

UNITED STATES DISTRICT COURT FOR THE DISTRICT OF
RHODE ISLAND

UNITED STATES OF AMERICA
Plaintiff

v.

C.A. No 14-175

STATE OF RHODE ISLAND
Defendant

QUARTERLY STATUS REPORT ON COURT ORDERED PLACEMENTS:

OCTOBER 1, 2016 THROUGH DECEMBER 31, 2016

Issued: June 13, 2017

Background. This report summarizes supported employment placement and related data for the fourth quarter, October 1, 2016 through December 31, 2016. Data was drawn from the State's Consent Decree Database, which provides information on the employment services received and outcomes achieved by members of the four Consent Decree Target Populations.¹ The Database aggregates primary source data gathered and reported by the Division of Developmental Disabilities (DDD), the Office of Rehabilitative Services (ORS), the Rhode Island Department of Education (RIDE), and the survey of provider agencies conducted by the Sherlock Center on Disabilities at Rhode Island College (Sherlock Survey).

The attached Consent Decree Data Report, prepared by DDD and reviewed by the Court Monitor, documents the extent to which the State is achieving the benchmarks and performance outcomes required by the Consent Decree across the four Target Populations. The total number of Target Population members engaged in integrated employment increased during each calendar quarter in 2016 from 204 individuals on March 31, 2016 to 482 individuals on December 31, 2016. Integrated employment became a reality for 278 individuals during this nine-month period including: 106 members of the Youth Exit Target Population, 56 members of

¹ Consent Decree Target Populations: the Sheltered Workshop Target Population, the Day Target

the Sheltered Workshop Target Population, and 116 members of the Day Target Population (See Appendix, Report 2). Key findings for the quarter ending December 31, 2016 include the following:

1. **Target Population Census.** The total unduplicated number of individuals in the Consent Decree’s four Target Populations was 3,443 on December 31, 2016:² Each of these persons is required to receive a Career Development Plan, updated annually, and Benefits Planning during the year that they obtain a supported employment placement or, for members of the Youth Transition Target Population, not later than the year prior to exiting secondary school. The total number of individuals required to be placed in integrated supported employment is 2,686. This number does not include members of the Transition Target Population or individuals who were employed during 2012, the based year for Consent Decree calculations. The total number of individuals to be placed by target population is:
 - a. Sheltered Workshop Target Population – 658
 - b. Day Target Population – 1,532
 - c. Youth Exit Target Population – 496

2. **Individual Employer Paid Employment.**³ The number of Youth Exit Target Population members who received a supported employment placement increased throughout the year from 26 individuals on March 31, 2016 to 135 individuals on December 31, 2016. While positive gains were made in every quarter during 2016, the total number of placements represents only 27.2% of the Consent Decree benchmark of 496 individuals in this population (See Table 1).

Table 1			
Supported Employment Placements			
Target Population	Individuals Placed	Benchmark	% of Benchmark
Youth Exit	135	496	27.2%
Sheltered Workshop	113	100	113%
Day Program	234	50	468%

² See attached Consent Decree Reports: Data for Quarter Ending 12/31/16

³ See Attachment, Report 2

By December 31, 2016, a total of 113 members of the Sheltered Workshop Target Population had received a supported employment placement, exceeding the Consent Decree benchmark of 100 individuals employed (Table 1).

The number of individuals in the Day Target Population who received a supported employment placement by December 31, 2016 was 234, far surpassing the Consent Decree benchmark of 50 individuals.

The average number of hours worked per week by members of the three target populations changed little during 2016 and is below the required benchmark of 20 hours per week. On December 31, 2016, members of the Youth Exit Population worked on average 13.7 hours per week; members of the

Sheltered Workshop Target Population averaged 11.6 hours per week; and members of the Day Target Population averaged 10.6 hours per week (see Attachment, Report 4).

3. Career Development Planning

(See Table 2). Overall, the number of individuals with Career Development Plans more than doubled from 714 on March 31, 2016 to 1,983 on December 31, 2016. While progress has been made, the percentage of target population members with Career Development Plans continues to fall below the required benchmarks across each target population (See Attachment, Report 3a).

Table 2			
Career Development Planning			
Target Population	Individuals with CDPs	Benchmark	% of Benchmark
Youth Transition	446	539	83%
Youth Exit	294	496	59%
Sheltered Workshop	387	718	54%
Day Program	856	1,690	51%

4. Benefits Planning. The number of Target Population members with benefits plans should be roughly equal to the number of individuals who are employed. On December 31, 2016 the number of individuals with Benefits Plans fell short of the

Table 3			
Benefits Planning			
Target Population	Individuals with BPs	Benchmark	% of Benchmark
Youth Exit	114	135	84%
Sheltered Workshop	70	113	62%
Day Program	131	234	56%

Consent Decree requirements for the Youth Exit, Sheltered Workshop and Day Target Populations (See Attachment Report 3b).

Summary

DDD, in collaboration with ORS and RIDE, has significantly improved its ability and capacity to gather, aggregate and analyze the outcome and system performance data that are required by the Consent Decree. Continued efforts need to be placed on expanding the integrated employment placements among the Youth Exit Target Population. The attached Consent Decree Data Report details the State's progress on meeting key benchmarks and activities.

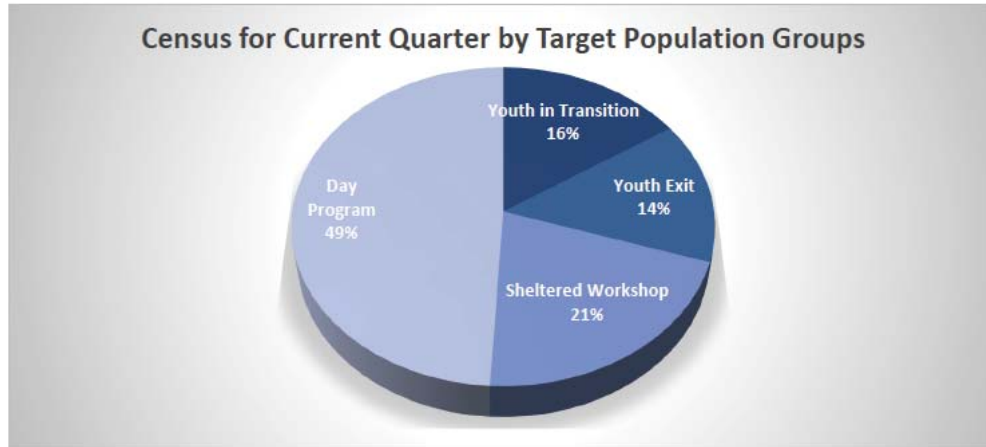
Respectfully Submitted,

Charles Moseley EdD
U.S. District Court Monitor

APPENDIX

Consent Decree Reports Data for Quarter Ending 12/31/2016 Report 1: Current Consent Decree Population

Report Date: 4/15/2017



REPORT 1 - Current Census	Youth in Transition	Youth Exit	Sheltered Workshop	Day Program	Unduplicated Total
Total Individuals	539	525	803	1,945	3,812
- Individuals deceased since January 2013	0	1	51	193	245
- Voluntarily left services	0	28	34	62	124
Census for Current Quarter	539	496	718	1,690	3,443
Population as a % of Census	15.7%	14.4%	20.9%	49.1%	100.0%
- Individuals employed in 2012	0	0	60	158	218
Target Population for Employment ¹ (Census Less Those Employed in 2012 and Transition)	0	496	658	1,532	2,686

Census - Quarter to Quarter Changes^{2,3}

Target Population Group	Q 3/31/2016	Q 6/30/2016	Q 9/30/2016	Q 12/31/2016
Youth in Transition	470	440	439	539
Youth Exit	132	243	478	496
Sheltered Workshop	759	732	720	718
Day Program	1,601	1,675	1,704	1,690
Unduplicated Total	2,962	3,090	3,341	3,443

Notes:

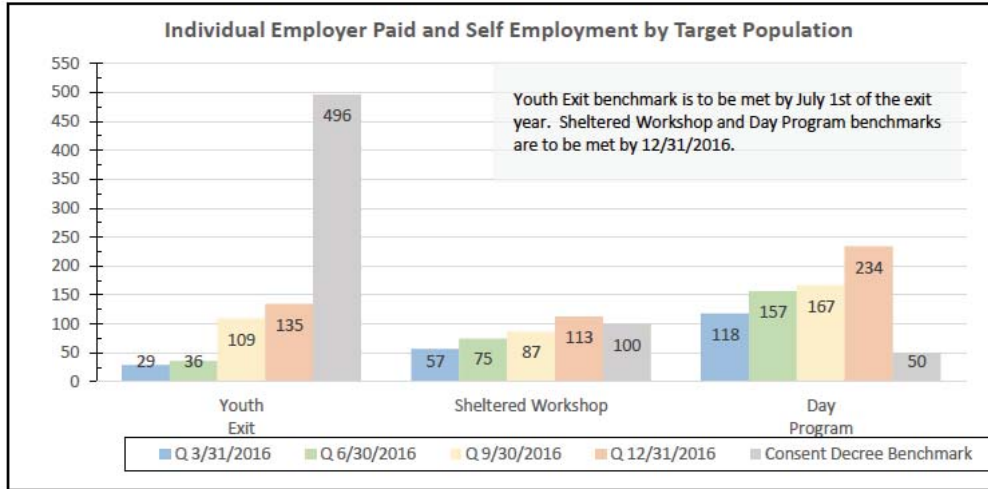
¹The Target Population for Employment is tracked for reporting of newly obtained employment. Individuals employed in 2012 are excluded from the Consent Decree targets for new employment. All other reports are based on the Census for Current Quarter.

²Changes between quarter 2 and quarter 3 are due to further identification of youth exit population from years 2014-2016, addition of some 2017 youth exit members, and reassignment of sheltered workshop and day program members to the correct group.

³Data for all quarters now reflects the subtraction of individuals who have voluntarily closed to adult services.

Consent Decree Data Reports
Data for Quarter Ending 12/31/2016
Report 2: Consent Decree Target Population Employment

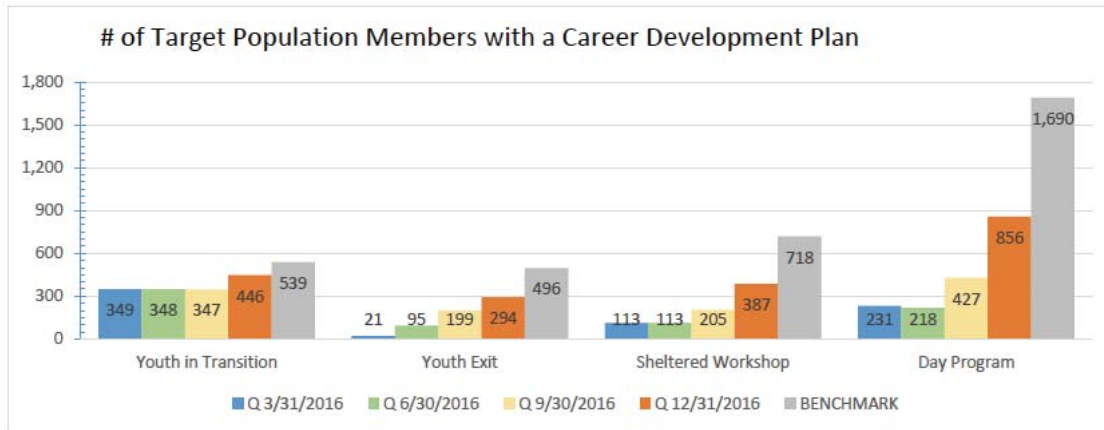
Report Date: 4/15/2017



EMPLOYMENT BY TARGET POPULATION	Youth Exit	Sheltered Workshop	Day Program	Unduplicated Total
Target Population for Employment	496	658	1,532	2,686
Benchmark for Employment	496	100	50	646
Total Individuals in INDIVIDUAL EMPLOYER PAID Employment				
Q 12/31/2016	135	113	234	482
Total Competitive and Self Employment Percentages				
<i>% of Target Population</i>	<i>27.2%</i>	<i>17.2%</i>	<i>15.3%</i>	<i>17.9%</i>
<i>% of Benchmark</i>	<i>27.2%</i>	<i>113.0%</i>	<i>468.0%</i>	<i>74.6%</i>
Quarter to Quarter Performance				
Q 12/31/2016	135	113	234	482
Q 9/30/2016	109	87	167	363
Q 6/30/2016	36	75	157	268
Q 3/31/2016	29	57	118	204

**Consent Decree Data Reports
Data for Quarter Ending 12/31/2016
Report 3a: Career Development Plans**

Report Date: 4/15/2017

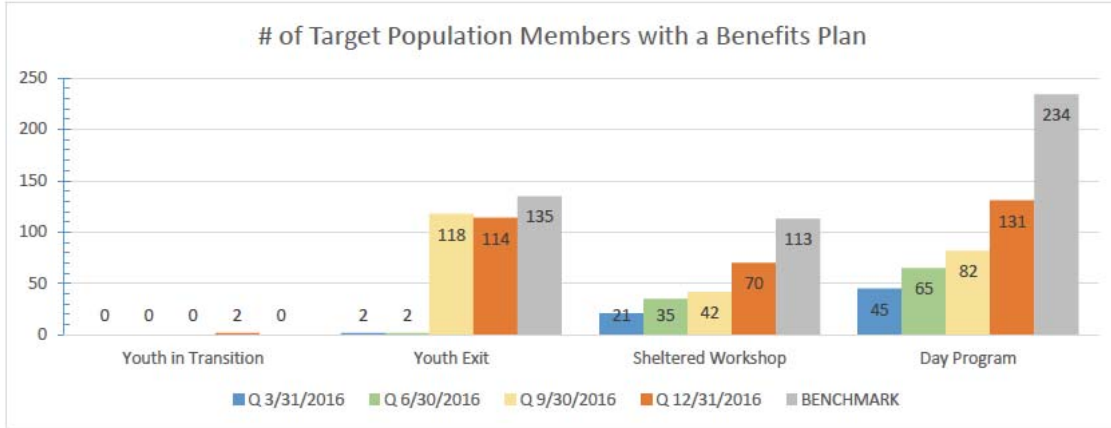


Career Development Plan (CDP) Exists

	Q 3/31/2016	Q 6/30/2016	Q 9/30/2016	Q 12/31/2016	BENCHMARK	% of Benchmark
Youth in Transition	349	348	347	446	539	83%
Youth Exit	21	95	199	294	496	59%
Sheltered Workshop	113	113	205	387	718	54%
Day Program	231	218	427	856	1,690	51%
Unduplicated Total	714	774	1,178	1,983	3,443	58%

**Consent Decree Data Reports
Data for Quarter Ending 12/31/2016
Report 3b: Benefits Plans**

Report Date: 4/15/2017



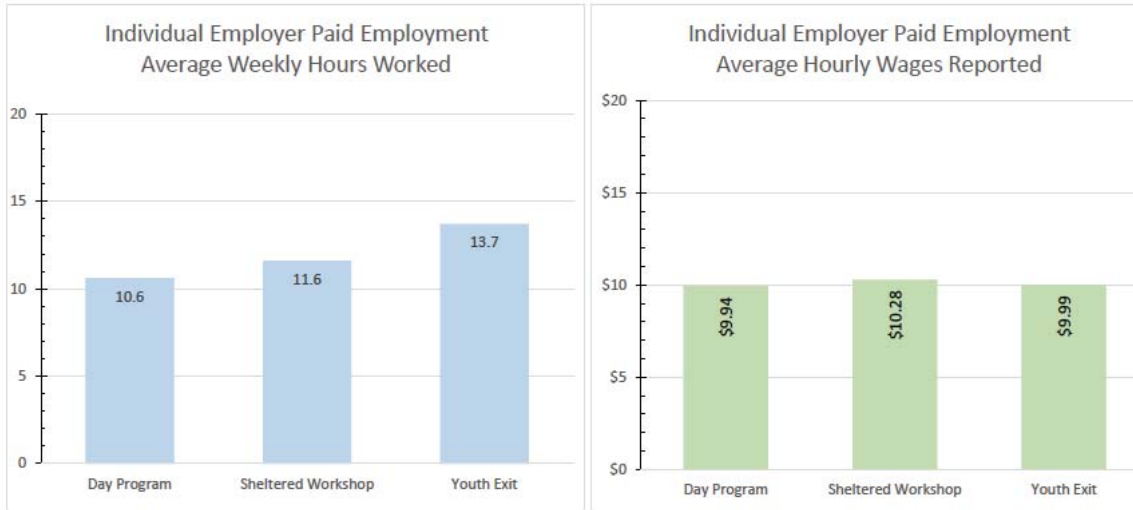
Benefits Plan (BP) Exists

	Q 3/31/2016	Q 6/30/2016	Q 9/30/2016	Q 12/31/2016	BENCHMARK	% of Benchmark
Youth in Transition	0	0	0	2	--	--
Youth Exit	2	2	118	114	135	84%
Sheltered Workshop	21	35	42	70	113	62%
Day Program	45	65	82	131	234	56%
Unduplicated Total	68	102	242	317	482	66%

Note: The benchmark for benefits plans is based on the number of individuals employed. Benefits Plans can also be done for those not yet employed, so the total may exceed the benchmark.

Consent Decree Data Reports
Report 4: Average Weekly Hours and Hourly Wages

Report Date: 4/15/2017



Individual Employer Paid Employment						
Target Population Unduplicated Counts	Measure	Total Population	Weekly Hours Worked	Hourly Wage	Worked 20+ Hours	% With 20+ Hours
Day Program	# Reporting	139			21	15.1%
	Average		10.6	\$9.94		
Sheltered Workshop	# Reporting	66			14	21.2%
	Average		11.6	\$10.28		
Youth Exit	# Reporting	120			32	26.7%
	Average		13.7	\$9.99		

Notes:

1 # Reporting equals the count of individuals reporting hours or wages above minimum wage.

Comparison of Consent Decree Reports and Sherlock Report

Report 1:

- 1 The Sherlock Report Target Population Census includes those in the count who are deceased (245), but excludes those who have voluntarily closed to services (124), for a Target Population Census of 3688.

The Census in the Consent Decree Report starts at 3812. Subtracting those who have voluntarily closed equals 3688 and then subtracting those who are deceased equals the 3443 Current Census count.

Report 2:

- 1 Employment numbers in the Consent Decree Reports exclude those employed in 2012. The Sherlock Report includes this population. This contributes to differences between the two reports.
- 2 The Consent Decree Report includes additional data from ORS and BHDDH from after the Sherlock survey period. This contributes to differences between the two reports.
- 3 The Sherlock Report data includes multiple categories of employment for individuals, while the survey employment data supplied to the Consent Decree database has been collapsed into one employment category, even if individual had more than one type of employment. As a result, for example, self-employment underreported in the Consent Decree data (12) when compared to the Sherlock Report (42).

Report 3a&b:

- 1 Survey respondents may be underreporting CDP and BP due to confusion of what a Career Development Plan or Benefit Plan is, and when one may have been done.
- 2 BHDDH has started collecting and tracking CDPs, and received a large number after the Sherlock survey period.