriers for some workers with disabilities in traditional work arrangements.

Source: [seed.csg.org/telework-ensuring-inclusion-during-covid-19-beyond/](http://seed.csg.org/telework-ensuring-inclusion-during-covid-19-beyond/)




in August 2021 that “among all adults who had received a diagnosis of mental health or substance use conditions, adults with disabilities more frequently (42.6% versus 35.3%;  $p < 0.001$ ) reported that the pandemic made it harder for them to access related care or medication.”

Youth have felt the effects as well. Evidence shows that the mental health needs of youth are not being met effectively due to COVID-19. A May 2021 Kaiser Family Foundation [report](#) found that “among Medicaid and Children’s Health Insurance Program (CHIP) beneficiaries under the age of 18, the number of children receiving mental health services dropped by 50% from February to October 2020.”

Worsening mental health among working age people can dampen state economies as workers may struggle to find support. State and local agencies looking to support job-seekers with disabilities and retain those already in the workforce may want to consider flexible ways to provide mental health services and support, such as:

- Providing telemental health services
- Offering more resources to mental health service professionals
- Connecting students and parents with resources and services
- Offering direct support services to individuals and families

## STATE EXAMPLES:

 **Colorado** developed [resources](#) focused on coping mechanisms for anxiety, depression and stress among students. The resources include social-emotional learning and trauma counseling for families and schools, as well as access to 10 free mindfulness classes for children through the Mindful Schools program.



The **Delaware** Department of Education provided schools with numerous strategies on how to continue [school counseling services](#).



The **Florida** Department of Education compiled a [resource](#) to provide educators and families more information about telehealth, mental health services and youth mental health awareness training to identify students who may have serious mental health needs.



The **Hawaii** Department of Education provides [informational documents](#) containing mental health resources for children with disabilities, including multiple hotlines for parents and children and a social-emotional learning curriculum.



**Maryland’s** [Preserve Telehealth Access Act of 2021](#) requires insurers, nonprofit health service plans and health maintenance organizations (referred to as carriers) to reimburse for a covered service appropriately provided through telehealth. Conversely, “a carrier may not exclude from coverage or deny coverage for a behavioral health care service that is a covered benefit when provided in person solely because the behavioral health care service may also be provided through a covered telehealth benefit.”



The **New Jersey** Division of Mental Health and Addiction Services focuses on older teenagers and youth in transition, providing a [helpline](#) for emotional support during the COVID-19 pandemic. This helpline is available in English and Spanish and in an accessible video format for the deaf. It also provides a 24/7 addiction hotline for youth and young adults with Substance Use Disorder (SUD).



**Oregon** [House Bill 2949](#) authorizes a program that will award qualified mental health care providers student loan forgiveness or student loan payment subsidies if the provider commits to two

consecutive years of full-time practice in certain public or nonprofit facilities.



**Utah's** state legislature passed [Senate Bill 41](#), which requires health benefit plans to provide coverage for medically necessary treatment of a mental health condition through telehealth services if the plan would have provided coverage of the same services in-person, and if the insurer determines the service meets the appropriate standard of care.

## Training and provision of technical assistance to managers, supervisors and people with disabilities

The COVID-19 pandemic has changed how workforce readiness programs are designed and offered. As such, the skills and understanding that workforce professionals need to be successful have changed. State and local policymakers may want to consider policies that enhance the training and provision of technical assistance to public sector managers, supervisors and staff working with job seekers and youth with and without disabilities. In particular, this training and instruction should cover:

- The availability of telework as a reasonable accommodation
- Ensuring accessibility and usability of online platforms
- Appropriate selection of assistive technology
- Providing mental health services and supports
- Providing financial incentives to increase a state's mental health workforce

### STATE EXAMPLES:



In **Arizona**, the Department of Education's Secondary Transition team [provides trainings to educators, parents, students and other relevant](#)



individuals on various components of the IEP process and its relationship to college and career readiness efforts, including how to fully utilize the Early Childhood Assistance Program and the Arizona Career Information System.



**Illinois** [House Bill 2616](#) requires the procurement of assistive technology devices and services to provide reasonable accommodations, enable an individual with a disability complete a job application process and modify or adjust the work environment to enable a qualified current employee with a disability to perform the essential functions of the position.



**Massachusetts** enacted [Senate Bill 2412](#), which implements a Twenty-First Century Education Trust Fund for the purpose of addressing persistent disparities in achievement among student subgroups, improving educational opportunities for all students and sharing best practices for improving classroom learning.



**Oregon** [House Bill 2949](#) provides incentives to increase the recruitment and retention of staff in the behavioral health care workforce, with a focus on supporting

individuals from underrepresented populations, including individuals with disabilities. Incentives include scholarships and retention bonuses.



The **Washington** Office of the Superintendent of Public Instruction provides resources for Washington schools and districts to assist with the instruction of students with disabilities during the pandemic entitled [Special Education Guidance for COVID-19](#). The webpage includes resources for families, IEP teams, students and other engaged individuals.

## Coordination and collaboration among providers

The COVID-19 pandemic has placed significant strain on state and local service delivery systems, including systems serving job seekers and youth with disabilities, requiring greater efficiencies. To enhance coordination and collaboration among agencies, state and local policymakers should consider:

- Establishing infrastructure that facilitates communication among agencies
- Entering into memoranda of understanding
- Scheduling regular coordination meetings
- Open sharing of data
- Open sharing of resources and blending and braiding of funding
- Connecting customers to essential services
- Coordinating referrals
- Cross-training staff

## STATE EXAMPLES:



In **California**, the Department of Education and the Department of Rehabilitation partner to serve individuals with disabilities in high school through their [Transition Partnership Programs](#) (TPPs). TPPs provide vocational services and employment preparation to help students with disabilities transition into meaningful careers.



**Iowa's** Department for the Blind and Iowa Vocational Rehabilitation Services implement the [Iowa Self-Employment](#) (ISE) program for individuals who are blind or visually impaired. ISE provides technical and financial assistance to help individuals with disabilities achieve self-sufficiency and their employment goals.



**Maine** [Legislative Document 1072](#) allows adult education programs to have memoranda of understanding with a community college or university to provide educational programs to career and technical education and adult education students. In addition, funding and student schedules are to be aligned and postsecondary credits are transferrable from one institution to another.

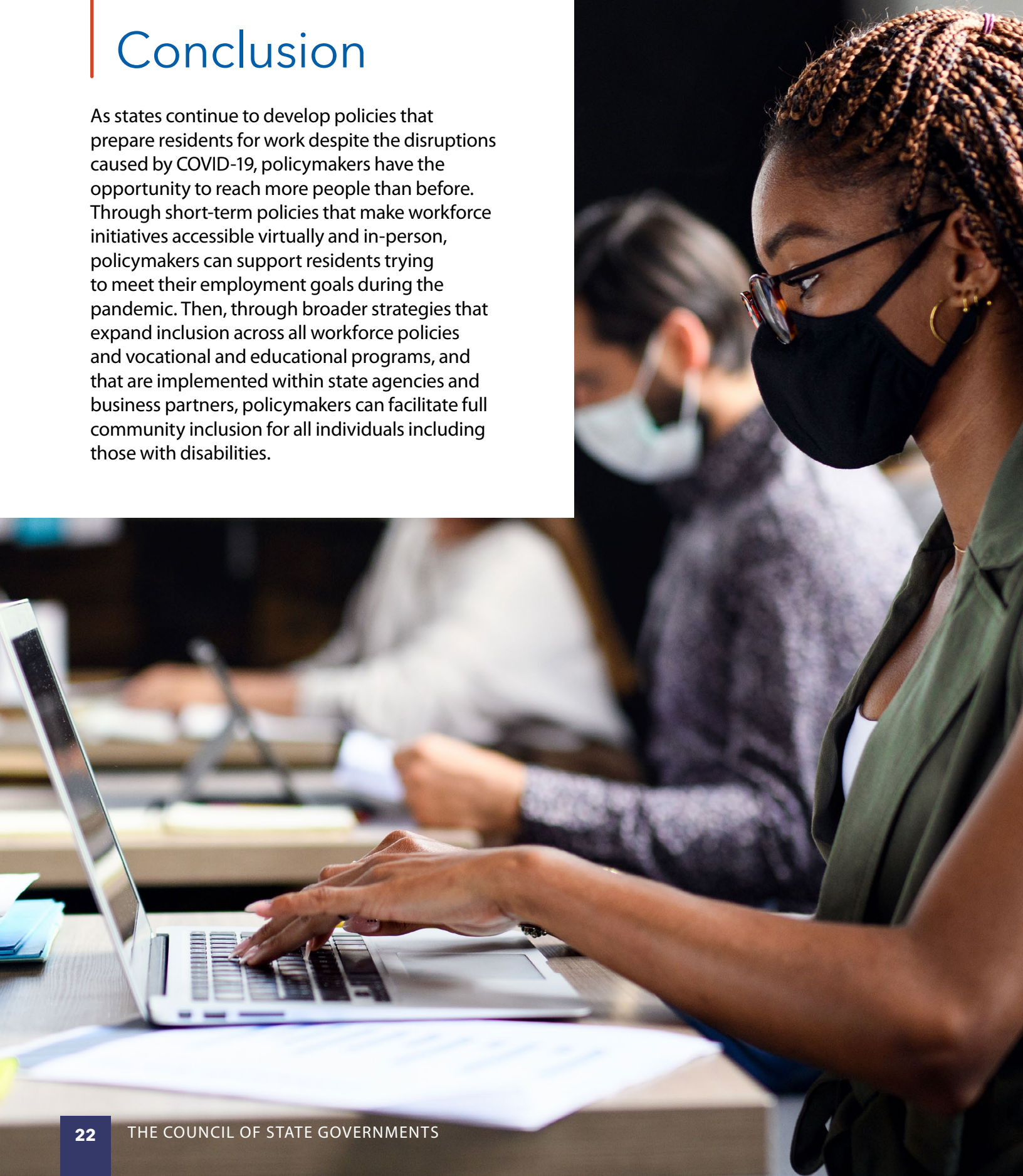


Jointly run by the **Mississippi** Department of Rehabilitation Services and the Department of Health and Human Services, [Project START](#) collects assistive technology and distributes the technology to Mississippians who need it to pursue their employment and education goals.



## Conclusion

As states continue to develop policies that prepare residents for work despite the disruptions caused by COVID-19, policymakers have the opportunity to reach more people than before. Through short-term policies that make workforce initiatives accessible virtually and in-person, policymakers can support residents trying to meet their employment goals during the pandemic. Then, through broader strategies that expand inclusion across all workforce policies and vocational and educational programs, and that are implemented within state agencies and business partners, policymakers can facilitate full community inclusion for all individuals including those with disabilities.



# Endnotes

1. Brown, E., Holcomb, P., & Mathematica Policy Research. (2018, April). Key Institutional Features of American Job Centers. Retrieved from U.S. Department of Labor: [www.dol.gov/sites/dolgov/files/OASP/legacy/files/KeyFeaturesAJCs.pdf](http://www.dol.gov/sites/dolgov/files/OASP/legacy/files/KeyFeaturesAJCs.pdf)
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