

Building a Community of Hope, One Grocery Cart at a Time

By Scott Jester

The aggravating grocery store shopping cart that always seems to pull to the left. The other one with the wiggly wheels. The parking lot that gives the impression there is some kind of disorganized cart convention, each waiting to be returned to their rightful place. Inside the store, it's "could you find this (obscure) spice, please?" Or the dreaded "clean up on aisle nine."

These grocery store scenarios might send many prospective employees to the door, but they have kept Craig Robinson hopping, always with a smile and—if one listens closely—a soft tune being whistled.

Robinson is a longtime employee of Super 1 Foods, located in Hope, Arkansas, and one of its most valued employees. Robinson also has the distinction of being one of the individuals who was virtually raised under the caring umbrella of Rainbow of Challenges, Inc. (ROC).

Setting a Great Example

His smile is infectious; his manners and work ethic are impeccable; and he interacts with his fellow employees and customers alike with a fun-loving attitude.

"All the customers just love him," says Chris Belt, Super 1 Foods store director. "He just knows everybody and everybody loves him."

Robinson's loyalty to the store is unwavering. "He sets a great example as an employee," Belt

said. "If we pick up the phone and say, 'We need you,' he will be here."

When talking to Robinson, it's easy to notice what the store director and others see. "I wake up looking forward to coming to work," Robinson says.

Gaining Independence

The ultimate goal at Rainbow of Challenges is to integrate the individuals it supports into the community, and in the case of Robinson and his involvement with Super 1 Foods, that goal has been met and exceeded.

Scotty Powell, day services coordinator at Rainbow Enterprises, has worked and interacted with Robinson for many years. Powell understands the importance of having Rainbow of Challenges' individuals integrated into the community.

"It gives them a sense of self-pride to see that their dependence is

gone," he notes. "It gives them the independence that we all look for in our own lives. You see it in Craig's face every day—that he wakes up, puts a smile on his face and goes to work."

Creating a Positive Effect

Robinson's opportunity to work in the community inspires other ROC individuals to do the same.

"Seeing where one individual becomes integrated in the community has a positive effect on everyone else," said Powell. "Unfortunately,

most of the individuals are raised to think a work center is where they belong. Seeing other individuals do better helps push them and realize that their life can be better and that they can work."

Robinson's loyalty and hard-working attitude is a common trait among many of the ROC individuals. "I think it comes naturally," said Powell. "I believe many of the individuals are 'wired' that way. Others in society are 'wired' to think of themselves first and [ROC's individuals] are not. They are thinking of everyone else."

Robinson has never met a stranger, and by working in a grocery store environment, his contact with the community is limitless. He is truly an ambassador, not only for Rainbow of Challenges, but for the city of Hope. ●

Author LINK: Jester is a native of Hope, Arkansas, who has seen Rainbow of Challenges grow from a small school for the very few with disabilities to one of the largest providers in South Arkansas. He may be reached at scottjester@rainbowofchallenges.org.



Craig Robinson with Super 1 Foods Store Director Chris Belt as they take time out from their busy day. The pair have formed a special friendship that transcends the workplace.

Inside this Issue of LINKS:

How employment has enriched lives, pages 1, 5, 7, 14, 16 and 18.

Wendy Swager's final column as president, page 9.

What recent court rulings mean, page 12.

National DSP Week recap, page 20.

Jobs, Jobs, Jobs

By Renee Pietrangelo
ANCOR CEO

The 2012 election rhetoric is focused on jobs, jobs, jobs. As evidenced since the Great Recession began, creating jobs in a post-industrial era is very challenging. But we must have jobs for economic growth, personal growth and development, and social welfare and security. These are the same reasons why jobs are so important to the population we serve: economic freedom, sense of self-worth and the rewards and comforts of a stable community.

We are also in a resource-poor environment that will likely continue for years to come. The extent to which people served can contribute to their own economic security becomes even more important in this environment.

One of the ironies we face is that we have plenty of jobs—that is, direct support jobs. The direct support career is rewarding and affords many opportunities for professional growth and development through the College of Direct Support, the National Alliance for Direct Support Professional’s credentialing program and the U.S. Department of Labor national core competencies and apprenticeship program.

Clearly, one of the challenges we face in realizing the “employment first” focus is how to

overcome the barriers to the people we serve working and training as DSPs. So many would thrive in this role and make wonderful DSPs!

We’re also challenged with ensuring that we educate current DSPs about the value and preference for employment by people served and many family members, encouraging them to seek out prospective employment options and to consider advancing their own education and training as job coaches, job developers, and so forth.

Working together within our communities to modify negative attitudes about employment for people with intellectual and developmental disabilities and communicate the significant value of employing them is equally important.

ANCOR is committed to advancing employment. We continue our leadership role in the Alliance for Full Participation, which has established a goal to double employment for people with I/DD by 2015.

To advance that goal, AFP issued a grant proposal earlier this year for ongoing support and facilitation of the AFP state team structure. APSE was awarded the grant in July 2012, which is funded from monies netted from the November 2011 AFP Summit. We hope you will continue to engage in and support the team



Renee Pietrangelo

in your state—and, if there isn’t one, partner with others to organize one.

Globally, we understand that long-term unemployment or underemployment damages lives and communities. This holds true for everyone, regardless of abilities. Job creation demands leadership on all levels.

As you read about employment leading practice and other success stories in this issue of *LINKS*, consider how you and your organization can join and/or advance employment first and help reach our collective goal of doubling employment in the next three years. ●

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Are You Better Off Today Than You Were Four Years Ago?

By Wendy Swager
ANCOR President

Many Americans—with and without disabilities—are contemplating the November election and are asking themselves, “Am I better off today than I was four years ago?”

The 36 million people with disabilities—11 percent of the population—who reside in the United States face higher rates of unemployment and poverty relative to their non-disabled counterparts. According to the American Community Survey for 2010 and *StateData: The National Report on Employment Services and Outcomes*, individuals with disabilities aged 18 to 64 living in the community had an employment rate of 33.4 percent, compared with an employment rate of 72.8 percent for individuals without disabilities. For November 2011, the Bureau of Labor Statistics estimated that 18 percent of working-age adults (age 16 and over) with disabilities were employed, compared with 64 percent of those without disabilities.

The U.S. Department of Labor data for August 2012 indicated that the unemployment rate among people with disabilities continued to creep ever higher. According to DOL, the jobless rate for Americans with disabilities continued to soar upwards for the fourth month in a row even though the unemployment rate among the general population improved slightly over the same period.

Are people with disabilities better off today than they were four years ago? Clearly, the answer is no. But let me ask another question: “Are people with disabilities better off today than they were 20 years ago?”

Data sources from the Social Security Administration, state vocational rehabilitation programs, the U.S. Census Bureau and the Institute for Community Inclusion show a continued and growing economic disparity, particularly for people with intellectual and developmental disabilities. More individuals with I/DD continue to be supported in facility-based employment—typically earning sub-minimum wage—than integrated employment, and growth in community-based non-work service continues.

In the vocational rehabilitation system, earnings of adults with disabilities are substantially lower compared to those in the general population. Overall, the findings suggest that across datasets, people with I/DD experience greater levels of unemployment, underemployment, low wages and poverty compared to those without disabilities.

The growth of supported employment that was seen on the mid-1980s and mid-1990s has subsided with the percentage of people with I/DD receiving integrated employment services declining to 20.1 percent in FY 2010. Despite policy shifts over the past 20 years that appear to support a commitment to integrated employment for individuals with disabilities, these policies have not translated into reality or into improved outcomes for people with disabilities.

In the October 2010 issue of *LINKS*, I stated, “Research clearly shows that the number of individuals with developmental disabilities supported in facility based and non-work programs has increased steadily while the number of individuals supported in integrated employment has remained essentially flat.”

This trend has not been reversed, and recent data indicates that the number of individuals supported in integrated employment is no longer flat, but is decreasing. The enormous variation across states regarding successful outcomes for integrated employment indicates a disparity that should not be tolerated. How can this variation range from 5% in Alabama to 89% in Washington?

So are people with disabilities better off today than they were 20 years ago? Sadly, I must answer no.

As we go to the polls in November, we will vote in a way that we believe will best protect and serve our personal interests. We will vote for the candidate that we believe will ensure a better outcome for us and all Americans four years from now. As we cast our ballot, it is with anticipation that collectively we will vote for status quo or we will vote for change. Our constitution ensures that we have that choice.

Unfortunately, many people with disabilities are so disenfranchised with our current system that their voting record indicates suppressed political participation. In their 2012 study, *Sidelined or Mainstreamed? Political Participation and Attitudes of People with Disabilities in the United States*, Lisa Schur and Meera Adya found voter turnout for people with disabilities to be 11 percentage points lower than for people without disabilities, leaving more than 3 million Americans with disabilities “sidelined” on Election Day.

People with disabilities and their families, advocates and providers must stand up and demand that our politicians hear their voice and ensure their inclusion. If we want change, then Americans with disabilities must step away from the sideline and demand their right to equal



Wendy Swager

access requiring that taxpayer-funded programs and services deliver a return on that investment equal to or greater than the standard of care demonstrated in the top performing states.

A 5% participation in integrated employment is unacceptable. It is time to demand change and the creation of a system for state accountability measured through demonstrated outcomes! ●

Author *LINK*: Wendy Swager is CEO and co-owner of SOREO In-Home Support Services. She can be reached at wendy@soreo.com.



What Members Are Saying about the SRPN

“Thanks to the discounts we received from Medline through ANCOR Services Corporation’s Shared Resources Purchasing Network, we were able to renew our ANCOR membership. In this time of economic crises and funding challenges, Medline has proven to be an effective partner in helping us realize savings.”

—Carol Lee, Executive Director,
Harry Meyering Center, Inc.

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Connected to the Job

By Dorothy Rosby

Minervas Restaurant in Rapid City, South Dakota, is known for fine dining, great service and a beautiful atmosphere. For nearly two years, people supported by Black Hills Works have been part of the team that makes the restaurant the wonderful dining experience that it is.

Black Hills Works Employment Specialist Tina Kempf says the relationship with Minervas began when banquet manager Penny Jarvis contacted the Works seeking custodial help. That opening led to more opportunities, and today, six people from Black Hills Works are employed in food preparation, dishwashing and custodial work for Minervas in their two banquet kitchens and in their restaurant.

"I think they appreciate the people we serve because they're pretty steady, pretty reliable," says Kempf. Minervas has been great to work with, she adds, saying they have "bent over backwards for people and they want more people." In fact, Minervas is currently looking at people served by Black Hills Works for two more positions.

Kempf says Minervas' Scotty Dolney is a "wonderful manager who is willing to see a person's strengths. And when they can't do a job, he keeps looking for things they can do to keep them hired. I really appreciate him and how comfortable he makes the people we serve."

Employee Jason Allford agrees. "My boss is smooth to get along with. He's nice, and he's a good person." Jason adds that Minervas is a fun place to work. "It feels like I'm connected to the job."

It's a win-win situation. Manager Scotty Dolney says the crew from Black Hills Works does an excellent job. "They are always here and have a great work ethic. I have to tell them to take a break," says Dolney.

For Jason, who also works at another local restaurant, the job means he's a little closer to three big goals: a car, travel and a house of his own.

At Black Hills Works, we are proud of the quality work done by the crew at Minervas.

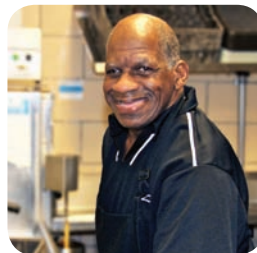


Here's a clean-up crew you don't want to "mess" with! Ready and waiting for some dirty dishes are Minervas' employees William, Jason, Julie, Nick and Matthew.

We are also grateful that Minervas Restaurant has made hiring people with disabilities a company priority. ●

Author LINK: Dorothy Rosby is community relations director at Black Hills Works in Rapid City, South Dakota. She can be reached at 605.718.6205 or drosby@bhws.com.

Creating Employment Opportunities



For individuals with intellectual and developmental disabilities, employment is vital to independence, empowerment and quality of life. The MENTOR Network offers a range of employment services to help individuals of all abilities develop skills and find meaningful jobs in the communities that they call home.

We put individuals on a path toward success, with services including:

- Structured Day Programs
- Job Training
- Supported Employment
- Job Placement
- Career Exploration
- Job Retention



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Customized Job Development: Tactics for Tough Times

This article is brought to you by ANCOR partner *Essential Learning*.

By Cary Griffin and Beth Keeton

In his latest book *Outliers*, Malcolm Gladwell determines that successful careers depend on two fundamental elements:

- Starting out in a supportive environment, and
- Acquiring skills through repeated application and refinement

Gladwell notes the Beatles landed their first real work in the strip clubs of Berlin where they had to perform grueling eight-hour shifts. Playing ceaselessly for years made them incredibly good musicians. For our purposes, the lesson here is that interests are important, but that skills mastery determines an individual's degree of success.

Recent employment practices based in person-centered planning have not proven overly successful. The focus of many person-centered approaches is the listing and cultivation of interests. However, interests devoid of related skills makes meaningful and lasting employment a tough goal to achieve.

The Discovery Process

The discovery process illuminates interests, accompanying tasks and skills that have specific application in businesses.

The process typically begins where the individual lives—with listening sessions with friends and family where professionals should maintain silence except when prompting conversation. We recommend a simple, "Tell me about your son," when doing the initial home visit with a family.

This discussion is not an 82-interview or interrogation; there's no checklist or script. The conversation goes where it needs to go and is not interrupted until all that needs to be said has been spoken.

Some rules for conducting discovery include the following:

- **Start with the person's home and those he or she is closest to.** Explore the rooms of the home for clues about interests, skills and tasks performed. Explore competency levels, as well as the surrounding neighborhood for employment or work-experience opportunities, transportation resources and places to learn new skills.
- **Don't simply go to places of interest; par-**

icipate. Plan activities that demonstrate the skills and tasks the individual can perform, wants to learn and has an interest in learning.

- **Seek to establish at least three overriding vocational themes in the individual's life.** These are not job descriptions, such as "wants to refuel airplanes." Instead, think more broadly; in this case, think aviation. This leads to a richer series of activities in relevant environments.
- **Develop a solid profile statement capturing the essence of the person,** his or her predominant skills and the three areas of vocational relevance.
- **Make discovery a project.** That is, manage it with a start and finish date.

Customized employment is not about getting a dream job. Customized employment sees a job as the beginning of the rehabilitation process, not the end. Therefore, starting with a job that matches existing or quickly learned skills in an environment that matches the individual's profile is the target for now.

Job Development

Searching for work begins as discovery ends. Some rules that use the customized employment (CE) approach include the following:

- **CE relies on negotiated job tasks that mutually benefit the employee and the employer.** By approaching specific employers who have task needs matching the job seeker's talents, a match is more easily determined.
- **Understand that employers are always hiring.** They are hiring people who fit their company and who can generate their paychecks through profits.
- **If filling out applications and going through interviews is anything more than a formality to make Human Resources happy, then it's not customized.** CE circumvents these traditional comparative processes that screen people with disabilities out.
- **For each of the three vocational themes, construct a non-duplicative list of 20 specific places of employment in the community** accessible to the person, where people with similar skills and interests work. There is nothing magical about the number 20, but 5 or 10 is just too easy, and creativity in employment, along with complexity, comes after the obvious employers are listed.
- **Use informational interviews to gather advice for the individual's career plan.** By asking for advice, and a tour of the com-

pany, the tasks are revealed and if a match seems possible, job development can be introduced. Informational interviews should not be used as a bait and switch technique, but they often reveal needs employers have as well as opportunities for a business-within-a-business

- **Stay away from retail.** In this economy, retail is tough—and it has been stripped of much of its complexity. Complexity in work tasks often means more stable work; an abundance of natural supports via coworkers and equipment or technology; and higher earnings potential.
- **Seek out small businesses.** There are only 17,000 businesses in the United States with more than 500 employees. There are approximately 26 million small businesses with an average of fewer than four employees, the majority of which have no human resources department or even job descriptions. Fewer barriers to employment mean easier negotiations.
- **People come together over shared interests.** Therefore, having an opportunity to meet with a small business manager or owner who shares the interests of the job seeker make the negotiation easier. Of course, interests are not enough; there must also be the potential for learning the requisite skills of the job.
- **Thinking in terms of job descriptions and job openings is pointless.** CE represents an unrestrained economic development approach to infinite job creation and restructuring. Negotiate with employers while highlighting skills that match their customers' needs instead of looking for stereotypical openings.

It's a tough employment market out there right now. But then, it's always been tough for people with disabilities. Go where the career makes sense, emphasize tasks and skills and negotiate for mutual benefit. ●

Author LINK: Cary Griffin is a senior partner at Griffin-Hammis Associates LLC, and Beth Keeton is a senior consultant. Courses on "Discovering Personal Genius" can be found in the Essential Learning Customized and Self-Employment courses built with Griffin Hammis Associates.

Essential Learning partners with ANCOR to provide members with a discounted online learning option. Members may contact Essential Learning for more information and to set up online demonstrations of service offerings by calling 1.800.729.9198, ext. 212, or emailing InfoDD@EssentialLearning.com.

King Dave

By Al Hermantin

Dave was new to the Chester area. He was 27 years old and had grown up in Pittsburgh his entire life. While he knew where to go to find work back home, he wasn't sure where to go in Chester.

He had some success finding jobs before, but his last job in Pittsburgh didn't end well. A coworker had made coming into to work a frustrating and stressful experience, and he didn't have the support at that time to help him cope with the negative environment.

Dave has Asperger's and sometimes has difficulty communicating with others. Dave knew he could work and be a great worker. He didn't want that last experience to be the end of his work history.

Determined, Dave sought out help to secure a job. Dave enrolled in Keystone Autism Services under the Adult Community Autism Program. With support from Keystone and his family, he prepared a resume, worked on his interview skills and maintained focus on finding a job.

He explored his new home to find the right match for what he wanted to do. After submitting some applications and interviewing with a few employers, he got a call from Genaurdi's, a local supermarket, for an interview for an online order filler position.

Dave got the job—and that was just his starting point. Dave excelled at his job and earned a great deal of praise from the store management. The store manager would say that he wished he had 10 Daves working for him.

Dave also worked on building a better rapport with his coworkers. He worked on communicating with them, and when he needed our support or his family's support to do so, he called us in for help.

Dave's natural supports developed at work, and he started developing friendships. He formed a bowling team with some of his coworkers and joined a local league. Work had help Dave not only earn income, but find new

friends in his new town.

When Giant acquired Genaurdi's, Dave took the opportunity to move into a cashier position. He likes talking to customers, and the position gave him more flexibility.



Dave is making friends and moving up.

A few months after moving over to the cashier position and being at the store a little over a year, Dave was promoted to a front-end lead position. He will now supervise the cashiers and baggers working at Giant, including some other members of our program.

Dave is happy to be working in a friendly place and with his growth at the store. When asked about how it feels to be where he is now in life, Dave said, "I feel like King Dave." ●

Author LINK: Al Hermantin is director of supported employment at Keystone Autism Service in Hummelstown, Pennsylvania. He can be reached at ahermantin@keystonehumanservices.org.



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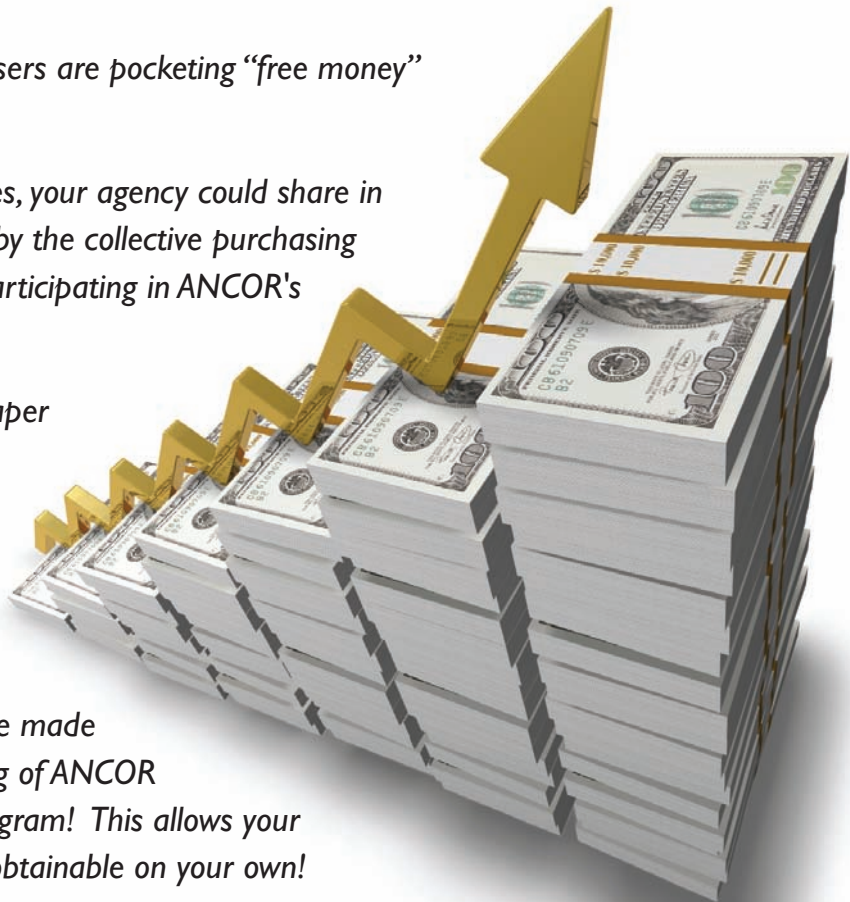
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Inquiries can also be directed to Marsha Patrick, ANCOR's Director of Resource and Revenue Development at mpatrick@ancor.org.



Supporting Employment First

By Macey Chovaz

The Association of People Supporting EmploymentFirst (APSE), a growing national nonprofit membership organization founded in 1988, is excited to be continuing the Alliance for Full Participation's (AFP) goal of doubling the employment rate of individuals with developmental disabilities by 2015.

APSE is the only national organization with an exclusive focus on integrated employment and career advancement opportunities for individuals with disabilities and has chapters in 37 states and the District of Columbia. Our members come from all 50 states and Puerto Rico, as well as several foreign countries.

APSE was awarded the AFP grant in July of 2012 and has since made contact with more than 45% of states and had detailed conversations with more than 30% of states. With this first conversation, we were able to gather updated information for the AFP scorecard (originally completed in 2011), find out what the current AFP state team looks like, discuss additional AFP State Team goals, determine data collection within the state and much more.

The initial states contacted were those states that had an AFP scorecard and an APSE State Chapter and states that had an AFP scorecard but no APSE State Chapter. The next states to be contacted will be states with no AFP scorecard that have APSE State Chapters and states with neither an AFP score card nor APSE State Chapter.

There are a few themes that have arisen based on the initial states contacted. The first theme is that many AFP State Teams have a strong overlap and partnership with the APSE State Chapter, and many of the individuals involved have worked together for long periods of time.

Additionally, many AFP teams have morphed into or partnered with already established committees, coalitions or boards such as local committees of providers and advocacy organizations, employment committees within developmental disabilities services or APSE State Chapter boards.

The second theme is something every state had in common: wanting to work on ways to increase the quality and scope of data collection. Many states shared that they were struggling with data collection and were motivated to reach the goal of doubling the employment rate of people with developmental disabilities, but had no idea what number to strive for.

Most states agreed that data is collected in their state but it is done using different definitions of employment and within different entities (i.e., vocational rehabilitation, Medicaid waivers, transition, etc.). Because data is collected from various sources using different definitions of employment, there is an unknown amount of overlap and lack of consistency in the data.

Another common theme was that many states were not sure of the best way to provide benefits counseling. Some state vocational rehabilitation organizations are funding the service; some states rely on just a handful of

trained certified work incentive counselors; and others rely on their job developers to provide benefits information.

Many states share similar goals and objectives in addition to the AFP goal of doubling the number of people with developmental disabilities employed by 2015. About half of the states contacted so far mentioned wanting to revamp reimbursements of various waiver programs to include a higher rate for integrated supported employment and lower the rate for segregated services.

Another shared goal is to provide more effective transition services and getting the Department of Education on board with the integrated employment movement at both the state and local level. Additionally, there is the need to increase integrated employment training for frontline staff.

Collaboration was a key word in many conversations as well. States want to increase collaboration among their AFP team and grow their AFP team in addition to establishing and increasing collaboration at the state levels between vocational rehabilitation, developmental disabilities councils and Departments of Education. Many states want to facilitate a better working relationship between vocational rehabilitation and provider organizations, and many shared that providers were struggling with low reimbursement rates from their state vocational rehabilitation.

APSE is encouraged with the conversations we have had with states thus far and is looking forward to making contact with all 50 states.

APSE's future objectives include the following:

- Facilitating information sharing on promising practices in webinar and regional meeting formats, as well as providing technical assistance to individual teams;
- Increasing team collaboration and enhancing communication;
- Assisting state teams to identify data sources; and
- Compiling basic data on the status of inclusive employment.

For those states that might not have an AFP team, we will be reaching out to our APSE State Chapters and/or APSE members to form a state team. Objectives and goals are flexible based on the needs of the state teams, and teams are encouraged to continue to share information. ●

Author LINK: Macey Chovaz is the AFP/APSE project coordinator. You can reach Macey at macey@apse.org.

ANCOR Presents OthersFirst Protection Package from Harleysville

ANCOR has joined with Harleysville Insurance and long-time strategic partner SEFCU Insurance Agency to offer you the OthersFirst Protection Package Program.

Learn more about how this new partnership can better serve many of your organization's insurance needs while, at the same time, supporting the important advocacy and organization development work ANCOR does on your behalf.

In addition to providing you with outstanding coverage, The OthersFirst Protection Package from Harleysville includes a number of value-added services at either preferred pricing or at absolutely no cost.

"This new partnership has evolved over 18

months of fact-finding and negotiation," said ANCOR CEO Renee Pietrangelo. "We're therefore confident members will find the program a significant enhancement at optimum cost over their current insurance program."

"SEFCU Insurance Agency representatives look forward to developing a proposal to meet your specific needs," said Michael Hutcherson, executive vice president of SEFCU. "Your organization can work directly with SEFCU Insurance Agency on the proposal or your current insurance broker can work with SIA on your behalf." ●

For more information or to receive a free proposal, contact Michael Hutcherson of SEFCU at 888.250.6689, ext.2021.

By Barbara Merrill

Every now and then, the people we hire to represent us do what they are supposed to do: They stop fighting and agree on a solution.

If the solution is to a difficult problem—like a \$1.2 trillion federal budget deficit reduction plan that will automatically implement very big cuts to defense and discretionary spending absent a re-write that “shares the pain” with the entitlement programs—then the infamous “back room deal” is the setting. That’s where the major players—the chief executive and the leaders from each legislative body—close the door, drop the party rhetoric and ask themselves, “How much can we get away with?”

What happens in the back room is not defined by the traditional insider game that people often think of—the one with the powerful lobbyists calling the shots. In the end, if the deal gets struck, they are out of the room.

What happens in that room comes down to what the negotiators think they can get away without burning bridges with the constituent-

ANCOR Welcomes Quantum Solutions

The American Network of Community Options and Resources is pleased to welcome Quantum Solutions Corp. as its newest Gold Partner. Quantum Solutions also served as the exclusive sponsor of the 2012 ANCOR Leadership Summit: *Financing and Funding—From Crises to Sustainability*, held in early October in Washington, D.C.

“Quantum Solutions is a much-needed partner,” said ANCOR CEO Renee Pietrangelo. “Our members will benefit greatly from having access to Quantum’s user-friendly software.”

Quantum Solutions creates information management and automation tools for human service provider agencies of every size and offers flexible software technology that is customizable to accommodate work flows and documentation. In addition, its specially tailored solutions come with a choice of either an unencumbered, enterprise license or a cloud-based service.

“We are excited to work with ANCOR members to help them achieve their automation goals for their agencies,” said Paul Ingle, president and CEO of Quantum Solutions. ●

Inside the Back Room

cies that are the most important to them. At that point, it is how effective the external game was (the public relations campaign and the grassroots advocacy) that helps to define the answer of how far they can go.

That’s why Bill Clinton’s remarks at the Democratic National Convention—in what most observers considered the most important speech of the three-day event—was so important for people with disabilities.

They know there will be pushback, that some interests groups will be very unhappy, but what they ask themselves is, “What cuts will be so unacceptable that they will offend the values of the people we represent?”

It’s important to keep in mind that this scenario plays out in two stages. The first is the grand deal, which will probably be reduced to a few numbers written on a piece of paper with perhaps a paragraph describing how they will arrive at that number.

The next—and equally important—stage involves implementation, and that could take the next four years to play out. The negotiators of the grand deal are not going to get down into the weeds at that stage.

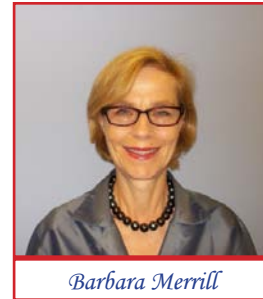
There will likely be an exception (a cut to Social Security will likely spell out how it is done), but even in a Medicaid block grant scenario, the implementation will be played out over a longer period of time on the state government level, and perhaps the parameters will take longer to define on the Congressional level.

The challenge for ANCOR is to identify and maximize every opportunity to demonstrate that if they cut us unwisely or disproportionately, there will be unacceptable consequences.

We have three ways of influencing this chain of events:

1. We need to educate the broader public.
2. We need to build alliances with like-minded organizations.
3. We will need to do the steady hard work during the implementation phase.

We caught a break from Bill Clinton on the public education front, but we need to amplify and further drive home the message.



Clinton’s job at the Democratic National Convention was to make the case for the re-election of President Obama. He did it in part by attacking the Ryan budget, and in doing so, he put our issue front and center; he told the American people why Medicaid funding is so important for seniors in nursing homes and for families of children with autism and Down’s syndrome.

The former president’s speech was not the only reference to disability issues at the national conventions; both parties included planks in their written party platforms that address the importance of home and community-based services. But Clinton’s speech was notable because of the national audience he commands—and the passion he brought to the subject.

Our goal is clear: When the Administration and the Congressional negotiators go behind closed doors, they understand that a reduction in services to people with disabilities will offend the values of the American public.

On the national stage, ANCOR is communicating the message of the importance of Medicaid to the people we serve, but you must bring the

point home—forcefully and with equal passion.

The National Advocacy Campaign’s Medicaid Values People initiative will provide structure, tools and advocacy points, but the campaign will only succeed if we all take up the charge. On the Washington side, we will work to ensure that we are working in concert with every like-minded organization to validate the public relations/grassroots messages.

Our goal is clear: When the Administration and the Congressional negotiators go behind closed doors, they understand that a reduction in services to people with disabilities will offend the values of the American public. ●

Author LINK: Barbara Merrill is ANCOR’s vice president of public policy. She can be reached at bmerrill@ancor.org.

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Olmstead Challenges Expand to Employment Services, Private Facilities and At-Risk Cases

The number of Olmstead-related legal actions continues to proliferate at a dizzying rate. The familiar target of state-operated institutions has now expanded to sheltered workshops and privately operated facilities, and at last count, the Obama Administration's Department of Justice has been involved in 40 matters in more than 25 states. These cases take Olmstead enforcement to the next level and represent extraordinary commitment to fulfilling the promise of the Americans with Disabilities Act (ADA).

But the actions also carry with them sobering implications for the challenge of funding services and supports, particularly as Congress prepares to tackle deficit reduction once again and as some states continue to grapple with diminishing yet still significant budget deficits.

As more and more actions result in rulings that require states to address waiting lists and provide people with choices about where they work and live and prevent cuts to services that put people at risk of institutionalization, states will be increasingly under pressure to seek cost containment and sustainability measures to deal with court orders.

To underscore the scope of the Olmstead enforcement activities, the U.S. Department of Justice (DOJ) is categorizing the actions under four headings: state-operated facilities, private facilities, segregated days and at-risk cases. These cases have significant implications for the provision of supports and services for people with disabilities and can be expected to spread to other jurisdictions.

Two cases are of particular note: the Olmstead challenge to Oregon's use of sheltered workshops and an Illinois suit brought on behalf of people living in large, private ICF/IDs. This article focuses on legal actions brought under the ADA beyond the original Olmstead state institution challenges.

Segregated Days

Oregon's use of sheltered workshops for people with disabilities is the focus of *Lane v. Kitzhaber* and represents DOJ's first foray into the area of employment services with the filing of a statement of interest. The Oregon case, brought by Disability Rights Oregon on behalf of people "unnecessarily segregated" in sheltered workshops, resulted in a May 2012 federal court ruling that the ADA integration mandate applies to employment services.

United States Magistrate Judge Janice M. Stewart ruled that the "case does not involve

'employment,' but instead involves the State's provision of (or failure to provide) 'integrated employment services, including supported employment programs.'"

Stewart deferred to a recent DOJ interpretation of the integration mandate that supports the plaintiffs' position. Stewart also rejected the state's argument that the plaintiffs must show that failure to provide supported employment services will result in their residential institutionalization.

Judge Stewart sided with the state on one issue, agreeing that wording in the plaintiff's complaint that seeks to provide the plaintiffs "an adequate level of employment services to enable plaintiffs to obtain a competitive job" is more than is required by the ADA, and that the wording must be taken out. For that reason, she granted the state's motion to dismiss without prejudice and with leave to amend, which gives the plaintiffs the opportunity to file an amended complaint with the language specified taken out.

The next month, DOJ issued a findings letter concluding that Oregon is violating the ADA's integration mandate in its provision of employment and vocational services.

After commending the state for being a leader in providing integrated services as one of a handful of states that does not operate a state institution for people with I/DD—and one of an even smaller group of states that does not fund private residential institutions—DOJ asserted that "the ADA does not merely require that people with disabilities transition into integrated residential settings, individuals with disabilities have the right to live integrated lives, by participating in all aspects of community life."

The DOJ letter recommended that the state implement certain remedial measures, including the development of sufficient supported employment services to enable those individuals unnecessarily segregated, or at risk of unnecessary segregation, in sheltered workshops to receive services in individual integrated employment settings in the community.

At this point, this case—and the position of the Justice Department—cannot be interpreted to mean that any placement in a sheltered workshop is a violation of the ADA. DOJ acknowledged in the letter of findings that "while sheltered workshops may be permissible placements for some individuals who choose them, we believe that Oregon over relies on sheltered workshops and places people in such segregated settings when they would prefer community

placement with support services."

Private Facilities

Another groundbreaking Olmstead challenge was the Illinois case of *Ligas v. Maram*, a class action challenge to private ICFs. This case, settled last year, followed a fairly bumpy path.

Brought on behalf of residents of private large ICF/IDs, a lack of consensus by the plaintiffs resulted in the federal judge decertifying the class at one point in the process. Finally approved in 2011, the settlement agreement requires the state to offer residents of large, privately-operated ICFs the choice of waiver services.

Significantly, similar to provisions in the Virginia and Georgia settlement agreements involving people living in state-operated institutions, the Illinois consent decree also addresses waiting lists and requires that an additional 3,000 people with developmental disabilities currently living at home be provided with community-based services.

Challenges to private facilities also include a growing number of cases involving nursing facilities and adult care homes. In Texas, a challenge was brought on behalf of people with intellectual and developmental disabilities living in nursing homes (*Steward v. Perry*), and a Florida nursing home case represents children with medically fragile conditions denied access to home and community-based services. Other private facility cases include adult care homes involving people with mental illness (*US v. NC* and *DAI v. Cuomo*).

At-Risk

Olmstead cases are also being brought successfully on behalf of people with disabilities that would be at risk of institutionalization without access to community supports and services, which typically include challenges to cuts to services.

These cases include a class action on behalf of 45,000 people in Washington state that resulted in a federal injunction against cuts to personal care assistance services (*M.R. v. Drefyus, W.D. WA 2011*), a 2009 North Carolina lawsuit filed by two individuals with intellectual disabilities and mental illness that successfully prevented cuts to their community supports (*Marlo M. v. Cansler*) and similar cases in Louisiana and California.

Future Challenges

Continued on next page

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The breath of these Olmstead enforcement actions demonstrates the commitment of the disability rights bar across the country, with the strong support of DOJ Attorney General Thomas Perez and the Obama Administration.

While challenges continue to be necessary to provide people living in every state the option of living outside of state-operated institutions, the actions focused on private facilities, work opportunities and threats to current home and community-based services will likely put further pressure on state budgets, further motivating policy and budget officials to seek sustainability measures.

Mindful of current and looming financial pressures on the federal and state governments, ANCOR has convened a Sustainable Medicaid Project workgroup to consider current threats and opportunities and to craft responsible proposals to assure the sustainability of critical funding for supports and services. ●

For more information about litigation developments, please visit the *Disability Legal Developments and Resource Center on the ANCOR Connected Community* or contact Barbara Merrill, vice president of public policy, at bmerrill@ancor.org.

Providers Share: What do you enjoy most about providing employment services?

“Seeing the joy of our people in their smiles and excitement and knowing that we played a role in giving that person purpose and dignity.”

—Barry Whitsell, Village Northwest Unlimited

“It is so rewarding and wonderful to see the individuals with disabilities that we support dream about jobs, go on interviews, get a job, work at the job, appreciate the supports that they receive to get and keep a job!”

—Lynne Megan, TSE Inc.

“The satisfaction of knowing that you are helping someone work towards their goal of employment by providing them with the education, skills and support they need to attain success.”

—Paul Schumacher, Aspire Inc.

“I enjoy helping others who want to work and who take advantage of the resources available to them to achieve this goal. It is rewarding when someone gets their first paycheck for the hard work they have performed and they are proud of their accomplishments.”

—Giselle Steketee, Crystal Run Village Inc.

“The independence and relationships that develop as a result.”

—Randy Meendering, Huron Area Center for Independence

“Watching clients that have been told they have limited skill their whole life flourish in employment—and exceed everyone’s expectations. Employment is vital to the overall well being of our clients.”

—Rick Buxton, RISE Services Inc.

“Helping individuals to earn money, be more self-sufficient, achieve their goals, etc.”

—Chad Garland, Cornerstone Services Inc.

“The creativity of thinking outside the box and selling an employer on something the individual could do for them that they may not have thought of as a job before.”

—Maureen Merrill, Wingspan Life Resources

“The sense of satisfaction that the individual gets from having a job.”

—John Perkins, Chandler Gilbert Arc ●



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A Better Economic Future Through Employment

By Karen Knavel

Buckeye Industries, a business enterprise of New Avenues to Independence, represents the very heart of New Avenues' mission of helping individuals with disabilities become more independent.

Buckeye Industries has experienced rapid growth over the past three years, implementing new services and greatly increasing capacity in others. Currently, Buckeye Industries provides structured vocational training and guidance to 96 individuals who participate in the program, 56 of whom are earning a wage through employment.

In Northeast Ohio, the program offers employment opportunities for individuals with disabilities through five distinct business tracts: document destruction, Styrofoam, plastic and cardboard recycling and outsourced production work.

Since August 2011, P.J. has been employed at Buckeye Industries' Madison location. Originally hired to work in the document destruction business tract, P.J. is a hard-working, dedicated

employee who quickly mastered all aspects of the shredding process. His daily routine includes operating all the machinery, loading and unloading the paper bins into the automated tipper, tying off the processed bales and cleaning the room at the end of his shift. P.J. can always be counted on to do his job thoroughly and responsibly.

Recently, P.J.'s employment opportunities expanded to include work on an outsourced production job disassembling 1,560 medical billing machines into three circuit boards, one motherboard, plastic casing, phone handset/receiver, cords, power box, and LED screens. Electronic Surplus, who contracted with Buckeye Industries for the outsourced production job, wants to recycle the precious metals inside the units, as well as the plastic casings. Although P.J. still loves "the monster shredding machine," he welcomes the new opportunity to earn money.

Over the past several years, the lack of employment opportunities for individuals with disabilities has had detrimental effects, as earning



P.J.'s employment opportunities continue to expand.

a wage has become more important than ever.

Although individuals with disabilities receive support from Medicaid, there are significant restrictions on Medicaid coverage for medically required durable equipment including wheelchairs, dentures, prescription eyeglasses, hospital beds, diabetic shoes, as well as for

Continued on next page

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non-formulary prescriptions. Often, individuals must forgo purchasing these items vital to their health and well-being because they have no means of paying for them.

Because of his employment with Buckeye Industries, P.J. has an increased level of independence, giving him the ability to better meet his basic needs. The program also has enabled him to more actively participate in his community by affording him purchasing power to shop locally, increasing sales and revenue for the local businesses that have been facing financial difficulty due to the downturn of the economy. The community-at-large also benefits as it welcomes a new group of residents to the ranks of taxpayers.

On October 1, 2012, New Avenues is excited to announce the opening of Buckeye Industries' fourth location in Northeast Ohio. Sixteen individuals with disabilities will be employed at this location, recycling plastic for the Cleveland Clinic and MetroHealth Medical Center.

In August 2012, the Cleveland Clinic contracted with Buckeye Industries for an outsourced production job sorting and recycling pre-surgical waste plastic, such as empty containers, clear rigid and other plastic packaging, tyvek and blue wrap. Subsequently, we also contracted with MetroHealth Medical Center to pick up their pre-surgical waste plastic.

Participants of Buckeye Industries will sort the plastics by color into bins. Once separated, the materials will be compacted and baled and then shipped to a recycler.

Currently, we know of no other company recycling clinical plastics used in medical facilities. The Cleveland Clinic plans to expand their plastic recycling program into the eight other Cleveland Clinic facilities in the region, thus creating additional opportunities to expand our plastic recycling business tract and employ additional individuals.

Buckeye Industries' success has been recognized by the Ohio Department of Development. In 2011, the Department honored New Avenues as the recipient of Ohio's 2011 Social Entrepreneur Award. Buckeye Industries was selected because it innovatively changed the current employment situation for individuals with disabilities, provided a solution that creates earning potential and alleviated the economic suffering of these individuals ensuring a better economic future for them and the community. ●

Author LINK: Karen Knavel is community relations and housing director for New Avenues to Independence, Inc. She can be reached at kknavel@newavenues.net.

Curriculum Helps People with Disabilities Find Work

By Tom King

The Institute for Community Inclusion (ICI) at the University of Massachusetts Boston is committed to the value that individuals with disabilities should participate in all elements of their community and that employment is a key element for individual's independence and success.

That vision and passion for employment services for people with disabilities has led ICI to create—in collaboration with the University of Minnesota's Research and Training Center on Community Living and Elsevier's College of Employment Services (CES)—an integrated, web-based online curriculum.

Courses are authored by ICI staff and are part of Elsevier's DirectCourse suite of curricula, designed for professionals who work with people with disabilities and other barriers to employment.

According to the U.S. Department of Labor, a huge disparity still exists between people with disabilities and the rest of the population in terms of employment. Only 20% of people with disabilities participate in the labor force, compared to 68.9% of people without disabilities.

“Based on a nationally recognized set of competencies in the field, our curriculum provides employment services staff with the skills to help individuals find employment and start to address the disparity in labor force participation—all the while keeping training costs low,” says Dr. Sheila Fesko, senior research fellow at ICI.

ICI offers support to job seekers, outreach to employers and training for vocational rehabilitation agencies and professionals. “We provide research, advocacy and consultation to help states improve their employment outcomes and help workplaces be more inclusive of people with disabilities and other barriers to employment,” Fesko adds.

Lack of employment and dependence on state and federal benefits creates a cycle of poverty for people with disabilities. Breaking this cycle requires individuals to have meaningful employment in the community that pays at or above minimum wage.

“Economic self-sufficiency is a critical step toward greater inclusion in the community. Besides the economic benefits of a paycheck,



Tom King

work contributes to an individual's identity,” Fesko explains. “Being employed also enables people to develop interpersonal relationships and social networks.”

To support individuals with disabilities moving into the labor force and increasing their financial self-sufficiency, employment staffs need to have tools and knowledge provided through CES.

Current economic conditions make this even more challenging. So staffers require access to promising practices that

are supported by research and tested in the field—and that is where DirectCourse/CES comes in. CES provides employment specialists with best practices and research-based methods so they can help job seekers with disabilities and other barriers find fulfilling paid employment in the community. ●

Author LINK: Tom King is a freelance writer for DirectCourse/College of Direct Support. You can reach him at 865.659.3562 or via email at tkwrites1021@gmail.com.

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A New World of Possibilities

When people ask Tom Riley about his job, his response often surprises people. "My job is to work myself out of a job," Tom says.

Tom is director of Colorado-based *Imagine!*'s CORE/Labor Source department, which has been providing innovative supported employment solutions for people with disabilities and the businesses that employ them since 1984.

Tom sees his role as more than someone who assists individuals with disabilities in finding meaningful employment. He also sees himself as a sort of facilitator, helping members of the community understand what kind of supports they can provide to help individuals with disabilities become more independent and successful. If Tom can be successful in educating the community, his job of having to teach people employment skills will eventually disappear.

Technology is taking Tom's dream of working himself out of a job one step closer to reality, and Kendra's story shows why.

As part of her services through CORE/Labor Source, Kendra is participating in a Project SEARCH program in Boulder, Colorado.

Project SEARCH is a national program that provides real-life work experience to help youth with significant disabilities make successful transitions from school to adult life.

Kendra is currently serving an internship at Boulder Community Hospital, but like many of us, Kendra sometimes struggles to stay focused on her responsibilities. This is where technology comes in. Kendra has been equipped with a smart phone, containing software that provides task prompting for her job duties. When Kendra loses focus or is unsure of her next steps, the task prompter is right there to offer simple, step-by-step guidance through complex job activities.

Using the task prompting system has opened a new world of possibilities for Kendra. In years past, she would have required the constant attention of a job coach or a Direct Support Professional in order to maintain any kind of employment. Now, as she becomes more skilled at using her task prompter, she is

becoming more independent and more capable of fulfilling her job responsibilities with a decreasing amount of supervision.

The task prompting software is enabling Kendra to become a contributing member of her community, paying taxes and spending her hard-earned money at local shops and restaurants. But the benefits of this technology don't end with individuals like Kendra. It also makes it much easier for businesses to hire and retain individuals with disabilities.



Kendra uses technology to stay focused at work.

Something as simple as a handheld task prompter eliminates many of the barriers that have prevented businesses from using this extensive labor pool in the past, and other technologies that address other barriers that have historically limited employment opportunities for people with disabilities seem to be cropping up almost every day. The possibilities seem almost limitless. ●



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Are We Listening?

By Diane McComb
ANCOR Liaison to State Associations

I am haunted by a man I worked with in the 1970s who, almost daily, said to me, "I want a job—a real job."

I was not experienced enough then to understand the possibilities of employment for people with disabilities. I saw the hustle and bustle of the sheltered workshop and day activity programs and thought they somehow filled the need. Yet almost daily, this gentle man would ask me to help him get a job—a real job. I failed this man in the biggest way possible because I lacked a vision for what could be at the time.

"We do not expect more money for services this year. But we do expect states to make better choices. States should cut the crap (segregated services) and fund programs that support people to have real jobs and a real life."

—Teresa Moore

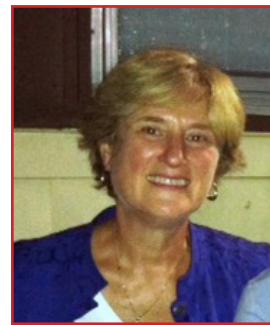
Since that time, we've learned that people with disabilities are excellent employees in every walk of life, and yet, their rate of employment remains virtually unchanged over the last decade with people with intellectual and developmental disabilities losing ground.

The *2011 National Report on Employment Services and Outcomes* shows that the percentage of people with intellectual and developmental disabilities working in integrated settings peaked at 26% in 2003. Today it stands at a mere 20%.

I am a fan of *The Riot!*, a self-advocates' publication, chock full of truthful assessments of how well we are doing in the eyes of those we support. Their message is strikingly similar to the one I heard at the beginning of my career: "I want a job—a real job."

I love the candor of columnist Teresa Moore. In a recent issue, she gets to the point without mixing words: "We do not expect more money for services this year. But we do expect states to make better choices. States should cut the crap (segregated services) and fund programs that support people to have real jobs and a real life."

The 28 states that have adopted Employment First philosophies are moving in the right



Diane McComb

direction. Young people with I/DD (and their families) come to the adult system with the expectation that work is the default rather than day habilitation or sheltered work.

Some states are implementing higher rates of reimbursement for supported employment services than for day habilitation or sheltered work. Some states are no longer paying for sheltered workshops at all. In some states, young people move directly into competitively supported jobs.

And there's more. *National Core Indicator* data from 2010 shows that people living in a family home setting earned wages on average that exceeded those earned in any other setting at \$7.74 per hour. People residing in ICF/MRs earned an average of \$4.71 per hour while people in HCBS group homes earned about \$6.96 per hour.

Those living in independent homes or apartments made \$7.04 per hour, and states that implemented Medicaid Buy-In programs (where people with disabilities can go to work and keep their Medical Assistance benefits) reported that people who work had fewer health care claims against Medicaid regardless of the number of hours they worked.

Over the years, we've learned that given the right training, accommodation and opportunity people with disabilities succeed. For all of us, work defines our sense of self-worth. It is our identity. It stands to reason that the more independent someone is, the better their sense is of their quality of life.

We can do this, one person at a time. Are we listening? ●

Author LINK: Diane McComb is ANCOR's liaison to the State Association Executives Forum. She can be reached at dmccomb@ancor.org.

Providers Share: What is the biggest challenge in finding employment for the people you support?

"Finding employers who are educated about different disabilities and willing to provide natural supports."

—Rick Buxton, RISE Services Inc.

"Resources to pay qualified staff for job development and coaching. Cuts in funding have been most detrimental to community employment services."

—Lori Feldkamp, Big Lakes

"Transportation that would promote independence in their community and surrounding towns and job opportunities that could be carved out so they are not so multi-faceted."

—Pauline Bouffard, Arc of Meriden-Wallingford Inc.

"Matching the employee and their skills with what the employer needs."

—Judi Myers, Gatesway Foundation Inc.

"Probably our biggest challenge is people who are referred for services, but who change their mind or set too many restrictions on their employment options or otherwise sabotage their employment potential."

—Laura Kourajian, HIT Inc.

"Suitable jobs and hours. Sustainability of jobs. Resistance to pursue employment."

—Cliff Doescher, Arc of Greater New Orleans

"Lack of community education regarding employment for people with disabilities."

—Kurtis Mayne, Opportunity Resources Inc.

"The biggest challenge is fear. Families fear loss of benefits and being able to protect their loved ones from potential challenges and failure. Individuals fear the unknown, losing benefits and friends."

—June Schneider, KETCH ●

A Rite of Passage

By Jake Thomas

Summer jobs: We've all had them.

Most students in high school spend their summers trying to balance the requirements of hanging out with friends, being pestered by their parents to get out of bed before noon and to get their hands dirty making some cash—all before that dreadful school bell rings again to usher in a new school year.

These summer jobs have become a rite of passage into adulthood for most young people today. Although short-term, they can help people make lasting connections with their community. This rite of passage is just as true for individuals with disabilities.

Meet Caleb, a 20-year-old who attends school in Grant County.

During the past school year, Caleb was hooked up with Sue Artz, a Region VII transition coordinator for **HIT Inc.**, who worked with him and his parents on determining what he will do when he transitions out of school at age 21. Part of that transition process often involves helping students with disabilities get their first job.

Now, Caleb hits the road every morning at 6:30 with his coworkers, the lunch he packed the night before tucked safely in his lunch bag.

In the car and at the work site, Caleb is just one of the guys. And his story is one that showcases what happens when people don't settle for what is good enough, but instead work to pull together pieces to help individuals achieve goals.

It started earlier this year when Sue was driving back from her initial meeting with Caleb. As she passed the Heart Butte Dam, she said, it hit her: This is where Caleb is supposed to work. She knew that somehow, some way, she needed to make that work for Caleb, so she started making phone calls.

She got in touch with Steve Schadler at Lake Tschida, the lake that is formed by the Heart Butte Dam. She told Steve about Caleb and the opportunity she was trying to create for him, and according to Sue, Steve "was so excited about the idea."

Working with people with disabilities was not

unfamiliar to him. During the Grand Forks flood in 1997, Steve led large crews of people, some of them with disabilities, to clean up and rebuild the city. So when Sue asked if perhaps Caleb could shadow some of the staff who clean and maintain the campgrounds around Lake Tschida, he did one better. He didn't want Caleb to just shadow, he wanted to hire Caleb as a regular part of the crew.

The opportunity was there, but issues remained. There was no funding available for a position for Caleb, and Caleb would need a job coach, and funds would be needed for that position as well.

Sue was able to track down funding to cover Caleb's wages through the Workforce Investment Act administered by North Dakota Job Service. Caleb's job coach would be paid using money from a grant HIT received from the Otto Bremer Foundation in 2012 to provide for such coaching for students with disabilities.

With the funding in place, all that remained was for a job coach to actually be hired to provide guidance and support to Caleb while he is on the job. Warren Sturlaugson filled that role.

Warren had known Caleb through Grant County High School, where he served as an aide in the classroom. Warren was hired, thanks to the funding from the Bremer Grant, as a temporary job coach through HIT. That hire made

it possible for someone who already knew Caleb help him transition into this exciting job opportunity.

All those pieces came together to create an employment opportunity for Caleb this summer. And thanks to the hard work of all involved, including Caleb himself, the opportunity has exceeded expectations.

"It's been a real positive experience so far," said Steve, Caleb's supervisor. He said Caleb is "such a happy, cheerful, person to have in the room...and he's a valued member of our team."

Caleb works as part of a team with Charlie Steinkuehler and Warren. Charlie gives Caleb a ride to and from work each day (30 miles) and is the crew leader.

Like every job, though, the experience has had its ups and downs. Steve noted the first couple



Caleb and Warren at the Lake Tschida campgrounds.

of weeks went well for Caleb, but then things hit a rough patch where the enthusiasm for the job dropped. But because of the hard work by Warren and Caleb, things got back on track.

Warren has noticed some positive changes in Caleb since the job started. "I have enjoyed seeing the growth that has come with this job for Caleb," he said. "He's learned a lot with this experience—above and beyond what I thought.

"Caleb is always coming up with new ideas of how to do different tasks," Warren continued. "There are times where he comes up with ideas that I didn't even think of."

Caleb's mom, Deb, said, "He is so proud of his job." ●

Author LINK: Jake Thomas is a human resource generalist for HIT, Inc., in Mandan, North Dakota, and a member of the HIT Connections newsletter committee. He can be reached at jthomas@hitinc.org or at 701.667.8618.



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Compliance with Federal and State Minimum Wage Rules Mandatory

By Joni Fritz
Labor Standards Specialist

Agencies that support individuals with disabilities are required to pay staff under federal and state minimum wage rules, using whichever is higher. Currently, there are 18 states, plus the District of Columbia, that have higher wage requirements than the federal government, which is \$7.25 per hour. The highest minimum wage is in the State of Washington at \$9.04. Oregon's minimum wage is the next highest at \$8.80. The lowest wages, which are still higher than the federal rate, are found in Michigan and Rhode Island at \$7.40.

According to the Division of Communications in the Wage and Hour Division of the U.S. Department of Labor, there are 10 states (Arizona, Colorado, Florida, Missouri, Montana, Nevada, Ohio, Oregon, Vermont and Washington) that have minimum wages that are linked to a consumer price index. Because of this, the minimum wages in these states are usually increased each year. On January 1, 2012, eight of these ten states increased their minimum wages. Missouri and Nevada did not.

Four states have statutory minimum wages that are lower than the federal rate. These are Arkansas (\$6.25), Georgia (\$5.15), Minnesota (\$6.15) and Wyoming (\$5.15). Alabama, Louisiana, Mississippi, South Carolina and Tennessee have no minimum wage requirement. Employers in these states must comply with federal minimum wage laws unless explicitly exempted.

The remaining 23 states have a minimum wage that is the same as the federal government. Several of these are tied directly to the federal rate. When the federal minimum wage is raised, the state's is raised an equal amount.

Companionship Requirements

Currently, employees who work under rules established for companionship services need not be paid under either the federal minimum wage or overtime rules in the states that have a similar exemption, or in the five states that do not have a minimum wage requirement. The federal rules are currently being reviewed for changes.

The most extreme of these would withdraw the portion of the rule that permits the use of this exemption for third-party employers, like



Joni Fritz

ANCOR members. The exemption can be used until the final rule changes are published. It is expected that this will take some time. ●

Author LINK: Joni Fritz is a labor standards specialist whose guidance is free to ANCOR members and to those who attend a Wage and Hour Workshop or participate in a teleconference that she has conducted. Any ANCOR member who wishes to make arrangements for consultation or workshops with Joni must first contact Jessica Sadowsky, ANCOR director of government relations, for a referral at 703.535.7850, ext. 104.

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DSPs Receive Much Deserved Recognition

This year's National Direct Support Professional Recognition Week was celebrated throughout the country by the U.S. Senate, governors, ANCOR, NASDDDS, the National Alliance for Direct Support Professionals, state associations and individual ANCOR members.

A key initiative of ANCOR's National Advocacy Campaign, DSP Week recognizes Direct Support Professionals for the critical role they play in supporting people with disabilities.

From rallies on the steps of the New York City Hall to grassroots advocacy messages sent from DSPs to Facebook postings across the web, people with disabilities, providers, state agencies and families joined together in recognizing the difference DSPs make on a daily basis for people with disabilities.

ANCOR members celebrated the week in a wide variety of ways. Here are some examples of how they recognized their DSPs:

- ANCOR members Heidi Mansir of Uplift and Mary Lou Dyer of the Maine Association of Community Service Providers—working with other agencies in the state capital region of Maine—took out a full-page ad recognizing DSPs for their dedicated service and included ANCOR's advocacy alert.
- Terry Edelstein of the Connecticut Community Providers Association set up a press conference in which the lieutenant governor spoke, recognizing DSPs for their service.
- The InterAgency Council of DD Agencies organized a rally on the steps of New York City hall that was attended by more than 300 people, including members of the state assembly.
- The MENTOR Network elected to celebrate the entire month and has been profiling a DSP a day on their Facebook page.

ANCOR staff also got into the action and dropped in to visit with area DSPs, bearing breakfast goodies and news of the U.S. Senate Proclamation.

The Senate proclamation continues to demonstrate the bipartisan support for DSP Week. Thanks to this year's advocacy efforts of Danielle DelCarlo, director of government relations for Mosaic, the resolution was sponsored by Senator Ben Nelson (D-NE) and co-sponsored by Senator Susan Collins (R-ME).

The Senate Resolution reinforces to Congress the importance of adequate funding for the direct support workforce to ensure quality home



Mayor Bill Eaton recognizes the dedicated work of DSPs in Russellville, Arkansas.

and community-based supports and services for people with disabilities.

To further highlight the importance of DSPs ANCOR members along with DSPs, family members and individuals served, responded to ANCOR's grassroots advocacy alert by sending nearly 1,200 messages to members of Congress and candidates for federal office.

The ANCOR National Advocacy Campaign also continued their grassroots efforts at the state level. As the direct result, governors in 23 states issued proclamations recognizing the week.

Thank you to everyone for the hard work put into receiving recognition in the following states:

- | | |
|-------------|----------------|
| Arkansas | Massachusetts |
| Arizona | Minnesota |
| California | New Jersey |
| Connecticut | North Carolina |
| Florida | North Dakota |
| Illinois | Oklahoma |
| Indiana | Pennsylvania |
| Iowa | South Dakota |
| Ohio | Tennessee |
| Kansas | Texas |
| Maine* | Virginia |
| Maryland | |

Thank you to all DSPs for giving ANCOR a reason to celebrate, and thank you to all ANCOR members for making DSP Recognition Week a national effort! ●

* Maine's observance was issued by the State Department of Health and Human Services.

ANCOR joined the DSP Week festivities and brought breakfast to recognize DSPs in the metro-Washington, D.C., area.

Here's what some staff members had to say about their experience:

"During DSP week, I had the great pleasure of meeting with the terrific staff at RCM Washington. I delivered breakfast to DSPs and other staff and people served during my visit to one of their residences and also a day program. The staff's enthusiasm and commitment was evident.

"This agency not only celebrates DSP week; they extend it into DSP recognition month. That says a lot!"

—Jerri McCandless, Director of Member Relations and Board Development

"I arrived at St. John's Group Home in Alexandria, Virginia at 6:30 AM armed with bagels, cream cheese, juice and copies of the DSP Senate Resolution 548 and the May/June issue of *LINKS* featuring the 2012 DSP Award recipients. What I found was a gracious and devoted DSP staff serving five individuals with developmental disabilities in a well maintained and caring environment.

"I felt privileged to have been able to provide a breakfast snack and to be able to sit and talk with everyone in the group home. In the final analysis, I believe I got more out of my visit than they did!"

—Marsha Patrick, Director of Resource and Revenue Development

"The DSPs at a home at Chimes were pleased to be acknowledged for their work—and surprised that I was there to recognize them. The ladies in the house were also appreciative of breakfast and had a great time sharing stories about their housemates and work.

"All DSPs at Langton Green were invited to a breakfast party, which Langton Green supplemented in addition to the breakfast ANCOR provided for one home. [DSPs] dropped in... before or after getting the people they support off to their morning activities. Both DSPs and supported individuals enjoyed a breakfast experience different from their usual routine.

"When shown the Senate Proclamation of DSP Recognition Week, DSPs at both Chimes and Langton Green were pleased that their daily work was even known by their state and federal legislators. They stepped back and said, 'Wow! For DSPs?!'"

—Debra Langseth, Education and Foundation Director

Seven States Receive \$20.7 million in Funding for Employment Initiative

On September 20, the U.S. Department of Labor today announced \$20,654,352 for seven states under the Disability Employment Initiative to improve education, training and employment opportunities and outcomes for youth and adults with disabilities who are unemployed, underemployed and/or receiving Social Security disability benefits.

The initiative is jointly funded and administered by the department's Employment and Training Administration and its Office of Disability Employment Policy.

"This program represents our strong commitment to assisting people with disabilities in securing good jobs and providing career pathways," said Secretary of Labor Hilda L. Solis. "These Employment and Training Administration grants will expand the capacity of the public workforce system to provide training and employment services to people with disabilities."

This round of funding is the third under the Disability Employment Initiative, which currently supports 16 state projects. The new grants are being awarded to Florida, Indiana,

Iowa, Louisiana, Massachusetts, Minnesota and Rhode Island and will implement exemplary employment services for individuals with disabilities in the public workforce system. The states with continuing grants under the initiative are Alaska, Arkansas, California, Delaware, Hawaii, Illinois, Kansas, Maine, New Jersey, New York, Ohio, South Dakota, Tennessee, Virginia, Washington and Wisconsin.

All projects under this initiative build upon previous department initiatives by hiring staff with expertise in disability and workforce issues. The grants support extensive collaboration across multiple workforce and disability service systems in each state, including vocational rehabilitation, mental health, intellectual/developmental disability agencies, independent living centers, business leadership networks and other community and nonprofit organizations.

"Everyone should have the opportunity to contribute to today's workforce," said Kathy Martinez, assistant secretary of labor for disability employment policy. "Enhancing the workforce system's ability to provide effective coordinated and collaborative service delivery will help to ensure that people with disabilities

have access to the employment training and supports they need to achieve self-sufficiency."

The department's priority is to serve individuals with disabilities and those who are receiving Social Security disability benefits, and it is working on early intervention strategies to assist people with disabilities before they become disability beneficiaries.

The Disability Employment Initiative expands the public workforce system's participation in the Social Security Administration's [Ticket to Work program](#) by requiring participating state workforce agencies or local workforce investment boards to become active employment networks.

Many Supplemental Security Income and Social Security Disability Insurance beneficiaries use the mainstream workforce system to seek employment opportunities. By serving as employment networks, grantees will expand the capacity of the department's American Job Center network to serve Social Security beneficiaries with disabilities. ●

For more information on this grant, [click here](#).



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Board of Directors News

ANCOR held its Board of Directors elections on October 1. The following candidates were elected as officers/directors:

President



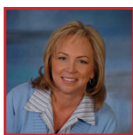
Dave Toeniskoetter,
Dungarvin

Vice President



Chris Sparks,
Exceptional Persons, Inc.

Directors



Michelle Auer, RISE and Bob Bond, ResCare were both re-elected as directors.



Our congratulations to all!

The following scrolled off the Board of Directors as of September 30. Our sincere thank you to all for their incredible high of level of service and commitment to ANCOR.

Past President



Peter Kowalski,
John F. Murphy Homes.

Directors



Nancy Silver Hargreaves,
WCI

Note: This article was provided by ANCOR partner Harleysville Insurance.

By Melanie Lockwood Herman

Is your road to a great risk management program paved with only the best of intentions? Even skilled and experienced nonprofit leaders sometimes find their risk management efforts falling victim to internal and external booby traps. Consider the following tips to avoid common planning pitfalls:

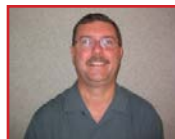
1. **Communicate freely and visibly.** An essential part of any risk management framework is communication, but unfortunately, “communicate” is too often an afterthought. When you wait until your risk management strategies have been fully outlined to communicate them to stakeholders, you are setting a potentially disastrous trap for your program. When people feel uninformed or “out of the loop,” they generally resist new ideas, programs and policies—however great they may be.
2. **Shift your focus.** Instead putting most of your energy into “preventing losses,” shift your focus to spend as much—if not greater—effort on the efficacy of response strategies and your nonprofit’s “bounce back” ability after a major loss or crisis. Over time, every nonprofit will face their share of losses and even crisis events.



Marty Lampner,
Chimes, Inc.



Brad Saathoff,
Black Hills Works



Larry Weishaar,
ResCare, Inc.

Making Risk Management Stick

3. **Start small and experiment.** Consider testing new risk management activities, policies or processes on a small group instead of unleashing an unproven approach on your entire workforce or clientele all at once. Better yet, involve hard-to-please constituents in the design of any new risk management activity. Those involved in early versions of your approach will likely be your most effective ambassadors once the plan is rolled out.
4. **Keep it simple.** When you aim for simplicity in your risk management policies, you do yourself and those who must comply with those policies an invaluable favor. As you review draft policies, identify words, phrases and sections that are unnecessary and therefore can be deleted, rather than asking, “What’s missing?” or “What else could we include?”
5. **Embrace redundancy.** A risk management program aimed at protecting a nonprofit’s mission, financial assets and vulnerable program participants should include overlapping strategies to avoid any single point of failure. Like a car with anti-lock brakes, a camera on the rear bumper, always-on headlights, and side-impact airbags, a “safe” program has built-in redundancies. Never rely on a single policy, staff person or piece of equipment to keep your mission, people and facilities safe.
6. **Strive for feedback, not perfection.** The delay in rolling out many risk management strategies is often due to the desire to create the “perfect” solution that will be widely embraced. Instead of overthinking your approach, build easy-to-access feedback mechanisms into your programs, which encourage others to make suggestions, or to submit complaints.

Following these six tips will help you make your risk management policies “stick” and also help you avoid common pitfalls inherent in the design, launch and implementation of a risk management program. ●



Author LINK: Melanie Lockwood Herman is executive director of the Nonprofit Risk Management Center. The ANCOR Harleysville Insurance Program provides automatic membership to the Nonprofit Risk Management Association.

Melanie welcomes your ideas about any risk management topic, feedback on this article and questions about the Center’s resources at Melanie@nonprofitrisk.org or 202.785.3891.

DSP Credentialing and Training Make a Difference: The PATHS Program

The Ohio Alliance of Direct Support Professionals (OADSP) created the PATHS Credentialing Program in 2002 in order to offer Direct Support Professionals a rigorous and competency-based credentialing program to equip them with the skills needed to provide quality services and supports.

The PATHS curriculum is based on the Community Support Skill Standards, best practice and the NADSP Code of Ethics. Students complete extensive coursework and demonstrate proficiency through the completion of a set of portfolio work samples that are graded by certified portfolio grading teams.

PATHS is the first statewide credentialing program to be accredited by the National Alliance for Direct Support Professionals and is available throughout Ohio through regional courses and licensed entities. The PATHS curriculum is also in use in other states and available nationwide.

Statement of the Problem

Since 2003, DSPs and the people they support have told their stories about the impact of PATHS on their daily lives, and in 2004, PATHS won the Moving Mountains Award. The anecdotes and accolades were inspiring, but not enough. We decided it was time to conduct research to determine the actual effects of training and credentialing on DSPs.

Since we could not find a sufficient amount of data, OADSP—in collaboration with the

Mid-East Ohio Regional Council and Muskingum Valley Educational Service Center—created a process to define important outcomes and evaluate the effect of the PATHS Credentialing Program in Ohio.

Survey Highlights

Data was collected through a survey process. While participants were asked to complete surveys in September 2010 and February 2011, the survey process is ongoing. Here are highlights from surveys thus far:

- The average length of service for PATHS grads (8.1 years) was higher than non-PATHS DSPs (4.9 years).
- The crude separation rate is lower for graduates (4.4%) than non-PATHS DSPs (22.5%).
- The retention rate for PATHS graduates (95.6%) was significantly higher than the Ohio average retention rate of 59.7% reported in the 2010 OPRA Key Findings document.
- PATHS graduates (44.1%) have increased their organizational participation when compared to non-PATHS DSPs (10.5%).
- Employers (80%) reported a preference for hiring PATHS graduates if given the choice.

What It Means

These early preliminary results demonstrate



Graduates of the PATHS Credentialing Program

that effective training and credentialing of DSPs makes a difference. These graduates stayed on the job longer and took on leadership roles in their organizations.

Further research will attempt to expand upon these findings, but even these results show that it is important for employers to support DSPs to enhance their professional identity and their skills through training and credentialing.

Next Steps

PATHS is working to continuously improve its course offerings and make them more accessible to DSPs in Ohio and throughout the country. It is now working with Essential Learning to develop several of the PATHS courses in a web-based format so that DSPs can access the courses electronically. ●

For more information about PATHS, please contact Amy Gerowitz at agerowitz@me.com.

The American Network of Community Options and Resources (ANCOR) was founded in 1970 to provide national advocacy, resources, services and networking opportunities to providers of private supports and services. LINKS provides a nexus for the exchange of information, ideas and opinions among key stakeholders.

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