

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 REPORT OF THE COURT MONITOR ON THE STATUS OF
COURT ORDERED PLACEMENTS**

APRIL 1, 2018 THROUGH JUNE 30, 2018

SEPTEMBER 4, 2018

Background

This report reviews the State's progress on achieving supported employment placement and performance outcomes required by the Consent Decree and Interim Settlement Agreement across all Target Populations for the calendar quarter, April 1, 2018 through June 30, 2018. The assessment is based on the State's quarterly Consent Decree data report (see Attachment).¹ Progress is measured against placement benchmarks to be achieved by January 1, 2019.

Target Population Census

The total unduplicated number of individuals in the Consent Decree's four Target Populations was 3,498 on June 30, 2018, slightly higher than the total reported for the previous quarter. Adjusting the census figures to reflect the numbers of individuals who are no longer involved with developmental disabilities services yields a total of 2,414 individuals across the four target populations who must be provided with the opportunity to receive a supported employment placement.² This number does not include the 838 members of the Transition Target Population³

¹ Consent Decree Data Reports Data for Quarter Ending June 30, 2018.

² See Attachment, Report 1 Current Consent Decree Population, Target for Employment.

³ The Consent Decree does not include placement targets for members of the Youth Transition Target Population.

nor individuals who were employed during 2012, the base year for Consent Decree calculations. The number of individuals to be placed by target population (updated) is as follows:

- a. Sheltered Workshop Target Population - 693
- b. Day Target Population - 1,541
- c. Youth Exit Target Population - 426

The active census of individuals in each of the Consent Decree Target Populations varies slightly from quarter to quarter depending on individual circumstances and the State’s continuing efforts to identify and track target population members.

Supported Employment Placements

The Consent Decree and the ISA require the State to meet numerical benchmarks regarding the number of target population members who must receive a supported employment placement during the pendency of the two agreements. A placement is counted only once for each individual. Placements achieved by target population members who subsequently leave, suspend or terminate their employment are considered to be inactive but continue to be credited against the State’s overall placement requirements.

The total number of target population members who received a supported employment placement in an integrated competitive employment setting including individuals previously classified as closed placements increased from 744 on March 31, 2018 to 786 on June 30, 2018, a gain of 42 individuals for the quarter (see Table 1).

Table 1 Quarterly Placement Summary September 2016 - June 2018		
Quarterly Report	Number Placed	Total Employed
Sept 2016		268
Dec 2016	95	363
Mar 2017	119	482
June 2017	62	544
Sept 2017	29	573
Dec 2017	44	617
Mar 2018	127	744
June 2018	42	786

The Consent Decree sets annual benchmarks for the placement of members of the Sheltered Workshop and Day Program Target Populations that increase on January 1st of each year. All members of the Youth Exit Population were required to have received a supported employment placement by July 1, 2016. The State was not able to fully identify all of

the members of this population until late 2016. Continued outreach efforts are being made by the State to locate, contact and track all members of this population.

Table 2 identifies for each Consent Decree population the annual target number of individuals required to receive a supported employment placement, the aggregated year-over-year total, and the number of placements made by January 1st of each year. The number of individuals in the “Placed to Date” column is revised quarterly.

Table 2 Consent Decree Placement Benchmarks and State Performance Through June 30, 2018								
Year	Sheltered Workshop Population			Day Target Population			Youth Exit Population	
Jan 1 of:	Annual Target	Aggregate Target	Placed to Date	Annual Target	Aggregate Target	Placed to Date	Target	Placed to Date
2016	50	50	57	25	25	118	413	29
2017	50	100	87	25	50	167	413	109
2018	50	150	205	50	100	346	426	235
2019	50	200		50	150		413	
2020	100	300		75	225		413	
2021	100	400		100	325		413	
2022	100	500		200	525		413	
2023	100	600		200	725		413	
2024	100	700		225	950		413	

Youth Exit Population. The number of individuals in the Youth Exit Population has increased each quarter during the past two years as a result of the State’s continuing efforts to contact all members of this group and determine their interest in receiving supported employment services and placements. DDD identified a total of 426 Youth Exit Target Population members for the quarter ending June 30, 2018, an increase of 1 individual over the 425 persons reported during the previous quarter. The number of active Youth Exit Population members reported to have received a supported employment placement as of June 30, 2018 was 235 representing approximately 55% of the placement benchmark for this population (see Table 3).

DDD and ORS are implementing their previously submitted and approved plan to provide supported employment placements for all remaining Youth Exit Population Members who choose competitive employment (426). The plan calls for the placement of 50% of the Target

Population by April 30, 2018, and 100% by September 30, 2018. All remaining individuals (191) are to receive a supported employment placement by September 30, 2018.

Sheltered Workshop Target

Population. Placements were recorded for four (4) Sheltered Workshop Target Population members during the quarter ending June 30, 2018, bringing

Table 3 Supported Employment Placements for Quarter Ending June 30, 2018				
Target Population	Placement This Qtr.	Total Placements	Benchmark	% Benchmark
Youth Exit	2	235	426	55%
Sheltered Workshop	4	205	200	103%
Day Target	36	346	150	231%

the total number of active placements achieved to date to 205 for this target population, slightly exceeding the benchmark of 200 persons who needed to receive supported employment placements by January 1, 2019 (Table 3).

Day Target Population. The total number of individuals in the Day Target Population who received a supported employment placement by June 30, 2018 was 346, an increase of 36 individuals over the previous quarter. This represents more than double the Consent Decree requirement that placements be provided to 150 individuals from this target population by January 1, 2019.

Average Weekly Hours and Earnings (see Attachment Report 4). The average number of hours worked per week by members of the three target populations during the quarter ending June 30, 2018 was approximately 11.26 hours, a decline of a little over one hour per week as compared to the previous quarter. On June 30, 2018, 94 members of the Youth Exit Population were reported to have worked on average 14.2 hours per week; 185 members of the Sheltered Workshop Target Population averaged 11.8 hours per week; and 298 members of the Day Target Population averaged 10 hours per week. The average hourly wage earned individuals across all target populations was \$10.86, a slight increase from the prior quarter. The percentages of target population members working more than 20 hours per week decreased slightly for the Day and Sheltered Workshop Target Populations but improved for the Youth Exit Target Population.

Career Development Planning

Data reported by the State on the numbers of individuals with career development plans includes individuals whose plans are in process and expected to be completed in the near future (see Attachment Report 3a). As shown in Table 4, career development plans are in place for all members of the Youth Exit, Sheltered Workshop and Day Target Populations and for 99.5% of the Youth in Transition Population.

Table 4			
Career Development Planning for the Quarter Ending June 30, 2018			
Target Population	Individuals w/ CDP	Benchmark	% Benchmark
Youth Transition	834	838	99.5%
Youth Exit	426	426	100%
Sheltered Workshop	693	693	100%
Day Target	1,541	1,541	100%

Benefits Planning

The percentage of individuals with benefits plans increased in the Sheltered Workshop Target Population increased from 88% to 98%. The percentage of individuals with benefits plans in the Youth Exit and Day Target Populations, however, remained roughly the same at 74% and 75% respectively. Although the numbers of individuals with benefits plans who are employed in competitive jobs increased by 18 persons, the overall percentage of working individuals with plans decreased to approximately 50% (see Table 5).

Table 5			
Status of Benefits Planning for the Quarter Ending June 30, 2018			
Target Population	Individuals w/ BPs	Benchmark	% Benchmark
Youth Transition	NA	NA	
Youth Exit	170	231	74%
Sheltered Workshop	184	203	91%
Day Target	252	334	75%
Total	606	768	79%
Total Employed w/ B Plans	387	768	50%

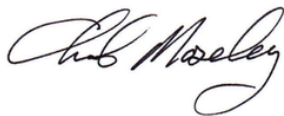
Summary

The numbers of individuals who received a supported employment placement during the first and second calendar quarters of the year exceed the Consent Decree benchmarks that must be met by January 1, 2019 for the Sheltered Workshop and Day Target Populations. The total number of Youth Exit Population placements to date are meeting 55% of the January 1, 2019 requirement.

The average number of hours worked per week has remained virtually unchanged during the past four quarters at 10 to 14 hours per week depending on the population (see above). On March 24, 2017 DDD submitted to the Monitor a *Plan for Increasing the Number of Hours Worked by Consent Decree Target Population Members*. The plan was well designed, initially focusing on the Youth Exit Population, identifying system needs and barriers, laying out the steps to ensure data quality and collection, and strengthening collaboration with DD providers. A list of implementation strategies to be used to accomplish the intended outcomes was also included. Although the plan was well constructed the intended objective does not appear to have been reached. A comparison of the weekly hours worked for the quarter ending June 30, 2018 with the weekly hours worked for the quarter ending March 31, 2017 reveals no progress on achieving this goal during the past 15 months.

DDD is requested to review the current Plan in consultation with ORS, the Sherlock Center Conversion Institute, provider organizations and others as determined by the Division to consider revisions to the plan that might be warranted and to identify additional steps to take to increase the hours worked among employed members of the target populations. The State notes that additional information currently is being gathered on the status and preferences of Consent Decree Target Population members working in supported employment placements with respect to the hours they are working each week. The State intends to include this information in its analysis and revision of the current plan for increasing hours worked. A copy of the revised plan and implementation strategy is to be submitted to the Monitor as an appendix to the State's Quarterly Report for the period ending December 31, 2018. The Consent Decree Coordinator is requested to regularly inform the Monitor on the progress of the plan's revision and to submit a brief summary update as a part of the State's Quarterly Report for the period ending September 30, 2018.

Respectfully Submitted,

A handwritten signature in black ink, appearing to read "Charles Moseley". The signature is fluid and cursive, written in a professional style.

Charles Moseley EdD
Court Monitor
September 4, 2018