

**Colorado Department of Education
SMART Act Hearing – December 2018**

Additional Required Materials

Legislative Priorities

Colorado State Board of Education

2018 Legislative Priorities



2018 Legislative Priorities

The Colorado State Board of Education is committed to working with the Governor, the Colorado Legislature, school districts and stakeholders to re-envision learning for the future. By working together to keep all Colorado students as the focus, we believe in our collective ability to establish a vision and a plan that will continue to improve education in Colorado.

Student Success

We support policy that...

- Encompasses the continuity of sequenced, coherent, and high quality education from kindergarten to career or higher education.
- Ensures all students have access to meeting the Colorado Academic Standards.
- Acknowledges each local district's unique challenges in closing achievement gaps, and advancing all students' academic achievement.
- Provides opportunities for children to participate in programs which increase their readiness to learn in kindergarten.

Choice and Engagement

We support policy that...

- Provides every student with high quality educational choices to best meet his/her individual learning needs.
- Ensures parents have access to information about education programs and the opportunities to participate in related discussions and decisions on behalf of their child.
- Supports districts in their efforts to build broad parent engagement and community partnerships.

Flexibility

We support policy that...

- Provides flexibility to schools, districts, and the Colorado Department of Education to deliver high quality education services.
- Provides flexibility in the way school districts meet reporting and implementation requirements in order to minimize the burden on district staff.
- Keeps Colorado's best interests in mind while anticipating and responding to new Federal law and funding.

Data Collection and Access

We support policy that...

- Provides protection for individual student data in terms of collection, storage and transmission.

School Finance

We support policy that...

- Leads to the development of an equitable and comprehensive Colorado school finance system that provides thorough and uniform educational opportunities for all Colorado students.
- Clearly communicates with, and engages the public around school finance.
- Takes into account state and local contribution capacity to ensure all students have equitable educational opportunities.
- Enhances and improves the Permanent Fund, and protects it from further depletion.

State Board Authority

The Colorado State Board of Education is responsible for the general supervision of public schools through collaboration with the legislative and executive branches and with non-profit organizations and the private sector. In furtherance of its constitutional responsibility, the State Board of Education supports policy that recognizes its rulemaking authority, rather than policy enacted through prescriptive statute.

Regulatory Agenda

2018-19 Regulatory Agendas for State Board of Education and Division of Capital Construction

State Board of Education Regulatory Agenda

| Basis for Adoption | Purpose | Rule | Technical vs. Policy Change | Notice Date | Hearing Date | Tentative Adopt Date | Parties Potentially Affected | Adopt Date |
|-------------------------------|--|--|-----------------------------|-------------|--------------|----------------------|---|------------|
| HB 18-1379 | Changes to ELPA funding formula | 1 CCR 301-10 RULES FOR THE ADMINISTRATION OF THE ENGLISH LANGUAGE PROFICIENCY ACT | Technical | June 2018 | Aug 2018 | Aug 2018 | School districts; schools | Aug 2018 |
| Expiration of emergency rules | Update award amounts | 1 CCR 301-100 RULES FOR THE ADMINISTRATION OF THE TEACHER GRANTS FOR COMPUTER SCIENCE EDUCATION PROGRAM | Technical | June 2018 | Aug 2018 | Aug 2018 | Teachers; school districts; schools | Aug 2018 |
| OLLS | Fix incorporation of Colorado School Counselor Standards reference | 1 CCR 301-101 RULES FOR THE ADMINISTRATION OF EDUCATOR LICENSE ENDORSEMENTS | Technical | Aug 2018 | Oct 2018 | Oct 2018 | Teachers; school districts; schools | Oct 2018 |
| HB 18-1269 | Update list of statutes that cannot be waived | 1 CCR 301-35 RULES FOR THE ADMINISTRATION OF THE WAIVER OF STATUTE AND RULE | Technical | Aug 2018 | Oct 2018 | Oct 2018 | Schools; school districts | Oct 2018 |
| HB 18-1393 | Update based on statutory changes to the application process and eligibility | 1 CCR 301-90 RULES FOR ADMINISTRATION OF EARLY LITERACY GRANT PROGRAM | Technical | Aug 2018 | Oct 2018 | Oct 2018 | School districts; schools | Oct 2018 |
| HB 18-1286 | Rules on documentation required to administer medical marijuana | 1 CCR 301-68 RULES FOR STUDENT POSSESSION AND ADMINISTRATION OF ASTHMA, ALLERGY AND ANAPHYLAXIS MANAGEMENT MEDICATIONS OR OTHER PRESCRIPTION MEDICATIONS | Policy Change | Sept 2018 | Nov 2018 | Jan 2019 | Students; parents; schools; school districts; school nurses | |
| HB 18-1412 | Creation of Retaining Teachers Grant Program | NEW 1 CCR 301-102 RULES FOR THE ADMINISTRATION OF THE RETAINING TEACHERS GRANT PROGRAM | Policy Change | Sept 2018 | Nov 2018 | Nov 2018 | Teachers; school districts; schools | Nov 2018 |

2018-19 Regulatory Agendas for State Board of Education and Division of Capital Construction

| Basis for Adoption | Purpose | Rule | Technical vs. Policy Change | Notice Date | Hearing Date | Tentative Adopt Date | Parties Potentially Affected | Adopt Date |
|--|---|--|-----------------------------|-------------|--------------|----------------------|--|------------|
| HB 18-1355 | Update School Turnaround Leaders Grant Program to School Transformation Grant | 1 CCR 301-95 RULES FOR THE ADMINISTRATION OF THE SCHOOL TURNAROUND LEADERS DEVELOPMENT PROGRAM | Technical | Sept 2018 | Nov 2018 | Nov 2018 | Students; teachers; parents; schools; school districts | Nov 2018 |
| HB 18-1309 | Update definitions/eligibility for School Counselors Grant Program | 1 CCR 301-74 ADMINISTRATION OF THE SCHOOL COUNSELOR CORPS GRANT PROGRAM | Technical | Nov 2018 | Jan 2019 | Feb 2019 | School districts; schools | |
| HB 18-1309; OLLS | Update definitions/eligibility for School Health Professionals Grant Program | 1 CCR 301-97 RULES FOR THE ADMINISTRATION OF THE SCHOOL HEALTH PROFESSIONAL GRANT PROGRAM | Technical | Nov 2018 | Jan 2019 | Feb 2019 | School districts; schools | |
| HB 18-1355; SB 17-272; HB 18-1019; SB 18-012 | Comprehensive amendments based on new legislation | 1 CCR 301-1 RULES FOR THE ADMINISTRATION OF THE ACCREDITATION OF SCHOOL DISTRICTS | Policy Change | Jan 2019 | March 2019 | April 2019 | Students; parents; teachers; schools; school districts | |
| HB 18-1396 | New AP Exam Fee Grant Program | NEW 1 CCR 301-103 RULES FOR THE ADMINISTRATION OF THE AP EXAM FEE PROGRAM | Policy Change | Jan 2019 | March 2019 | March 2019 | Students; parents; schools; school districts | |

2018-19 Regulatory Agendas for State Board of Education and Division of Capital Construction

| Basis for Adoption | Purpose | Rule | Technical vs. Policy Change | Notice Date | Hearing Date | Tentative Adopt Date | Parties Potentially Affected | Adopt Date |
|-------------------------------|--|---|-----------------------------|-------------|--------------|----------------------|--|------------|
| HB 18-1306 | New Educational Stability Grant Program | NEW 1 CCR 301-104 RULES FOR THE ADMINISTRATION OF THE EDUCATIONAL STABILITY GRANT PROGRAM | Policy Change | Jan 2019 | March 2019 | March 2019 | Students; parents; schools; school districts | |
| HB 18-1309; SB 18-229 | Update to include Teacher of Record License, Ed Interpreter Authorization, Special Services Quality Standards, Principal Licensure Standards | 1 CCR 301-37 RULES FOR THE ADMINISTRATION OF THE EDUCATOR LICENSING ACT OF 1991 | Policy Change | Feb 2019 | April 2019 | April 2019 | Teachers; schools; school districts | |
| HB 18-1309 | New Grow Your Own Grant Program rules | NEW 1 CCR 301-105 RULES FOR THE ADMINISTRATION OF THE GROW YOUR OWN EDUCATOR GRANT PROGRAM | Policy Change | Feb 2019 | April 2019 | April 2019 | Teachers; schools; school districts | |
| SSP and principal evaluations | Update provisions related to SSPs and principals | 1 CCR 301-87 RULES FOR THE ADMINISTRATION OF A STATEWIDE SYSTEM TO EVALUATE THE EFFECTIVENESS OF LICENSED PERSONNEL EMPLOYED BY SCHOOL DISTRICTS AND BOARDS OF COOPERATIVE EDUCATION SERVICES | Policy Change | Feb 2019 | April 2019 | April 2019 | Schools; school districts; teachers | |
| HB 18-225 | Establish criteria and hearing process for early colleges | NEW 1 CCR 301-106 RULES FOR THE ADMINISTRATION OF EARLY COLLEGES | Policy Change | Feb 2019 | April 2019 | May 2019 | Students; parents; schools; school districts | |

2018-19 Regulatory Agendas for State Board of Education and Division of Capital Construction

| Basis for Adoption | Purpose | Rule | Technical vs. Policy Change | Notice Date | Hearing Date | Tentative Adopt Date | Parties Potentially Affected | Adopt Date |
|----------------------|--|---|-----------------------------|-------------|--------------|----------------------|--|------------|
| Educator Interpreter | Potential addition of the educator interpreter endorsement | 1 CCR 301-101 RULES FOR THE ADMINISTRATION OF EDUCATOR LICENSURE ENDORSEMENTS | Policy Change | March 2019 | May 2019 | May 2019 | Students; teachers; parents; school districts; schools | |
| HB 18-1393 | Update based on new statutory requirements | 1 CCR 301-92 RULES FOR THE ADMINISTRATION OF THE COLORADO READING TO ENSURE ACADEMIC DEVELOPMENT ACT (READ ACT) | Technical | March 2019 | May 2019 | May 2019 | Students; teachers; parents; school districts; schools | |
| OLLS Review | Fix technical issue in related to HB 18-1269 | 1 CCR 301-35 RULES FOR THE ADMINISTRATION OF THE WAIVER OF STATUTE AND RULE | Technical | March 2019 | May 2019 | May 2019 | Schools; school districts | |
| HB 18-1355 | Comprehensive amendments based on new legislation | 1 CCR 301-72 RULES FOR THE LONGITUDINAL ANALYSIS OF STUDENT ASSESSMENTS | Policy Change | April 2019 | June 2019 | June 2019 | Students; parents; teachers; schools; school districts | |

2018-19 Regulatory Agendas for State Board of Education and Division of Capital Construction

Division of Capitol Construction Regulatory Agenda

| Basis for Adoption | Purpose | Rule | Notice Date | Hearing Date | Tentative Adopt Date | Parties Potentially Affected | Adopt Date |
|--------------------|--|--|-------------|--------------|----------------------|-------------------------------------|------------|
| HB 18-1277 | Rules must be amended to include provisions from new legislation | 1 CCR 303-3 BUILDING EXCELLENT SCHOOLS TODAY GRANT PROGRAM | Sept 2018 | Jan 2019 | Jan 2019 | Schools; school districts; students | |

CDE Budget Request
R-01 – Total Program



Cost and FTE

- The Department requests an increase of \$247.5 million total funds, \$261 million General Fund, in FY 2019-20 for the *state share* portion of the Public School Finance Act and \$387,731 for the Hold Harmless Full-Day Kindergarten Program. The request is a 5.4 percent increase to state share payments from current FY 2018-19 appropriations.

Current Program

- Currently, Colorado's 178 school districts are funded for 871,141 pupils statewide. Most of the revenues used to support public schools in Colorado are provided by the Public School Finance Act. Based on the formulas and requirements contained in this Act and the Governor's statewide budget balancing proposals, public schools in Colorado will receive an increase of \$356.3 million. This increase includes a \$108.8 million increase in local share and a \$247.5 million increase in state share.

Problem or Opportunity

- In FY 2019-20, the Department projects that total student enrollment will increase by 5,245 pupils (0.6 percent). The FY 2019-20 inflationary factor is 3.0 percent based on the Office of State Planning and Budgeting (OSPB's) September 2018 Economic Forecast.
- Based on the formulas and requirements contained in the School Finance Act and State Constitution, the state share increase for the School Finance Act is calculated at \$170.5 million. However, the Governor's proposes changing the budget stabilization factor from \$672.4 million to \$595.4 million, thereby increasing funding for K-12 education by an additional \$77 million. With the reduction to the budget stabilization factor included, the total increase to the state share for Total Program is \$247.5 million.
- The request maintains a \$108 million projected FY 2019-20 ending fund balance in the State Education Fund.

Consequences of Problem

- To be in compliance with the Colorado's constitution and to provide additional resources to schools, this request proposes \$247.5 million state share increase for public schools is financed as follows: (1) an increase of \$261.1 million from the General Fund, (2) a decrease of \$66.4 million from the State Public School Fund, and (3) an increase of \$52.8 million from the State Education Fund.

Proposed Solution

- The request increases base funding for public schools by \$203 per pupil based on the OSPB's September 2018 inflation forecast of 3.0 percent. However, after all other adjustments from the Public School Finance Act and the Governor's proposal to reduce the budget stabilization factor by \$77 million are included, per pupil funding will actually increase by \$358 (4.4 percent). The additional funding proposed by the Governor will allow local districts and charter schools to decide how to best improve the education opportunities of their students.

CDE Budget Request
R-02 – Categorical Increase



Cost and FTE

- The Department requests an inflationary increase of \$9.2 million total funds for education programs commonly referred to as “categorical programs”. \$4.2 million of this funding will be from the General Fund and \$5 million will be from the State Education Fund.

Current Program

- In addition to funding provided to public schools from the School Finance Act formula, Colorado school districts may also receive funding to pay for specific categorical programs designed to serve particular groups of students or particular student needs. Total funding appropriated for these programs in FY 2018-19 is \$475.3 million. Of this amount, \$141.8 million is General Fund, \$166.4 million is cash funds (\$166 million from the State Education Fund and \$450,000 from Public School Transportation Fund), \$191,090 are funds transferred from other state agencies, and \$167 million are from federal funds.
- The programs that receive this funding include special education programs for children with disabilities, English language proficiency education, public school transportation, career and technical education programs, special education for gifted and talented children, expelled and at-risk student grants, small attendance centers, and comprehensive health education.

Problem or Opportunity

- Section 17 of Article IX of the State Constitution requires that the General Assembly provide inflationary increases for categorical programs each year. The Office of State Planning and Budgeting’s September 2018 Economic Forecast indicates a 3.0% inflationary rate for FY 2019-20.

Consequences of Problem

- A 3.0% inflationary rate results in \$9.2 million increase in State funding for categorical programs.

Proposed Solution

- The Department recommends the \$9.2 million funding increase in FY 2019-20 be allocated to the categorical programs with the greatest needs and programs that have not received increases in recent years. Specifically, the Department requests \$5 million for special education for children with disabilities, \$1.6 million for English language proficiency programs, \$1.5 million for public school transportation, \$622,580 for career and technical education, \$186,915 for gifted and talented students, and \$237,700 for small attendance center aid.

**CDE Budget Request
R-03 – Schools of Choice**



Cost and FTE

- This is an ongoing request for \$360,374 General Fund and 2.8 FTE to fund the Schools of Choice unit.

Current Program

- The Schools of Choice Unit provides federal funding, technical support and other services to charter schools and districts in Colorado.
- The Unit is also responsible for meeting the Department's responsibilities under the Charter Schools Act - 22-30.5-101-22-30.5-704, C.R.S.

Problem or Opportunity

- There are over 250 charter schools operating in Colorado today. These schools serve approximately 13% of the total student population or roughly 120,000 students.
- The Schools of Choice Unit was established to manage the federal Charter School Program grant, which provides start-up funding to new and expanding charter schools. As the number of new and expanding charters opening in the state has decreased, so has the federal grant. The Department has reduced the staff in this unit by 3.0 FTE in the past two years.
- Most of the remaining staff must devote the majority of their time to meeting the requirements of the state Charter Schools Act, but the Department does not receive a state appropriation for these activities.

Consequences of Problem

- There are fewer new or expanding charter schools in the state. This has led to a reduction in federal funding and staff in the Schools of Choice Unit.
- At the same time, there are growing needs to provide technical assistance to existing charter schools, to ensure proper implementation of state statutes, and to support to the State Board of Education regarding charter schools. These needs cannot be met without state funding.

Proposed Solution

- The Department is requesting state funding for the staff and activities focused on meeting the requirements of the Charter Schools Act and the needs of charter schools across the State.
- The request for \$360,374 and 2.8 FTE is for *existing staff*, which would allow the Schools of Choice Unit to reorganize their work away from the decreasing needs of the federal program and focus on the increasing needs of more than 250 charter schools in the state that serve approximately 120,000 Colorado students.

CDE Budget Request
R-04 – Turnaround Improvement



Cost and FTE

- In order to improve the education outcomes for almost 80,000 students enrolled in the lowest performing schools in the state, the Department is requesting \$2,352,193 General Fund and 2.0 FTE to supplement the federal and state Turnaround and Improvement programs.

Current Program

- Currently, schools rated with a status Priority Improvement or Turnaround are eligible to receive state funding through the School Transformation Grant program.
- The Turnaround Network is funded with the School Transformation Grant and federal Title I-A School Improvement funds.
- The Turnaround Network provides state and federal grant funds and Department staff, known as Turnaround Managers, to support turnaround efforts across the state.

Problem or Opportunity

- In 2017, the Department was only able to support 20 of the 101, or around 20% of the schools identified for support under the School Turnaround and Leadership Development Grant program.
- The Department has set a Performance Plan goal to ensure that at least 80% of state identified schools improve and maintain that improvement.

Consequences of Problem

- The 101 schools identified as Priority Improvement or Turnaround are not eligible for federal funds. Therefore, schools that are eligible for the state Turnaround Leadership Grant program receive less support, both in grants and in direct assistance, than those that are eligible for the federal funding.
- While the Department has generally seen positive impacts of the current Turnaround Network and support structures, there has not been a formal evaluation performed of the Network.

Proposed Solution

- Approval of this request would allow the Department to provide support to 80% of the schools identified as Priority Improvement or Turnaround that are not eligible for federal School Improvement funding. The Department will provide technical and financial assistance to improve outcomes of students.
- The request includes funding to establish a formal, annual evaluation process for the Turnaround Network to measure its effectiveness and identify areas for improvement and opportunities to provide better service.

CDE Budget Request
R-05 – Colorado Preschool Program Tax Checkoff



Cost and FTE

- The Department is requesting spending authority of \$410,000 from the Public Education Fund to provide one-time funding for students in the Colorado Preschool Program. There is no FTE associated with this request.

Current Program

- Senate Bill 11-109 created a check-off item on the Colorado State income tax return for the Colorado Preschool Program.
- The check-off was included for tax years 2012 – 2017 and raised approximately \$450,000 that was deposited into the Public Education Fund.
- There is a remaining balance of \$410,000 in the fund.

Problem or Opportunity

- With the remaining funding available from the tax check-off, the Department plans to provide all Colorado Preschool Programs with a one-time allocation.
- Each preschool site will receive a minimum of \$500. The remainder will be awarded proportionally based on enrollment, which will ensure that all programs receive sufficient funding.

Consequences of Problem

- If this request is not approved, the Department will not be able to provide the additional one-time funding in FY 2019-20.

Proposed Solution

- Literacy is integral to the Department's annual Performance Plan, and a primary goal of all schools and districts. Specifically, it directly relates to the key initiative of Supporting High Quality Learning and Literacy for All Students.
- This additional funding will provide assistance for every Colorado Preschool Program classroom in the State.

CSI Budget Request
R-06 – CSI Mill Levy Equalization



Cost and FTE

- The Board of the Charter School Institute requests an additional \$5 million General Fund appropriation to the Mill Levy Equalization Fund for distribution to the Colorado Charter School Institute's charter public schools.

Current Program

- Charter schools have been part of Colorado's public school system for over 25 years, serving over 115,000 students in over 245 schools.
- The Colorado Charter School Institute (CSI) was created by the Legislature in 2004 to address the growing number of charter schools, the desire for innovative models to better serve at-risk students, and the need for another mode of authorizing charter schools than school district authorizers.
- CSI authorizes 39 public charter schools across the state. Last year, CSI schools served over 17,500 students, or just over 14% of Colorado's charter school population.
- CSI's statutory mission is to foster high-quality charter schools that demonstrate high academic performance with a particular focus on service to at-risk students.

Problem or Opportunity

- House Bill 17-1375 requires school districts to distribute funding received from local property taxes generated by Mill Levy Overrides (MLO) on an equal per pupil basis to district charter schools.
- Recognizing that CSI schools have no access to local tax revenue, HB 17-1375 created the Mill Levy Equalization Fund.
- Though the intention of HB 17-1375 was to provide equitable funding for all of Colorado's public charter schools, this funding is subject to annual appropriation.
- Last year's CSI Mill Levy Equalization funding request was approved for \$5.5 million, thereby making a first step towards funding equity. This year's funding request seeks to move CSI students closer to public funding equity with their district counterparts.

Consequences of Problem

- The intent of HB 17-1375 will not be achieved until the students attending CSI public schools have the same access to public funding sources as their district peers.

Proposed Solution

- CSI requests \$5 million additional General Fund appropriation to the Mill Levy Equalization Fund for distribution to CSI schools in accordance with statute.

CSI Budget Request
R-07 – CSDB Teacher Salaries



Cost and FTE

- Using the El Paso #11 School District salary scale, the Department is requesting \$396,307 on-going General Fund for salary increases for the teachers at the Colorado School for the Deaf and the Blind (CSDB).

Current Program

- By statute, 22-80-106.5, C.R.S., teacher salaries at CSDB are tied directly to the El Paso #11 school district teacher salaries. When the El Paso #11 school board votes to increase salaries for teachers in the district, CSDB implements the same salary schedule the following year.

Problem or Opportunity

- For FY 2018-19, the El Paso #11 school board voted to increase salaries for teachers in the district; therefore, CSDB is requesting a FY 2019-20 increase for its teachers to match the new El Paso #11 salary scale.
- All other CSDB staff are paid according to the scale.
- The new schedule will have average teacher salary of \$59,026 and a starting salary of \$39,000.

Consequences of Problem

- The Department is required by statute 22-80-106.5, C.R.S. to make this request, when the El Paso #11 school board makes changes to its teacher salary scale.

Proposed Solution

- This request is a technical adjustment to comply with the statute that requires CSDB to implement the El Paso #11 salary schedule. The total cost of this request is \$396,307 General Fund.

Governor's Office Request as Part of CDE Budget
R-08 – Career Development



Cost and FTE

- The Governor's Office, in alignment with the emerging recommendations from the Education Leadership Council (ELC), requests \$6 million from the State Education Fund for one-time funding for education programs. This request addresses the Governor's priority to support student transitions into the workforce.

Current Program

- ELC is a nonpartisan, multi-stakeholder council, created through an Executive Order in June of 2017 by Governor John Hickenlooper. The ELC is made up of 25 leaders from government, business and the non-profit community with experience in early childhood, education, and economic development. Following extensive stakeholder outreach and feedback, ELC is developing recommendations that will be voted on in December 2018.

Problem or Opportunity

The funding will be used for career development, concurrent enrollment, and career advising.

Consequences of Problem

- The programs identified for funding address current pressing problems in education across the state.

Proposed Solution

The funding will be distributed as follows:

- Career development: \$3 million. This funding will be used to address a funding gap between demand for these services and the available funding. This funding will provide incentives for 3,000 additional industry credentials in high-demand jobs across Colorado. Students earning credentials are prepared to immediately get a living wage job and enter the workforce following high school.
- Concurrent Enrollment: \$1.5 million. This funding will provide innovation grants for 30 to 40 school districts. Currently, approximately 50 school districts have limited to no participation in concurrent enrollment.
- Career advising expansion: \$1.5 million. The funding will be used for statewide expansion of highly trained career coaches for all sectors of the economy. This funding will generate capacity for more consistent career advising approach.

Governor's Office Request as Part of CDE Budget
R-09 – Teacher Shortage



Cost and FTE

- The Governor's Office, in alignment with the emerging recommendations from the Education Leadership Council (ELC), requests \$4 million from the State Education fund for one-time funding for education programs. This request supports the Governor's priority to elevate the teaching profession, support school leaders, and address educator shortages.

Current Program

- ELC is a nonpartisan, multi-stakeholder council, created through an Executive Order in June of 2017 by Governor John Hickenlooper. The ELC is made up of 25 leaders from government, business and the non-profit community with experience in early childhood, education, and economic development. Following extensive stakeholder outreach and feedback, ELC is developing recommendation that will be voted on in December 2018.

Problem or Opportunity

The funding will be distributed in priority areas such as teacher shortage investments and principal training programs.

Consequences of Problem

- The programs identified for funding address current pressing problems in education across the state.

Proposed Solution

The funding will be distributed as follows:

- Teacher shortage investments - \$3 million. This funding will build on the investments made in FY 2018-19 to encourage new teachers entering the profession and for teacher retention. These one-time funds will be converted to grant programs in alignment with HB 18-1412 and HB 18-1332 to directly support districts, charter schools, and educator preparation programs.
- Principal Academy - \$1 million. The funding will be used to develop a principal academy to provide for professional development and leadership training for principals.

Career Development Incentive Program – Fact Sheet

Career Development Incentive Program

Fact Sheet



COLORADO
Department of Education

PROGRAM OVERVIEW

The Career Development Incentive Program, or [Career Development Success Pilot Program in House Bill 16-1289](#), provides financial incentives for school districts and charter schools that encourage high school students, grades 9-12, to complete qualified industry credential programs, internships, residencies, construction pre-apprenticeship or construction apprenticeship programs or qualified Advanced Placement courses.

[A list of qualifying programs/courses](#) can be found on the Colorado Workforce Development Council (CWDC) website. This list is developed based on Colorado labor market data, existing secondary programs that correspond with high growth, high demand occupations and business/industry feedback.

FUNDING

Participating districts or charter schools receive up to \$1,000 in incentive funds for each high school student who successfully completes qualified industry credential programs, internships, residencies, construction pre-apprenticeship or construction apprenticeship programs, or qualified Advanced Placement (AP) courses. In its first two years, the program has received requests for completion of nearly 9,000 industry credentials earned by students and distributed incentives for 3,000 credentials, one-third of the credentials earned. Current funding is \$2 million per year, which is an increase from \$1 million in 2017. The \$3 million of funding over two years has covered one-third of all eligible credentials earned (requests total \$9,000,000). We anticipate receiving at least \$6 million in requests for 2018-19.

The specific dollar amount of each incentive depends on the total number of completed programs in the state and the number and type of completed programs reported by districts. The total funding amount for the 2017-18 school year is \$2 million. The funding is distributed in tiers (see below), with industry credentials funded before all other qualified programs. We have never fully funded the industry credential tier and therefore none of the other categories of construction apprenticeship, internships or AP courses have received funding.

1. Industry certification programs,
2. Internships, residencies, construction industry pre-apprenticeships or construction industry apprenticeships
3. Computer science Advanced Placement courses.

2017-18 PROGRAM PARTICIPATION

- 37 school districts (35% rural and 10% charter) in Colorado reported students who completed qualified industry credential programs or Advanced Placement computer science courses.
- 5,689 total qualifying credentials/courses were reported.
- Students at all high school grade levels received various qualified industry credentials or completed AP courses; the majority in 11th and 12th grades.

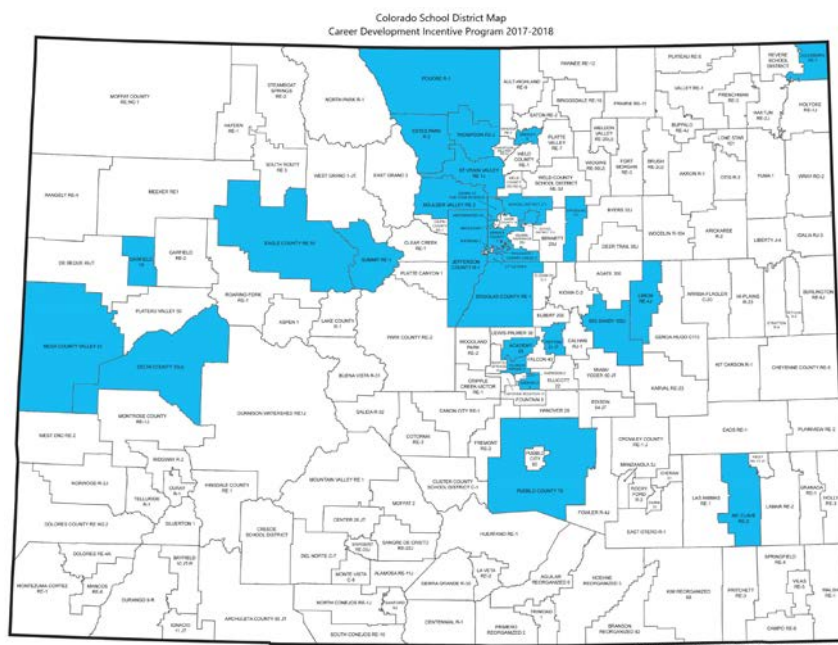
Program highlights

- Statewide credentials have grown from a few hundred to thousands over the past three years. This program has contributed significantly to industry credential attainment while in high school.
- For this program, the majority of credentials are earned in Skilled Trades & Technical Services (31%), STEM & IT (26%), Health Care & Criminal Justice (25%) and Hospitality, Human Services & Education (16%).

- Due to the high number of industry-identified certificates reported, only the first tier of credentials was funded.

2016-17 REPORTED CREDENTIALS BREAKDOWN

| Qualified Programs | # Reported by Districts | # Funded | \$ Amount Funded |
|---|-------------------------|----------|------------------|
| Industry-Recognized Certificates | 3,655 | 3,655 | \$2M |
| Internships | 921 | 0 | \$0 |
| Residency Programs | 38 | 0 | \$0 |
| Construction Industry Pre-Apprenticeships | 184 | 0 | \$0 |
| Construction Industry Apprenticeships | 0 | 0 | \$0 |
| Advanced Placement Computer Science Courses | 891 | 0 | \$0 |



Where can I learn more?

- [Visit the Office of Postsecondary Readiness, Career Success Pilot Program Resources.](#)
- [View all CDE fact sheets.](#)

Employment First Advisory Partnership – Report and Recommendations

Employment First Advisory Partnership Strategic Plan

Initial Report and Recommendations

This initial report to the general assembly and the following Colorado departments: Education, Health Care Policy and Financing, Higher Education, Human Services and Labor and Employment contains recommendations to expand competitive integrated employment outcomes for people with disabilities in Colorado.

Draft Date: August 25, 2017

Departmental clearance response due on September 25, 2017

Introduction from Senators John Kefalas and Owen Hill--

To Committee of Reference Members of the 71st Colorado General Assembly and the Community at Large:

We are pleased to submit this preliminary report from the Employment First Advisory Partnership (EFAP) to the committee of reference members of the 71st Colorado General Assembly and the community at large. Pursuant to C.R.S. 8-84-303 (7) (a), this document provides a summary of the initial work achieved by the EFAP and their policy recommendations concerning employment first, evidence-based practices for people with disabilities.

This report originates from the methodical work of the EFAP and the three working committees – Training and Cultural Transformation; Barrier Busting, Process and Education Improvement; and Interagency, Infrastructure and Labor Force. The EFAP process is intentionally inclusive and represents the input of agencies, community-based organizations, individuals, families and businesses that participated with their expertise, ideas and personal stories.

The legislative intent of SB16-077 was to advance effective and efficient collaboration among state agencies to increase competitive integrated employment opportunities for persons with disabilities through comprehensive employment first policies. As articulated in the legislative declaration, eighty-five percent of adults with intellectual and developmental disabilities are either unemployed or underemployed due to employment barriers and disincentives, despite their ability, desire, and willingness to work in the community. This is the problem we are seeking to solve.

Meaningful work is important to all working-age individuals, including persons with disabilities, and public policy to increase competitive integrated employment must promote best practices regarding youth transitions, employer engagement, service system enhancements, and training and supports for persons with disabilities and those delivering services and support. Furthermore, we wish to achieve these goals without adding to government bureaucracy and by focusing on free-market principles that can guide employers to use innovative methods for employing persons with disabilities.

Promoting employment first policies and competitive integrated employment benefits people with disabilities and the state of Colorado because more people entering the workforce contribute to the tax base, and opportunities for meaningful and gainful work lessen dependence on Medicaid and other public assistance. The bottom line is that employment first policies support the self-worth and dignity of people with disabilities who are gainfully employed and working alongside people without disabilities. This effort and these recommendations are about best practices that support all people to be fully engaged and contributing members of our communities.

Respectfully,

Senator John Kefalas (SD-14)

Senator Owen Hill (SD-10)

Contents

| | |
|---|-----------|
| Executive Summary | 4 |
| What is Employment First? | 5 |
| Recommendations | 6 |
| Recommendation 1 | 6 |
| Recommendation 2 | 7 |
| Recommendation 3 | 8 |
| Recommendation 4 | 9 |
| Recommendation 5 | 9 |
| Recommendation 6 | 10 |
| Recommendation 7 | 10 |
| Recommendation 8 | 11 |
| Employment First Background | 12 |
| Links to Appendixes | 16 |
| APPENDIX ONE: Detailed Strategies to Implement the Recommendations | 16 |
| APPENDIX TWO: Glossary of Acronyms and Terms Included in the Report of the Employment First Advisory Partnership to the General Assembly | 16 |
| APPENDIX THREE: Annotated Bibliography Included in the Report of the Employment First Advisory Partnership to the General Assembly | 16 |
| APPENDIX FOUR: Senate Bill 16-077 "Concerning a Collaborative Multi-Agency Approach to Increasing Competitive Integrated Employment Opportunities for Persons with Disabilities and, in Connection Therewith, Advancing an Employment First Policy" | 16 |
| APPENDIX FIVE: EFAP Recommendations at a glance | 16 |
| APPENDIX SIX: Employment First Advisory Partnership | 16 |

Executive Summary

In states embracing an Employment First approach, employment in the general workforce is the first and preferred outcome in the provision of publicly funded services for all working age citizens with disabilities, regardless of level of disability. "Employment First" refers to state systems change initiatives resulting in increased employment outcomes for people with disabilities.

Senate Bill 16-077, "Employment First For Persons With Disabilities: Concerning a collaborative multi-agency approach to increasing competitive integrated employment opportunities for persons with disabilities, and, in connection therewith, advancing an employment first policy," establishes the state's commitment to improving employment outcomes for Colorado citizens with disabilities. The legislation creates an Employment First Advisory Partnership (EFAP) tasked with making recommendations to the General Assembly and five state agencies to implement an Employment First framework in Colorado. This document represents the initial report and strategic plan related to that effort.

Report recommendations impact all EFAP agency partners (CDLE, HCPF, CDE, CDHS and CDHE). Included are proposed changes to departmental practices and structures, as well as consideration of innovative pilot projects and creation of an office to coordinate statewide Employment First efforts. The eight recommendations are summarized as follows:

1. Produce data for the Home and Community Based Waiver programs that allow measurement of Colorado's progress toward compliance with federal law requiring people with disabilities receive state-funded services in integrated settings (HCPF).
2. Implement department-wide Employment First policies and practices (CDLE, HCPF, CDE).
3. Implement a training plan for state service providers on evidence-based practice to expand employment outcomes, in conjunction with employer-led initiatives and networks (all EFAP agency partners).
4. Implement a communication plan with messaging describing available services that support the achievement of successful employment outcomes for people with disabilities, including those with the most significant disabilities, which targets employers, educators, people with disabilities and their families (CDLE).
5. Create an Office of Employment First to coordinate cross-departmental efforts to implement Employment First policies, regulations and practices (Colorado).
6. Develop appropriate funding structures that will increase employment service and support capacity (All EFAP agency partners).
7. Design and coordinate locally-based pilot projects to demonstrate the expansion of employment outcomes for people with disabilities through best-practice employment services and supports implementation (all EFAP agency partners).
8. Become a "model employer" for Colorado citizens with disabilities (Colorado).

The recommendations section is followed by background information and several appendices that include [EFAP Recommendations at a glance](#), implementation strategies, a terminology glossary, an annotated bibliography and Colorado's authorizing Employment First legislation.

What is Employment First?

Employment First is:

- The prioritization of employment as the first and preferred outcome for all working-age persons with disabilities, regardless of level of disability;
- Based upon the premise that all people, including people with the most significant disabilities, are capable of full participation in employment and community life;
- A state-level systems change framework resulting in increased, successful employment outcomes for people with significant disabilities;
- The alignment of employment-related policies, service delivery practices, and service funding structures between state agencies;
- Employment as defined by Work Force Innovation and Opportunity Actⁱ language describing Competitive Integrated Employment (employment within businesses typically found in the community with regular compensation, the same opportunities for advancement and interaction with nondisabled coworkers to the same extent as other employees in comparable positions interact, i.e., a fully integrated workplace).

Presently there are 46 states with some type of Employment First-focused effort. At least 19 of these states have an official state policy, stating that employment in the community is the first and preferred service option for people with disabilities.ⁱⁱ Employment First is seen as an innovative framework utilized by state governments to improve employment outcomes for people with disabilities.ⁱⁱⁱ Central to the national Employment First movement is the premise that all individuals with disabilities, including those with the most significant disabilities, are capable of full participation in the workforce.^{iv} Success of the national Employment First policy initiative requires that research-based, best practice employment technologies, best exemplified by supported and customized employment,^v are implemented. Customized employment provides for negotiated job duties, schedule and location that match a job seeker's unique interests, skills and contributions to an employer's needs. This provides a structure within which any person can be employed with appropriate accommodations and supports. Further, these employment technologies have been found to be cost-efficient from the tax payer's perspective, returning approximately \$1.46 for each dollar of taxpayers' cost as compared to more traditional programs.^{vi}

High-Performance Framework



Recommendations

Recommendation 1

Produce data for the Home and Community Based Waiver programs that allow measurement of Colorado's progress toward compliance with federal law requiring people with disabilities receive state-funded services in integrated settings, consistent with Olmstead v. L.C.

1.-A Develop a system to track employment outcomes and day service participation for Coloradans with significant disabilities and for Coloradans with intellectual and developmental disabilities (I/DD) and produce an annual report to the Colorado General Assembly consistent with CRS 25.5-10-204 (1) (g) (III).

1.-B. Consistent with states responding to recent Olmstead concerns,vii set specific numerical annual competitive integrated employment (CIE) placement goals for Home and Community Based Services (HCBS) participants by HCPF.

1.-C. Modify policy, service rates, rules and regulations for Medicaid Home and Community Based Services (HCBS) community connections services to enable people supported by HCBS waivers to obtain inclusive community opportunities available to all citizens.

1.-D. Modify the HCBS Medicaid waiver program Prevocational Service definitionviii (within HCBS-SLS AND HCBS-DD) to disallow segregated or congregate implementation characteristics, consistent with the CMS Final Setting Ruleix and U.S. Department of Justice guidance to states on its application to state employment servicesx.

1.-E. Modify *Colorado's* Community Living Plan: *Colorado's* Response to the Olmstead Decisionxi to include sections that address employment segregation and provide guidance consistent with the Centers for Medicare and Medicaid Services (CMS) Final Setting Rule and the previously referenced CLAG report. The EFAP will provide strategic support to provide recommended changes.

Recommendation 2

Implement department-wide Employment First policies and practices.

I. Prepare students and youth with disabilities for the world of work through CDE

2.-A. Develop practices that reflect a presumption that all persons with significant disabilities are capable of full participation in competitive integrated employment and community life and promote a vision and a culture throughout CDE and all Local Education Agencies (LEA's), to cultivate best practices by educators that result in the outcomes of individual competitive employment or enrollment in a post-secondary options.

2.-B. Implement a process to evaluate the current state of technology practices within the K-12 setting, identify best practices, determine gaps in education, postsecondary settings, and employment systems and make recommendations to improve access to technology for all students with disabilities transitioning to postsecondary and employment.

II. Champion Employment First policy and practice through CDLE

2.-C. Develop practices that reflect a presumption that all persons with disabilities are capable of working in competitive integrated employment if they choose to do so and ensure that options for competitive integrated employment with appropriate supports are explored before consideration of segregated activities consistent with 8-84-302 (b), pertaining to CDLE.

III. Embrace Employment First policy and practice through HCPF

2.-D. Develop practices that reflect a presumption that all persons with disabilities are capable of working in competitive integrated employment if they choose to do so and ensure that options for competitive integrated employment with appropriate supports are explored before consideration of segregated activities consistent with CRS 25.5-10-204 (1), (g), (I), pertaining to HCPF. This should include modification of case management contract requirements, provider letters, training, and expansion of the supported employment services to all HCBS Medicaid waiver programs, consistent with the CLAG report.

2.-E. Expand the supported employment services to all HCBS Medicaid waiver programs and align service definitions, consistent with the CLAG report.^{xii}

2.-F Expand access to Colorado’s Medicaid Buy-In program^{xiii} to all HCBS Medicaid waiver program working age adults.

Recommendation 3

Implement a training plan for state service providers on evidence-based practice to expand employment outcomes, in conjunction with employer-led initiatives and networks.

3.-A: Require ongoing training and/or certification on job development and related topics for supported employment providers designed to enhance the quality of services and knowledge of employees, in collaboration with organizations like the Washington Initiative on Supported Employment (WISE), CTAT, COAPSE, mental health centers, and others engaging in training.

3.-B: Provide resources and technical assistance and develop programming to establish more robust partnerships between supported employment stakeholders and the public workforce system.

3.-C: Develop a statewide and local Business Leadership Network(s) or a like model for Colorado to expand employee recruitment programs for individuals with disabilities, working within existing employer-led initiatives (ie Sector Partnerships, Industry

Intermediaries), based on business needs, and incorporating libraries and community colleges

3.-D: Develop and promote self-employment opportunities, both full- and part-time, with youth and adults.

3.-E: Increase access to implement the Individual Placement and Support (IPS) model across all interested EFAP agencies to include all people with disabilities and align with the Governor's Vision 2018 that IPS is implemented at all Colorado Community Mental Health Centers.

Recommendation 4

Implement a communication plan with messaging describing available services that support the achievement of successful employment outcomes for people with disabilities, including those with the most significant disabilities, which targets employers, educators, people with disabilities and their families.

Detailed Recommendation:

Allocate sufficient funding to the State Rehabilitation Council to develop and implement a communications plan on Employment First Policies for state agencies, educational entities, and civic organizations promoting the concept and value of competitive, integrated employment, and resulting in enrolling more individuals and families in employment initiatives.

Recommendation 5

Create an Office of Employment First to coordinate cross-departmental efforts to implement Employment First policies, regulations and practices.

5.-A. Create an Office of Employment First to implement, in consultation with the State Rehabilitation Council, a cross departmental process within EFAP Agency Partners to identify state policy, regulation and practice within the five state partner agencies that present barriers to Employment First implementation and develop strategies to remove those barriers and align policy, regulation and practice between EFAP Agency Partners as

described within 8-84-303. The departments shall report their suggestions to the EFAP for inclusion in the annual report to the legislature.

5.-B. Provide dedicated staffing that will be assigned to Employment First policy and practice implementation for each EFAP partner (HCPF, CDLE, CDHS, CDE, CDHE) and reassign staff or hire additional staff for this function as appropriate.

5.-C. Increase funding to the EFAP Agency Partners to increase capacity and expertise for public benefits planning resources accessible to all Colorado communities so that the employment barrier associated with fear of benefit loss is reduced. Consistent with the CLAGxiv report, increase the number of and training for Community Work Incentive Coordinators (CWICs) and leverage the SOAR modelxv

5.-D. Create the infrastructure for autonomous peer-run employment support services through commitment of funding, development of billing mechanisms and services through one of the EFAP Agency Partners.

Recommendation 6

Develop appropriate funding structures that will increase employment service and support capacity for people with disabilities within Colorado to successfully align service outcomes with the definition of Competitive Integrated Employment (CIE) within the Workforce Innovation and Opportunity Act (WIOA)xvi.

Detailed Recommendation:

Analyze supported employment funding structures within CDLE and HCPF and make recommendations to assure rates and other state agency support are sufficient to encourage service providers to expand capacity for competitive integrated employment services and supports to Colorado citizens with disabilities.

Recommendation 7

Design and coordinate locally-based pilot projects to demonstrate the expansion of employment outcomes for people with disabilities through best-practice employment services and supports implementation.

Detailed Recommendation:

Create and implement up to three pilot programs statewide in 2018 to demonstrate the systematic expansion of competitive integrated employment outcomes through the use of supported employment and customized employment training and technical assistance with collaboration between the workforce system, DVR, DIDD or another waiver populations.

Recommendation 8**Become a "model employer" for Colorado citizens with disabilities.**

8.-A. Make recommendations for changes to Colorado Revised Statutes that require the State of Colorado to serve as a model employer of individuals with disabilities consistent with the "Colorado Hires" recommendation of the Community Living Advisory Group (CLAG) Report.^{xvii} This should include an annual report of the number of people with disabilities employed by the state along with average earnings for state employees with and without disabilities.

8.-B. Implement C.R.S. 27-10.5-902,^{xviii} State Employment Program for Persons with Developmental Disabilities.

The Employment First Advisory Partnership

Senate Bill 16-077 (Employment First for People with Disabilities)^{xix} created an Employment First Advisory Partnership (EFAP) whose mission is to develop a strategic plan which will expand competitive integrated employment outcomes for people with disabilities through Employment First policies and practices within state government. Consistent with legislative direction, the make-up of stakeholders participating in the Employment First Advisory Partnership has been diverse in experience, expertise and background.

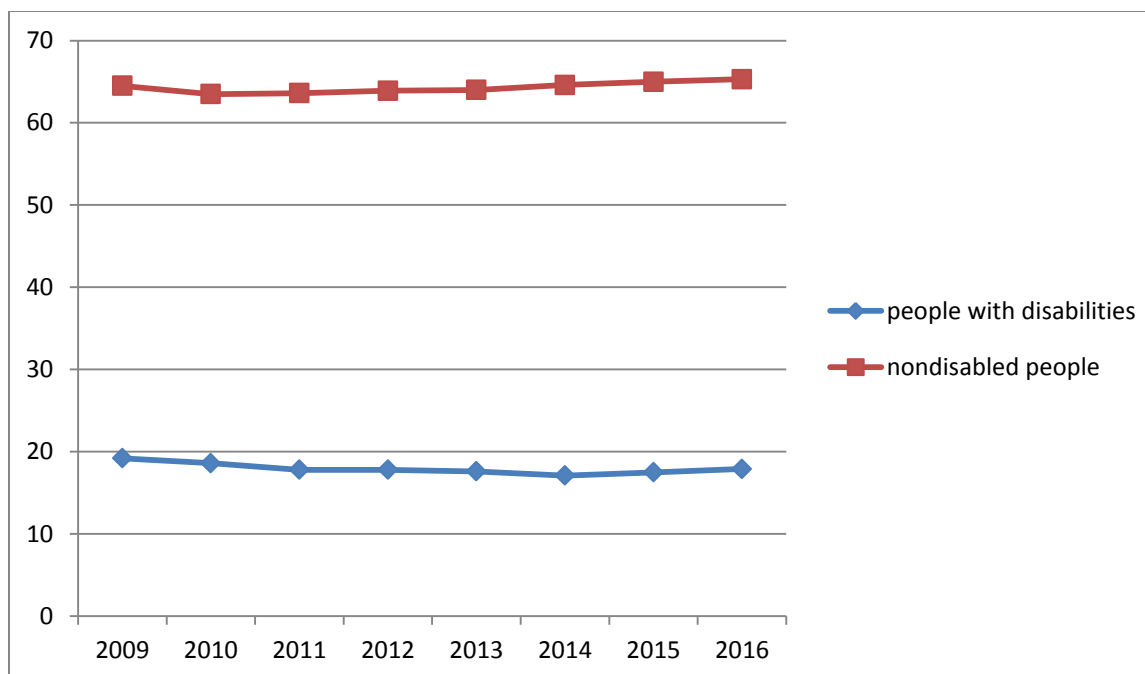
The strategic plan recommendations attempt to ensure that the primary objective and preferred outcome of publicly-funded services is competitive integrated employment for working-age people with disabilities. Competitive Integrated Employment (CIE) is paid work in a typical community business with the same benefits and opportunity to interact with nondisabled coworkers as any other employee. CIE specifically rejects the notion that people with disabilities need special employment models that tend to segregate, congregate and/or socially isolate an employee from others in the work environment.

Employment First Background

Colorado has long been seen as a national leader in disability policy and practice. In 1978 a group of 19 Colorado citizens engaged in non-violent civil disobedience, blocking two Regional Transportation District buses at the corner of Broadway and Colfax in Denver, to bring attention to the lack of accessible public transportation.^{xx} This effort by members of Denver's Atlantis Community led to the creation of ADAPT, one of the nation's most respected disability rights organizations. This action sparked the disability rights movement, ultimately leading to passage of the Americans with Disabilities Act (ADA) in 1990. Shortly after, when 1915(c) waivers became available to states in the early eighties, Colorado obtained approval for the second and sixth waivers granted by the Centers for Medicare and Medicaid Services (CMS).^{xxi} Colorado's early adoption of Home and Community Based Services (HCBS) provided alternatives to segregated institutional services for people with intellectual and developmental disabilities and individuals who are elderly, blind or disabled. In the nineties when the Colorado Division for Developmental Disabilities supported 50% of individuals served statewide in integrated employment settings, Colorado was once more identified as a leading state in the disability arena.^{xxii}

Over the last several decades people with disabilities have experienced expanded civil rights and societal inclusion. While employment is not a right per se, the Americans with Disabilities Act (ADA) provides access to employment, free of disability-related discrimination, for qualified individuals with disabilities. Many felt that Title II of the ADA (which prohibits employment discrimination on the basis of disability and requires reasonable accommodation for disabled applicants) would result in significantly greater numbers of people with disabilities in the U.S. workforce. This has not been the case. In fact, it appears the ADA may have reduced employment opportunities for individuals with disabilities.^{xxiii} Recent Bureau of Labor Statistics (BLS) data bear out concerning, ongoing disparities between people with disabilities and the nondisabled when it comes to U.S. workforce unemployment and participation.

A concerning statistic involves employment for people with disabilities compared to employment of the nondisabled population. BLS data indicate that only 17.5% of U.S. citizens with disabilities are employed while 65% of the U.S. nondisabled population for the United States were employed in 2016. What explains these significant statistical differences?



Employment-Population Ratio

Recent employment-related enforcement of the Supreme Court’s *Olmstead* Ruling may provide insight into the issue. *Olmstead* requires that states eliminate unnecessary segregation of persons with disabilities and ensure that persons with disabilities receive services in the most integrated setting appropriate to their needs.^{xxiv} According to a 2016 statement by the Civil Rights Division of the U.S. Department of Justice (DOJ) “many individuals with disabilities who receive employment and day services that are planned, funded, and administered by state and local governments continue unnecessarily to receive services, and spend the majority of their daytime hours, in segregated settings.” State-sponsored employment segregation has been an ongoing and pernicious problem in the vast majority of states for decades. State-administered employment programs can remedy *Olmstead* violations through “system-wide capacity-building, transition, and ongoing support based on measurable goals, outcomes, and timelines.”^{xxv} It follows that systems change supported by Employment First implementation efforts may protect states from potentially costly litigation.

For example, in 2014 DOJ entered into the first statewide settlement agreement with Rhode Island to address the rights of 3,250 people with disabilities to receive state-funded employment and daytime services in the broader community rather than in segregated sheltered workshops and facility-based day programs.^{xxvi} A year later a similar agreement between Justice and Oregon resolved a class action claim impacting approximately 7,000 Oregonians with intellectual and developmental disabilities who could and wanted to work

in typical employment settings in the community. It was found that Oregon's state-funded employment services system unnecessarily placed people with I/DD in, or at risk of entering sheltered workshops and segregated day programs instead of in integrated jobs in the community, in violation of the ADA.^{xxvii} Colorado demographics in the use of segregated employment and day programs are similar to Rhode Island and Oregon. While the primary intent of Colorado's Employment First legislation is to expand employment opportunity for Coloradans with disabilities, it is also to establish policy as part of the state's plan to address federal case law, relating to providing disability services in an integrated setting.^{xxviii}

Colorado's Employment First Advisory Partnership represents a multi-disciplinary state team with a focus on implementing the Employment First approach with fidelity through the alignment of policies, coordination of resources, and updating of service delivery models to facilitate increased integrated employment outcomes for people with disabilities, including people with the most significant disabilities. On behalf of the Employment First Advisory Partnership we trust you will find this initial report useful. We look forward to the ongoing collaborative process of building on these recommendations to assure Colorado citizens with disabilities have enhanced opportunity to secure meaningful employment.

Vision

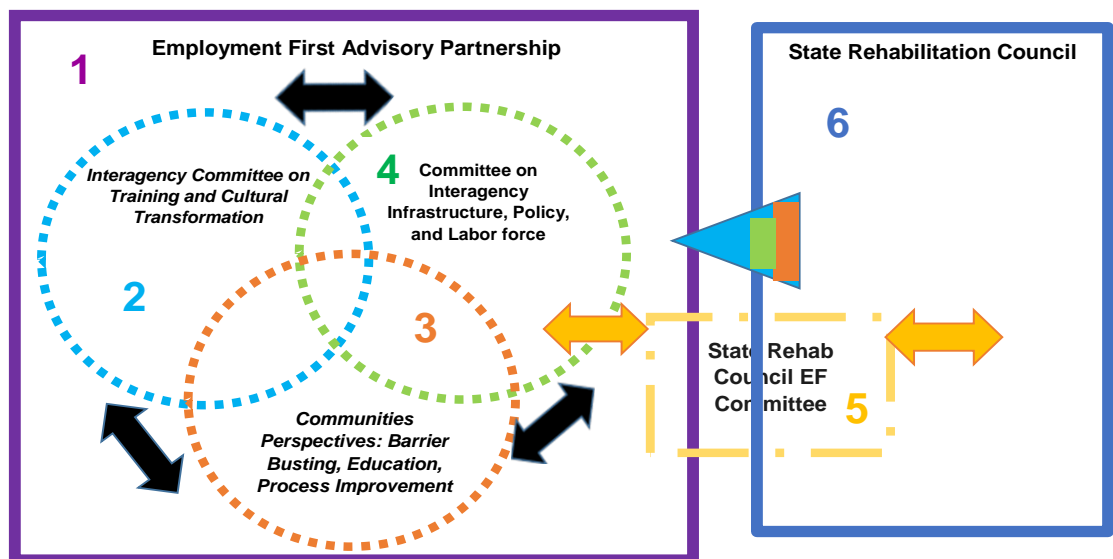
The Colorado Employment First Advisory Partnership (EFAP) envisions every person with a disability who wants to work can work and receive competitive wages, regardless of the level of disability they experience.

EFAP Structure

After setting this vision, the EFAP determined that it is best achieved through three distinct, yet interconnected focus areas. These focus areas became the three working committees of the partnership that analyzed data and crafted the initial recommendations for change. In July and August of 2017 committee members further refined recommendations through documented suggestions which were collectively considered during full EFAP meetings. The committee focus areas are:

- **Training and Cultural Transformation**
 - This committee identified training/ knowledge gaps among agency staff and vendors (excluding K-12 and higher education) and develops solutions that result in service provider transformation and employer engagement.

- The Training and Cultural Transformation Committee conducted a survey of providers to assess existing training gaps and scanned policies and practices in other states to understand the current barriers to success in Colorado. The survey revealed that the majority of supported employment providers responded that further training in competencies including: job development, work place supports, benefits planning, supported employment, discovery and long term supports would enhance their abilities to perform their jobs in finding employment for individuals with significant and most significant disabilities.
 - The committee has developed detailed recommendations and suggested strategies that can be explored in Appendix One to this report. Specific models utilized by other states, including Washington, Oregon, and Wyoming, have been identified as viable examples for use in Colorado. These models are discussed in detail in Appendix Two.
- **Barrier Busting, Education, and Process Improvement**
 - This committee identified and developed solutions to key barriers to CIE, pre-vocational services, school to work transition and the training/ knowledge gaps among people with disabilities & families.
- **Interagency Infrastructure, Policy, and Labor Force**
 - This committee identified unnecessary, inefficient, or conflicting rules and regulations and develops solutions for cross systems policy and funding alignment that result in service capacity building, with consideration of Olmstead and data issues.



Links to Appendixes

APPENDIX ONE: Detailed Strategies to Implement the Recommendations

APPENDIX TWO: Glossary of Acronyms and Terms Included in the Report of the Employment First Advisory Partnership to the General Assembly

APPENDIX THREE: Annotated Bibliography Included in the Report of the Employment First Advisory Partnership to the General Assembly

APPENDIX FOUR: Senate Bill 16-077 "Concerning a Collaborative Multi-Agency Approach to Increasing Competitive Integrated Employment Opportunities for Persons with Disabilities and, in Connection Therewith, Advancing an Employment First Policy"

APPENDIX FIVE: EFAP Recommendations at a glance

APPENDIX SIX: Employment First Advisory Partnership

ⁱ U.S. Department of Labor. WIOA Resource Page. Accessed August 13, 2017 from: <https://www.doleta.gov/wioa/>

ⁱⁱ Association of People Supporting Employment First (2017). What Is the Status of Employment First? Accessed August 3, 2017 from: <http://apse.org/employment-first/map/>

ⁱⁱⁱ National Task Force on Workforce Development for People with Disabilities (2016). *Work Matters: A Framework for States on Workforce Development for People with Disabilities*. The Council of State Governments & National Conference of State Legislatures. Washington D.C. Accessed August 14, 2017 from: http://www.ncsl.org/Portals/1/Documents/employ/Work_Matters_Report.pdf.

^{iv} LEAD Center (2015) Employment First Technical Brief #1: Connecting the Dots: Using Federal Policy to Promote Employment First Systems Change Efforts. Accessed July 15, 2017 from: http://www.leadcenter.org/system/files/resource/downloadable_version/Employment_First_Technical_Brief_1_0.pdf

^v *Customized employment* means competitive integrated employment, for an individual with a significant disability, that is— (i) Based on an individualized determination of the unique strengths, needs, and interests of the individual with a significant disability; (ii) Designed to meet the specific abilities of the individual with a significant disability and the business needs of the employer; and (iii) Carried out through flexible strategies, such as— (A) Job exploration by the individual; and (B) Working with an employer to facilitate placement, including— (1) Customizing a job description based on current employer needs or on previously unidentified and unmet employer needs; (2) Developing a set of job duties, a work schedule and job arrangement, and specifics of supervision

(including performance evaluation and review), and determining a job location; (3) Using a professional representative chosen by the individual, or if elected self-representation, to work with an employer to facilitate placement; and (4) Providing services and supports at the job location. Federal Register Vol. 81, No. 161, August 19, 2016. Accessed on April 27, 2017 at: <https://www.gpo.gov/fdsys/pkg/FR-2016-08-19/pdf/2016-15980.pdf>

^{vi} Cimera, R. (2012). The economics of supported employment. *Journal of Vocational Rehabilitation*. 37, 109-117. Accessed July 26, 2017 at: http://www.apse.org/wp-content/uploads/docs/R.%20Cimera%20economics_jvr.pdf

^{vii} Ibid. references 13, 14.

^{viii} Prevocational Service Definition. Application for a 1915(c) Home and Community-Based Services Waiver (p. 56). Colorado Department of Health Care Policy and Financing. Accessed April 27, 2017 at: <https://www.colorado.gov/pacific/sites/default/files/HCBS-SLS%20Waiver%20Application.pdf>

^{ix} CMS HCBS Final Setting Rule Press Release. Accessed June 7, 2017 at: <https://www.cms.gov/Newsroom/MediaReleaseDatabase/Fact-sheets/2014-Fact-sheets-items/2014-01-10-2.html>

^x Statement of the Department of Justice on the Application of the Integration Mandate of Title II of the Americans with Disabilities Act and *Olmstead v. L.C.* to State and Local Governments' Employment Service Systems of Individuals with Disabilities. Accessed April 27, 2017 at: https://www.ada.gov/olmstead/olmstead_guidance_employment.htm

^{xi} *Colorado's Community Living Plan: Colorado's Response to the Olmstead Decision*. Colorado Departments of Health Care Policy and Financing, Human Services and Local Affairs. Accessed on April 27, 2017 at: <https://www.colorado.gov/pacific/sites/default/files/Colorado%20Community%20Living%20Plan-July%202014.pdf>

^{xii} *Colorado's Community Living Plan: Colorado's Response to the Olmstead Decision*. Colorado Departments of Health Care Policy and Financing, Human Services and Local Affairs. Accessed on April 27, 2017 at: <https://www.colorado.gov/pacific/sites/default/files/Colorado%20Community%20Living%20Plan-July%202014.pdf>

^{xiii} Health First Colorado Buy-In Program for Working Age Adults. Accessed April 27, 2017 at: <https://www.colorado.gov/hcpf/medicaidbuyinprograms>

^{xiv} *Community Living Advisory Group (CLAG) Report: Final Recommendations, September 2014*. Colorado Department of Health Care Policy and Financing. Employment recommendations: pp. 26-31. Accessed on April 26, 2017 at: https://www.colorado.gov/pacific/sites/default/files/Community_Living_Advisory_Group_Final_Report_09-30-14.pdf

^{xv} ^{xv} SOAR (SSDI/SSI Outreach, Access and Recovery) administered by the Colorado Disability Benefits Support Program. Accessed on July 24, 2017 at: <https://soarworks.prainc.com/states/Colorado>

^{xvi} See note 33.

^{xvii} *Community Living Advisory Group (CLAG) Report: Final Recommendations, September 2014*. Colorado Department of Health Care Policy and Financing. Employment recommendations: pp. 26-31. Accessed on April 26, 2017 at: https://www.colorado.gov/pacific/sites/default/files/Community_Living_Advisory_Group_Final_Report_09-30-14.pdf

^{xviii} C.R.S. 27-10.5-902: State employment program for persons with disabilities. Senate Bill 08-004 accessed April 27, 2017 at: https://leg.colorado.gov/sites/default/files/images/olls/2008a_sl_425.pdf

^{xix} Colorado Senate Bill 16-077, Employment First for People with Disabilities <https://leg.colorado.gov/bills/sb16-077>

^{xx} Rudolph, K. (2015). "We Will Ride!" The Origin of the Disability Rights Movement in Denver. Denver Public Library. Accessed July 14, 2017 from: <https://history.denverlibrary.org/news/we-will-ride-origin-disability-rights-movement-denver-0>

^{xxi} Kako, E. (2013). Concept Paper for Waiver Simplification in Colorado. Mission Analytics Group. Accessed July 19, 2017 from: <https://www.colorado.gov/pacific/sites/default/files/Community%20Living%20Advisory%20Group%202011-21-2013%20Waiver%20Simplification%20Concept%20Paper.pdf>

-
- ^{xxii} Winsor, J., Butterworth, J., Cohen, A. (2005). Innovations in Employment Supports: Colorado's State Division for Developmental Disabilities. Accessed July 14, 2017 from:
http://www.communityinclusion.org/article.php?article_id=160&staff_id=4
- ^{xxiii} Jolls, C. & Prescott, J. (2004). Disaggregating Employment Protection: The Case of Disability Discrimination. National Bureau of Economic Research Working Paper No. 10740. Accessed July 14, 2017 from:
<http://www.nber.org/papers/w10740>
- ^{xxiv} U.S. Department of Justice, Civil Rights Division. <https://www.ada.gov/olmstead/index.htm>
- ^{xxv} U.S. Department of Justice, Civil Rights Division (2016). Statement of the Department of Justice on Application of the Integration Mandate of Title II of the Americans with Disabilities Act and *Olmstead v. L.C.* to State and Local Governments' Employment Service Systems for Individuals with Disabilities. Accessed July 11, 2017 at:
https://www.ada.gov/olmstead/olmstead_guidance_employment.htm
- ^{xxvi} U.S. Department of Justice (2014). Press Release: Department of Justice Reaches Landmark Americans with Disabilities Act Agreement with Rhode Island. Accessed July 14, 2017 at:
<https://www.justice.gov/opa/pr/departement-justice-reaches-landmark-americans-disabilities-act-settlement-agreement-rhode>
- ^{xxvii} U.S. Department of Justice (2015). Press Release: Justice Department Reaches Landmark Settlement Agreement with State of Oregon Regarding Americans with Disabilities Act. Accessed July 14, 2017 from:
<https://www.justice.gov/opa/pr/justice-department-reaches-landmark-settlement-agreement-state-oregon-regarding-americans>
- ^{xxviii} Seventieth CO Gen Assembly, 2nd Session (2016). SB 17-077 as introduced. Accessed July 15, 2017 from:
[http://www.leg.state.co.us/clics/clics2016a/csl.nsf/fsbillcont2/AD0AE2EDDD5384BF87257F24006458F1/\\$FILE/077_01.pdf](http://www.leg.state.co.us/clics/clics2016a/csl.nsf/fsbillcont2/AD0AE2EDDD5384BF87257F24006458F1/$FILE/077_01.pdf)