

# Chapter 3

## Additional Considerations for Youth with Disabilities

The purpose of this chapter is to describe:

- legislation that supports entrepreneurial activities for youth with disabilities;
- additional factors that should be considered when providing entrepreneurship education to youth with disabilities, namely accommodations, universal design strategies, and financial planning; and,
- resources available to assist youth with disabilities interested in self-employment and entrepreneurship.

Chapters 1 and 2 addressed the merits of entrepreneurial education and described standards, programs, activities, and strategies relevant to providing entrepreneurship training to all youth, including those with disabilities. Some youth with disabilities may require accommodations to derive the maximum benefit from those standards, programs, and activities.

Accommodations are defined as “changes” made in a classroom, worksite, or assessment procedure that help people with disabilities learn, work, or receive services. Accommodations are not designed to lower expectations for performance in school or work, but rather to alleviate the effects of a disability. In addition, while financial planning is an important part of entrepreneurial education for all youth, in the case of youth with disabilities, such planning should include consideration of available work incentives and benefits planning.

**Legislation** — Legislation has evolved over the years to provide support to persons with disabilities. Some

helps youth with disabilities while in school. Other legislation supports small business ownership generally. In addition, there is legislation specifically geared to promoting self-employment and small business ownership for persons with disabilities. A number of the laws that address services and supports to persons with disabilities generally, also provide some form of technical assistance or financial support to persons with disabilities pursuing self-employment and/or the programs that provide small business-related education and services. Table 3.1 describes each of these laws and the nature of the individual or programmatic support it provides.

**Individuals with Disabilities Education Act (IDEA)** — IDEA guarantees youth with disabilities the right to a free, appropriate education. Youth are eligible for special education services up to age 18, or through age 21, at the discretion of the state, based on an assessment of needs. Funds under Part B of IDEA are allocated to State Education Agencies (SEAs) based on the number of children with disabilities aged 3-21 who are receiving a free, appropriate public education within each state. Funds available to each state are distributed to Local Education Agencies (LEAs) in a similar fashion.

Once a youth is determined eligible, special education services are provided based on an Individualized Education Program (IEP) developed by an IEP team working with the student and his/her family. Special education services may include supplemental aids and

services that are provided in regular education classes, or other education-related settings to allow children with disabilities to be educated with their non-disabled peers to the maximum extent appropriate. Transition services are allowable under Part B of IDEA. Under the 2004 amendments to IDEA, transition planning must begin by age 16.

**Small Business Act** — The Small Business Act created the U.S. Small Business Administration (SBA) in 1953. Since its inception, the SBA has grown in terms of total assistance provided and the array of programs it offers tailored to encourage small enterprises. SBA's programs now include financial and federal contract procurement assistance, management assistance, and specialized outreach to women, minorities, and armed forces veterans through a network of Small Business Development Centers (SBDCs). The SBA also provides loans to victims of natural disasters and specialized advice and assistance in international trade. In 2006, SBA in partnership with Junior Achievement, launched <[www.mindyourownbiz.org](http://www.mindyourownbiz.org)> to encourage youth to participate in entrepreneurship activities.

**Workforce Investment Act (WIA)** — WIA, enacted in 1998, is the cornerstone of the publicly funded workforce development system and provides workforce investment services and activities through local One-Stop Career Centers, or "One-Stops." The One-Stop delivery system provides a full menu of job training, education, and employment services at a single location where adults, veterans, dislocated workers, and youth may receive skills assessment services, information on employment and training opportunities, unemployment services, job search and placement assistance, and up-to-date information on job vacancies. Services at the One-Stops are divided into core and intensive services. Core services are available to everyone and include outreach, intake and orientation, initial assessment, determination of eligibility for additional intensive services, job search and placement assistance, career counseling, and labor market information.

In early 2005, the Employment and Training Administration (ETA) of the U.S. Department of Labor issued Training and Guidance Letter 16-04, "Self-Employment Training for Workforce Investment Act

Clients," to encourage the workforce investment system to make entrepreneurial training opportunities available for people interested in self-employment under Title I of the Workforce Investment Act of 1998. ETA asked that states encourage local workforce investment boards to consider entrepreneurial training programs for WIA customers as part of their menu of services, to explore appropriate partnerships to support these training programs, and to include entrepreneurial training providers on their eligible training provider lists.

**WIA, Title I Youth Programs** — Youth with disabilities typically receive services under WIA's youth funding stream. WIA youth services are available for both in-school and out-of-school youth ages 14 to 21. Eligibility is based on being low income *and* having one or more of the following characteristics: deficiency in basic literacy skills, a high school dropout, homeless, a runaway, a foster child, pregnant or a parent, an offender, or an individual who requires additional assistance to complete an educational program or to secure and hold employment. Even if the family of a youth with a disability does not meet the income eligibility criteria, the youth may be considered a "family of one" if the youth's own income meets the income criteria. In addition, up to five percent of the youth served in a local area can be exempted from the low-income requirement, if they meet certain criteria. Each local area must provide the following services for youth:

- tutoring, study skills training, and instruction leading to completion of secondary school, including dropout prevention strategies;
- alternative secondary school services, as appropriate;
- summer employment opportunities that are directly linked to academic and occupational learning;
- paid and unpaid work experiences, including internships and job shadowing, as appropriate;
- occupational skills training, as appropriate;
- leadership development opportunities, which may include community service and peer-centered activities encouraging responsibility and other positive social behaviors during non-school hours, as appropriate;

- supportive services;
- adult mentoring for the period of participation and a subsequent period, for at least 12 months;
- follow-up services for at least 12 months after the completion of participation, as appropriate; and,
- comprehensive guidance and counseling, which may include drug and alcohol abuse counseling and, referral, as appropriate.

Youth services are available through One-Stop Career Centers, but are frequently delivered throughout local communities by eligible youth service practitioners chosen by the Local Workforce Investment Board (LWIB) through a competitive process.

**Social Security Act** — The Social Security Act was signed into law in 1935. The original law provided a wide range of programs to meet the nation’s needs. The Social Security Amendments of 1954 initiated the first disability insurance program which provided the public with additional coverage against economic insecurity. Monthly Social Security Disability Insurance (SSDI) benefits were first established by the Social Security Amendments of 1956. Benefits were provided for disabled insured workers between the ages of 50 and 65, and for disabled children of retired or deceased insured workers if the child was disabled before age 18. In September of 1960, President Eisenhower signed a law amending the disability rules to permit payment of benefits to disabled workers of any age and to their dependents.

In the 1970s, SSA became responsible for a new program, Supplemental Security Income (SSI). Funded from the general revenues, SSI makes monthly payments to people who have low income and few resources and are one or more of the following: age 65 or older, blind, or disabled. A child under age 18 can qualify if he or she meets Social Security’s definition of disability for children, and if his or her family’s income and resources fall within the eligibility limits.

The Ticket to Work and Work Incentives Improvement Act of 1999 created a Ticket to Work and Self-Sufficiency Program under which disability beneficiaries receive tickets which can be used to obtain vocational rehabilitation services, employment services, and other support services from providers

that SSA has approved to participate in the program (referred to as Employment Networks or ENs). A beneficiary may assign his/her ticket to the EN of his/her choice. If the EN accepts the ticket assignment, a representative of the EN and the beneficiary work together to develop an individual work plan that outlines the services and supports the beneficiary will receive. When the beneficiary goes to work and maintains that work for a certain period of time, SSA provides the EN working with that beneficiary with milestone payments as prescribed in SSA regulations for the Ticket Program. If the beneficiary goes to work and earns enough to trigger the discontinuation of cash disability benefits, SSA provides the EN with outcomes payments over a period of up to 60 months (i.e., based on the beneficiary continuing work) that are equal to a percentage of the savings resulting from the discontinuation of the cash benefits. In addition, this legislation provides people with disabilities who are working and earning more than the allowable limits for regular Medicaid, the opportunity to retain their health care coverage through Medicaid (the so called “Medicaid buy-in”). Moreover, it allows working people with disabilities to earn more income without the risk of losing vital health care coverage.

There are a number of other work incentive provisions in the Social Security legislation. For example, under a Plan for Achieving Self-Support (PASS) a person can set aside money for an educational or training program or to start a business without it counting as income for purposes of determining benefit eligibility.

**Carl D. Perkins Act** — Funds available under the Carl D. Perkins Career & Technical Education Act can be used for a broad range of programs, services, and activities designed to improve career and technical education and ensure access to students who are members of populations with special needs. Although age is not specified for eligibility, these programs are generally geared toward individuals in secondary and post-secondary schools, particularly high school and community college students.

**Developmental Disabilities Act (DD Act)** — Administered by the Administration on Developmental Disabilities in the U.S. Department of Health and Human Services, the DD Act was created to ensure that

people with developmental disabilities and their families receive the services and supports they need to reach their maximum potential through increased independence, productivity, inclusion, and community integration. A developmental disability, as defined by the DD Act, is a physical or mental impairment that begins before age 22, and alters or substantially inhibits a person's capacity to do at least three of the following:

- take care of themselves (e.g., dress, bathe, and eat);
- speak and be understood clearly;
- learn;
- walk/move around;
- make decisions;
- live on their own; and,
- earn and manage an income.

Four grant programs are funded under the DD Act: State Councils on Developmental Disabilities (CDDs), Protection and Advocacy Programs for Individuals with Developmental Disabilities (P&A/DD), University Centers for Excellence in Developmental Disabilities (UCEDD), and Projects of National Significance (PNS). Under these grant programs, grantees are to work with state governments, local communities, and the private sector with an emphasis on eight areas: quality assurance; education and early intervention; child care; health; employment; housing; transportation; and recreation. Funds for the State CDDs and P&A/DD programs are distributed to states based on program-specific formulas.

**Randolph-Sheppard Act** — The Randolph-Sheppard Act is the federal law that gives a preference to blind persons to operate vending facilities on public properties.

**Assistive Technology Act of 2004 (AT Act)** — Under the AT Act, states receive formula funds to finance programs to increase access to and funding for assistive technology (AT) devices and AT services; to establish programs that provide for the exchange, repair, recycling, or other reutilization of AT devices; to establish AT device loan programs and device demonstration programs; and to provide training and technical assistance programs and public awareness campaigns.

The AT Act also provides funds to the State Protection and Advocacy (P&A/AT) system to assist individuals with disabilities in acquiring, using, and maintaining AT devices and services. In addition, the AT Act funds a National Information Internet System, <[www.assistivetech.net](http://www.assistivetech.net)>, that includes a comprehensive working library of assistive technology for all environments, information on evidence-based research and best practices that can be used to accommodate individuals with disabilities in areas such as education and employment, and links to public and private resources and information.

**Rehabilitation Act** — The Vocational Rehabilitation (VR) Program, launched in 1918, has a history of assisting people with disabilities to prepare for and enter the competitive workforce. This is a federal-state program and the Rehabilitation Act of 1973, as amended, authorizes annual funding to State VR agencies to be used in achieving the goals of the program. When WIA was passed in 1998, the Rehabilitation Act of 1973, as amended, was incorporated as Title IV. Title I of the Rehabilitation Act provides funding to State VR agencies to assist individuals with disabilities to overcome barriers to employment. Services are provided to eligible individuals with disabilities based on Individualized Plans for Employment (IPE). To be eligible for VR services, an individual must (1) have a physical or mental impairment that results in a substantial impediment to employment; (2) be able to benefit from receiving VR services in terms of an employment outcome; and (3) require VR services to prepare for, secure, retain or regain employment. Individuals who are receiving SSI and/or SSDI are presumed to be eligible for VR services provided that they intend to achieve an employment outcome.

The scope of services and supports that VR can provide to eligible individuals is very broad and includes the following:

- assessments;
- counseling and guidance;
- information and referral;
- job search and placement assistance;
- job retention services;

- follow-up and follow-along services;
- vocational and other training services;
- transportation assistance;
- on-the-job or other related personal assistance services;
- interpreter services;
- rehabilitation teaching services;
- orientation and mobility services for individuals who are blind;
- assistance in setting up a small business;
- rehabilitation technology devices and services;
- supported employment services; and,
- specific post-employment services.

VR staff can act as recruiters and consultants for employers. They can conduct job analyses and provide rehabilitation engineering services for architectural barrier removal and worksite accommodations and modifications. If other sources of funding are not available, VR services may also include assistance with postsecondary education and diagnosis and treatment of physical and mental impairments. Since there are no age requirements for eligibility, transition services for youth with disabilities are allowable activities if the youth needs specific services to reach an employment outcome and has been determined eligible for VR services. In reality, however, those activities are generally not accessed until a student is in his/her senior year of high school.



**TABLE 3.1: LEGISLATIVE SUPPORT FOR ENTREPRENEURSHIP EDUCATION**

LEGISLATION	SUPPORT TO <u>INDIVIDUALS</u> FOR ENTREPRENEURIAL ACTIVITIES	SUPPORT TO <u>PROGRAMS</u> FOR ENTREPRENEURIAL ACTIVITIES
<b>Individuals with Disabilities Education Act</b>	<ul style="list-style-type: none"> <li>• Provides for entrepreneurial education opportunities through individual transition plans that include appropriate accommodations and accessibility;</li> <li>• Provides for in school-based extra-curricular business-preparation clubs or programs focusing on entrepreneurship;</li> <li>• Provides for career assessments that focus on potential entrepreneurship; and,</li> <li>• Provides for the availability of related services, including rehabilitation counseling services focusing on career development, employment preparation, achieving independence, and integration into the workplace and community of a student with a disability.</li> </ul>	
<b>Small Business Act</b>	<ul style="list-style-type: none"> <li>• Small Business Development Centers (SBDCs) deliver up-to-date counseling, training, and technical assistance in all aspects of small business management for potential and current small business owners. Services include, but are not limited to, assisting small businesses with financial planning, marketing, production, organization, engineering, technical problems, and feasibility studies. Special SBDC programs and economic development activities include international trade assistance, technical assistance, procurement assistance, venture capital formation, and rural development. SBDCs also make special efforts to reach minority members of socially and economically disadvantaged groups, veterans, women, and people with disabilities;</li> <li>• Small Business Counseling (SCORE) offers free, confidential, face-to-face, and email business counseling; and,</li> <li>• Small Business Training Network (SBTN) is an online training network that operates as a virtual campus, offering over 60 free training courses, workshops, and electronic tools to assist entrepreneurs and other students of enterprise.</li> </ul>	<ul style="list-style-type: none"> <li>• Small Business Development Centers (SBDCs) offer coordinated program services to small businesses through sub-centers and satellite offices in each state; and,</li> <li>• Many organizations sponsor SBDCs and manage the programs which lead to statewide coordination with other resources.</li> </ul>

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<b>WIA, Title I</b>	<ul style="list-style-type: none"> <li>• One-Stop Career Centers and other approved providers provide workforce preparation, education, and employment training services; and,</li> <li>• Disability “Navigators” coordinate access to services and supports for entrepreneurial education and processes.</li> </ul>	<ul style="list-style-type: none"> <li>• One-Stop Career Centers and other program providers provide access to business specialists, entrepreneurial education, and employment training; and,</li> <li>• Disability “Navigators” can cooperate with entrepreneurial education programs and serve as a resource on disability issues.</li> </ul>
<b>WIA, Title IV — Rehabilitation Act (Vocational Rehabilitation Program)</b>	<ul style="list-style-type: none"> <li>• Provides technical support that views self-employment as an employment outcome and removes barriers to employment;</li> <li>• Provides technical support for setting up a small business, including: assessments of an individual’s small business potential; the development of the business idea; the conducting of a market analysis; obtaining needed training and education in developing a business plan; connecting to financial resources; and the purchasing of capital equipment, tools, adaptive equipment, and computers;</li> <li>• Provides assistance in acquiring occupational licenses, tools, and equipment; and,</li> <li>• Provides technical assistance and consultation services.</li> </ul>	<ul style="list-style-type: none"> <li>• Provides technical assistance services to educational agencies that plan for transition of students from school to possible employment outcomes; and,</li> <li>• In the case of any type of small business operated by individuals with significant disabilities, management services and supervision by the designated state agency, along or together with the acquisition of vending facilities or other equipment and initial stocks and supplies, are provided.</li> </ul>
<b>Social Security Act</b>	<ul style="list-style-type: none"> <li>• Supports small business ownership through a number of work incentives programs (PESS, PASS, Income Thresholds, IRWE, BWE, and SES);</li> <li>• Provides for monthly cash assistance for maintaining self-sufficiency;</li> <li>• Provides all SSA beneficiaries with disabilities (including transition-age youth) access to benefits planning and assistance services;</li> <li>• Administers certain tax credits; and,</li> <li>• Can provide training for families on Social Security benefits and employment support programs.</li> </ul>	

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<b>Carl D. Perkins Career &amp; Technical Educational Improvement Act of 2004</b>	<ul style="list-style-type: none"> <li>• Programs with funds from Perkins provide training in career pathways so youth are prepared for future business and career options;</li> <li>• Programs with funds from Perkins provide technical assessments to measure the skill proficiencies of desired career choice;</li> <li>• Programs with funds from Perkins encourage the use of competency-based applied learning related to entrepreneurship; and,</li> <li>• Programs with funds from Perkins provide work-related experiences such as internships, cooperative education, school-based enterprises, entrepreneurship, and job shadowing.</li> </ul>	<ul style="list-style-type: none"> <li>• Career and technical education programs can include entrepreneurial activities;</li> <li>• Career and technical education programs have qualified staff with the knowledge and skills needed to work with and improve instruction for special populations while conducting entrepreneurial activities;</li> <li>• Career and technical education programs provide exposure to a variety of school-based businesses that serve as entrepreneurial preparation; and,</li> <li>• Career and technical education programs can lead to employment or self-employment in non-traditional fields.</li> </ul>
<b>Developmental Disabilities Assistance and Bill of Rights Act</b>	<ul style="list-style-type: none"> <li>• Through the State Council on Developmental Disabilities, funding focused on employment options, possibly including entrepreneurship and self-employment, is provided.</li> </ul>	<ul style="list-style-type: none"> <li>• Councils provide information to the public, as well as training to parents, teachers, and youth with disabilities on entrepreneurship education; and,</li> <li>• Councils can fund projects that promote transition planning that includes self-employment.</li> </ul>
<b>Randolph Sheppard Act</b>	<ul style="list-style-type: none"> <li>• Provides funding to persons who are blind to pursue vending machine enterprises and related training (self-employment).</li> </ul>	
<b>Assistive Technology Act of 2004</b>	<ul style="list-style-type: none"> <li>• The State Protection and Advocacy (P&amp;A/AT) system can provide funding to assist individuals with disabilities in acquiring, using, and maintaining AT devices and services.</li> </ul>	<ul style="list-style-type: none"> <li>• Provides for a National Information Internet System that includes a comprehensive working library of assistive technology for all environments, information on evidence-based research and best practices that can be used to accommodate individuals with disabilities in areas such as education and employment, and links to public and private resources and information (&lt;<a href="http://www.assistivetech.net">www.assistivetech.net</a>&gt;); and,</li> <li>• Provides for the development and dissemination of training materials, and the provision of technical assistance to transition-age students with disabilities receiving services under IDEA.</li> </ul>



## Accommodations

Youth with disabilities may need accommodations to get the most from their participation in entrepreneurial education and training programs. It is therefore crucial for adults and youth alike to be knowledgeable about the use of accommodations.

Accommodations are changes made in a classroom, worksite, or assessment procedure that help people with disabilities learn, work, or receive services. Accommodations are designed, not to lower expectations for performance in school or work, but to alleviate the effects of a disability. Among other things, accommodations are used to help individuals with disabilities learn or demonstrate what they have learned, work as independently and efficiently as possible, and live comfortably within their communities and home.

Reasonable accommodations can allow a person with a disability to participate in the application process (e.g., job or college), or to perform the essential functions of a particular job. Accommodations are NOT intended to justify or compensate for a lack of knowledge, skills, or abilities necessary to succeed. Whenever possible, accommodations should be based on the use and

further development of existing skills and capabilities.

Many professionals have expertise in developing accommodations for individuals with disabilities, and all states have assistive technology programs. These programs provide resources for customizing accommodations based on an individual's needs, and technical assistance and training to professionals responsible for assisting persons with disabilities. To contact your state's AT program, visit <[www.RESNA.org/taproject/index.html](http://www.RESNA.org/taproject/index.html)>. Assistance is also available from the Job Accommodation Network (JAN), a free consulting service supported by ODEP. Table 3-2 provides examples of common types of accommodations.

JAN has collected cost and benefit data from its users. Data collected suggests that more than half of all accommodations cost absolutely nothing. Of those accommodations that do cost, the typical expenditure is less than \$600. Further, JAN statistics show that most employers report financial benefits from providing accommodations due to a reduction in the cost of training new employees, a reduction in the cost of insurance, and an increase in worker productivity.

TABLE 3.2

## Common Accommodations in Classrooms, Assessment Settings, and Workplaces

### Presentation Accommodations

- Information read aloud
- Sign language
- Braille
- Large print
- Directions clarified
- Assistance from another person

### Presentation Equipment Accommodations

- Magnification
- Amplification
- Noise buffer
- Templates
- Audio/video cassettes
- Lighting/acoustics
- Computer or other machinery

### Response Accommodations

- Communication device (symbol boards, talking boards)
- Computer or other machinery
- Spell checker
- Braille
- Tape recorder
- Calculator

### Scheduling Accommodations

- Extended time
- Extra breaks
- Multiple sessions
- Time beneficial to individual (such as around medication schedule)

### Setting Accommodations

- Number (individual may work better alone or in small groups)
- Place (individual may work better at home or at an off-site setting)
- Proximity (individual may need to be closer to instructor, blackboard, restrooms, etc.)

*Adapted from Thurlow, House, Boys, Scott, and Ysseldyke (2000).*

## Universal Design

Programs should strive not only for reasonable accommodations, but also for universal design - a blueprint for creating flexible goals, methods, materials, assessments, activities, and services that meet the needs of diverse job seekers. Universal design calls for strategies that from the outset accommodate the greatest variety of individuals, making costly after-the-fact modifications unnecessary. An example of universal design is closed captioning, which was originally designed for individuals with hearing impairments, but is now used everyday by people in gyms, at sports bars, or at home when they cannot or do not want to increase the volume.

Achieving universal design involves changes in policy and the physical environment, as well as in program design and practice. By structuring policies, operational practices, services, and the physical environment to benefit the greatest number of people, programs can better meet their customers' needs. Adopting a universal design approach within the workforce development system can enhance the cost-effectiveness of the system while improving the quality of services and performance outcomes.

Universal design strategies for the workforce development system are rooted in the following principles:

- **The best practices invariably serve the most customers.** By providing the best possible services to job seekers and to businesses, organizations will naturally be inclusive of the broadest range of potential job seeker and business customers. A single set of high-quality services can be more effective, and far more efficient, than a boutique of specialized services designed for small sub-groups of job seekers and businesses.
- **Every agency and organization can benefit from collaboration.** Local systems that engage in significant collaborations are invariably more effective than those that conduct their work alone or with a limited range of partners.
- **Businesses and job seekers are equal customers of the workforce development system.** Serving both well means better outcomes for both.
- **Highly coordinated services are essential for all customers.** Given the complexity of the workforce development system and the wide range of services available to businesses and job seekers, it is necessary that systems agencies and organizations build a network of robustly coordinated services across the community that are accessible at multiple points and in a highly seamless fashion.
- **Greater alignment between the workforce development and economic development systems.** To provide a full array of effective business services, workforce development organizations should align themselves with organizations already providing such services in similar venues.

Universal design asks from the outset how to make the design work seamlessly for as many people as possible. It seeks to consider the breadth of human diversity across the lifespan to create design solutions that work for all users (Fletcher, 2002).

## Assistive Technology

Assistive technology is a specific type of accommodation. As defined by the Assistive Technology Act of 2004, assistive technology is "technology designed to be utilized in an assistive technology device or assistive technology service." An assistive technology device, as defined by the Assistive Technology Act, refers to "any item, piece of equipment, or product system, whether acquired commercially, modified, or customized, that is used to increase, maintain, or improve the functional capabilities of individuals with disabilities."

There are dozens of non-profit and for-profit organizations that manufacture or sell assistive technology equipment, and nearly all of them have websites. Each state has an organization responsible for promoting and supporting the use of assistive technologies. The listing of the state contacts can be found at <<http://www.resna.org/taproject/at/statecontacts.htm>>.

Whereas universal design alters the environment and information, assistive technology allows individuals to adjust to an unaltered environment or information source, and provides access to materials and services

to people with disabilities that would not otherwise be accessible. Examples of assistive technology include wheelchairs, alternative automobile controls, communication aids, and hearing aids, plus a variety of technologies that increase, maintain, or improve access to electronic and information technology for individuals with disabilities. For example, people with limited hand functioning may use a keyboard with large keys or a special mouse to operate a computer. People who are blind may use software that reads text on the screen in a computer-generated voice. People with low vision may use software that enlarges screen content. People who are deaf may use a TTY (text telephone). People with speech impairments may use a device that speaks out loud as they enter text via a keyboard.

### Program Accessibility

Publicly funded entities are prohibited from denying people with disabilities equal access to participate in programs and activities because facilities are not accessible.<sup>1</sup> The requirement of program accessibility means that, when viewed in its entirety, the program or activity provided by the recipient of public funds must be readily accessible to qualified individuals with disabilities with various physical and mental disabilities.

Ensuring programmatic access requires innovation and creativity. It may also involve:

- redesign of equipment (computer screen readers and magnifiers, closed captioning, and alternative keyboards);
- use of aids (special software and equipment that makes information devices more accessible);
- delivery of services at alternative accessible sites (locations with ramps, services available on the first floor, and/or elevators to access services in facilities in locations other than the first floor);
- use of accessible vehicles and technologies (mobility devices and other independent living equipment that

is specially designed to increase an individual's ability to perform daily living or work-related skills); and,

- alternatives to existing facilities, and/or construction of new facilities.

Visit the website of the National Center on Workforce and Disability/Adult at <<http://www.onestops.info/>> for universal strategies which can be used in the workforce development system to ensure programmatic accessibility.

### Financial Planning

The second area of additional consideration for persons with disabilities is financial planning. As discussed previously, there are many different ways to finance a small business. Banks, savings and loans, commercial finance companies, and the U.S. Small Business Administration (SBA) are generally the most common sources of funding. In recent years, state and local governments have also developed many programs to encourage small business growth in recognition of its positive effects on the economy. For many persons with disabilities however, immediate and extended families serve as the primary source of financial support. When this is the case, it is crucial to involve the family in advocating for or guiding the process of developing, operating, and maintaining the business. Family involvement can range from assisting with benefits and financial planning, to assisting the youth in developing the business idea. In addition, families can assist in creating the workplace, generating business, and developing community-business relationships.

Some states offer a variety of funding sources and financial options specifically for persons with disabilities (see Table 3.3). Other states could utilize similar strategies to provide financial options to persons with disabilities when they are deciding to start their own business. Given the high demand for small business ownership by people with disabilities, there is a significant need to expand the availability of such financial programs.

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<sup>1</sup> The concept of physical accessibility, which is also applicable, is beyond the scope of this document. Specific architectural standards are spelled out in state and local building codes as well as in guidance published by the U.S. Access Board. The federal architectural accessibility standards are available from the U.S. Access Board. Please note that if your facility must comply with accessibility standards, and your state or local accessibility standards are more stringent than the federal standards, you should use the more stringent standard(s).

**The Supplemental Security Income (SSI) Program began in 1974 as mandated by the Social Security Act (P.L. 74-271). The purpose of this program is to provide individuals with disabilities cash assistance and access to Medicaid so that many of the services and supports needed (e.g., transportation, medical supplies) to participate in employment opportunities could be provided.**

Nationally, the Abilities Fund is the first and only nationwide community developer targeted exclusively to advancing entrepreneurial opportunities for Americans with disabilities. The Fund is specifically charged with providing training, technical assistance services, and advisory supports to individuals with disabilities and to the organizations that support them. In addition, the Fund helps budding entrepreneurs obtain the funding they need to launch or grow a small business, and links them to a variety of lending programs that best match the needs and situations of the borrower. The Abilities Fund is not a direct lender, but they do work with a variety of lending programs throughout the country and assist persons in obtaining funding. Once the initial contact with the Abilities Fund is made, a program manager will assist the lender with comprehensive business planning services, support, and financial advice. Contact information for the Abilities Fund is located in the Resource Section in Appendix A.

Financial planning can be especially critical for budding entrepreneurs with disabilities who are currently receiving cash benefits through the U.S. Social Security Administration's **Supplemental Security Income Program (SSI)** and **Social Security Disability Insurance Program (SSDI)**. It is important that these entrepreneurs know and understand the impact that their business income may have on their entitlement to benefits. In addition, there are a number of work incentives available through the Social Security Administration to assist beneficiaries interested in starting a small business. Since disruption of benefits and cash assistance could prove detrimental to an individual's well-being, business, and benefits planning need to begin simultaneously. If you are working with a young person who has a disability and is eligible for Social Security benefits, it is very important to work with a Social Security certified Work Incentive Planning and Assistance Coordinator (WIPA) who can assist in this process.

**TABLE 3.3**

## **State Financial Options for Persons with Disabilities**

<b>Name of Financial Option</b>	<b>Description</b>
<b>New Jersey Enterprise Support Center</b>	This is a consulting firm specializing in entrepreneurship training programs for people with disabilities. Formerly the New Jersey Disability Loan Fund within the New Jersey Developmental Disability Council, the Enterprise Support Center combines economic development and social service resources with the overall goal of economic independence for people with disabilities.
<b>Wisconsin's Business Development Initiative and Micro Loan Programs</b>	These programs strive to promote the employment of individuals with disabilities. The Business Development Initiative (BDI) provides grant dollars and financial assistance to entrepreneurs with disabilities and to organizations and businesses interested in hiring persons with disabilities. The BDI Micro Loan Program offers loans at a competitive rate to both entrepreneurs with permanent disabilities and rehabilitation agencies to finance business start-ups or expansions.



**Social Security Disability Insurance (SSDI) is a federal cash benefit that may be available if a person has a disability. SSDI provides a variety of benefits to family members when a primary wage earner in the family acquires a disability or dies.**

Understanding these programs can be fairly complex. For additional information and to locate a WIPA counselor in your area, see <http://www.socialsecurity.gov/work/ServiceProviders/WIPADirectory.html>.

SSDI provides benefits to people with disabilities who are “insured” by workers’ contributions to the Social Security trust fund. The amount is adjusted each year to account for cost-of-living changes and may be reduced if the recipient is receiving workers’ compensation payments (including Black Lung payments) and/or public disability benefits.

The SSI program, which is funded from general tax revenues, makes cash assistance payments to aged, blind, and disabled individuals (including children under age 18) who have limited income and resources. Most states pay a supplemental benefit to individuals in addition to their federal benefits. To be eligible for benefits under either SSI or SSDI, a person must be unable to work or working but unable to engage in substantial gainful activity (SGA). Once a person is receiving SSI benefits, this requirement no longer applies and their eligibility continues until they either medically recover or do not meet a non-disability-related requirement. The amount of monthly earnings considered as SGA depends on the nature of a person’s disability and there are special SSDI rules for individuals who are blind. In the SSI program, SGA does not apply to determining eligibility for individuals who are blind; their eligibility continues until they medically recover or otherwise become ineligible because of a non-disability-related reason.

If an individual is self-employed and their disability is not blindness, the Social Security Administration will look at the person’s activities and their value to the business to decide if they are performing SGA. Self-

employment-related work is considered SGA if:

- the individual performs significant services to the business AND receives the SGA level average monthly income;
- their work is comparable to the work of individuals without disabilities in their community engaged in the same or similar businesses; or,
- their average monthly work is worth the SGA level earnings in terms of its effect on the business, or when compared to what would have to be paid to an employee to do the work.

In the case of individuals who are blind and self-employed, the Social Security Administration decides SGA based solely on their earnings, i.e., they do not look at time spent in the business or services rendered as is done for non-blind self-employed individuals. In the case of a self-employed individual, SSI payments are reduced in relation to the net monthly earnings of the business. Excluding the first \$85 of income, the SSI payment is reduced by \$.50 for every dollar of net earnings from the business.

In contrast, SSDI recipients continue to receive their full SSDI check until SGA is reached, at which time they are no longer eligible to receive benefits. In 2007, SGA was defined for small business owners as net earnings of \$900 per month (\$1500 for individuals who are blind) or working over 80 hours per month. Before this happens, however, each SSDI recipient is entitled to a nine month Trial Work Period, during which time they can receive their full SSDI benefit regardless of the amount they earn or hours worked. Following the nine month Trial Work Period, they can still receive SSDI payment for any month that they fail to earn or work over the SGA threshold during a three year period of extended eligibility.

**The Medicaid buy-in option allows states to establish new Medicaid eligibility categories for working people with disabilities over the age of 18 whose income or resources would otherwise make them ineligible for Medicaid. The buy-in provision, first established in 1997, was broadened through the Ticket to Work and Work Incentives Improvement Act of 1999. Currently 32 states have the Medicaid buy-in option. To determine if your state has this program, visit <[http://www.cms.hhs.gov/TWWIA/07\\_BuyIn.asp](http://www.cms.hhs.gov/TWWIA/07_BuyIn.asp)>.**

There are several other work incentives available to self-employed persons with disabilities. For example, the cost of certain Impairment-Related Work Expenses (IRWE) for things such as wheelchairs, transportation, personal attendant care in the workplace, and specialized work-related equipment, that the person needs in order to work, can be deducted from the person's earnings for the purpose of determining whether they are performing SGA. IRWE are also excluded from earned income for the purpose of determining the amount of their monthly SSI payment. See Exhibit 3-1 for examples of deductible expenses for Social Security beneficiaries.

In addition, to maintain eligibility for SSI, an individual is generally not allowed to own assets valued at greater than \$2,000 with the exception of a home, one vehicle, and funds for burial. Persons with disabilities who are entrepreneurs, however, may utilize the Property Essential to Self Support (PESS) work incentive to exclude the entire value of property used in a trade or business (e.g., inventory) or used for work as an employee (e.g., tools or equipment).

SSI recipients may also utilize a Plan for Achieving Self-Support (PASS) which allows them to set aside money and/or resources and to use those assets to assist them in reaching a work goal. For example, they can set aside money to go back to school, to get specialized training for a job, or to start a business. The money or resources that are set aside under an approved PASS are not considered in determining their initial or continuing eligibility for SSI.

Finally, SSA promotes employment activities through the Ticket to Work and Self-Sufficiency Program which provides disability beneficiaries who are over age 18,

with a ticket they can use to obtain vocational rehabilitation services, employment services, and other support services from an employment network of their choice. In addition, this legislation provides people with disabilities who are working and earning more than the usual allowable limits for regular Medicaid, the opportunity to retain their health care coverage through monthly premium payments or service co-payment through Medicaid under a "Medicaid buy-in" option available to states. In addition, it allows working people with disabilities to earn more income without the risk of losing vital health care coverage under Medicare.

There are certain services available for professionals and persons with disabilities that can also help minimize the risk associated with self-employment/ entrepreneurship and take into account accommodations and specific needs. One such service is the Small Business and Self-Employment Service (SBSES). This service is operated under the Job Accommodation Network (JAN) and provides comprehensive information, counseling, and referrals about being self-employed and small business ownership opportunities for persons with disabilities. Services include information about starting and managing a business and developing a business plan (see <<http://www.toolkit.cch.com/>>). They also address some of the issues that are particular to persons with disabilities who want to pursue business ownership. For more information about the SBSES, visit <<http://www.jan.wvu.edu/SBSES>>.

A list of tips for interacting with persons with disabilities is included in Exhibit 3-2. In addition, a list of attitudinal barriers is provided in Exhibit 3-3.



TABLE 3.4

## Funding Tools Under the Social Security Administration

**Plan for Achieving Self-Support (PASS)** is a tool for small business funding and planning. Persons with disabilities may utilize a PASS to set aside income or resources to reach a work goal. For example, you could set aside money to pay expenses for education, vocational training, or starting a business as long as the expenses are related to achieving the established work goal. Income or resources that are set aside under an approved plan will not count against the resource limit of \$2000 for any individual. Each plan must:

- be in writing and be approved by SSA;
- have a specific work goal that can probably be reached;
- detail how long it will take to reach the goal;
- detail what income or resources will be set aside and how they will be spent;
- explain how each person will keep the income or resources that are set aside separate from other money; and,
- describe any goods and services needed to reach the goal and explain why they will be needed.

**Income Thresholds for Medicaid** Work Incentive title 1619(b) Medicaid allows individuals receiving SSI and Medicaid to earn past the point that an SSI check is reduced to \$0.00, but still be eligible for SSI and Medicaid <<http://www.socialsecurity.gov/disabilityresearch/wi/1619b.htm>>.

**Property Essential to Self-Support (PESS)** allows a small business owner with SSI and/or Medicaid to have unlimited liquid cash funds in a small business account and unlimited small business resources and property. These opportunities do not exist in regular wage employment (e.g., a single person receiving SSI must have less than \$2,000 in liquid cash resources if employed in a wage job). Further, in deciding initial and continuing eligibility for SSI, resources essential to means of self-

support are not counted. Here are some examples of what is **NOT** counted:

- Property that is used in a trade or business (e.g., inventory) or used for work as an employee (e.g., tools or equipment). Other use of the items does not matter;
- Up to \$6,000 of equity value of non-business property that is used to produce goods or services essential to daily activities (e.g., land used to produce vegetables or live-stock solely for consumption by your household); and,
- Up to \$6,000 of equity value of non-business income-producing property, such as rental property if the property yields an annual rate of return of at least 6 percent. However, liquid resources, such as stocks, bonds, or notes are not considered property essential to self-support, unless used as part of a trade or business.

**Impairment-Related Work Expenses** generally would be the same as business expenses that are allowed to reduce gross sales to net self-employment income by both the IRS and SSA. Not usually very applicable to small businesses.

**Blind Work Expense (BWE)** SSA is very liberal about what can be excluded from countable income as a BWE (e.g., even income taxes are considered an excludable work expense).

**Self-Employment Subsidy** encompasses tools including unincurred business expenses and unpaid help. Subsidy is a powerful tool for self-employed individuals who receive SSDI.

*\*For additional and more detailed information about Social Security's funding tools and employment support programs, visit <<http://www.ssa.gov/work/ResourcesToolkit/resourcestoolkit.html>>.*

### Conclusion

Entrepreneurship is a strategy that can lead to economic self-sufficiency. While entrepreneurship is particularly important for youth with disabilities who have frequently been denied equal access to traditional labor markets, it is beneficial for all youth. Through entrepreneurship education, youth, including those with disabilities, can learn skills (such as time management, leadership development, and interpersonal skills) that are highly sought by a variety of

employers. Having such skills provides youth with more options. In order for youth with disabilities to take advantage of such programs however, those who develop and operate entrepreneurship programs must have greater awareness of and the willingness to implement certain strategies such as accommodations and financial planning. This Guide is intended to provide useful information to assist them in this effort, and to help all entrepreneurship programs be welcoming to and inclusive of youth with disabilities.

## EXHIBIT 3-1

# Examples of Expenses Likely and Not Likely to Be Deductible Based on Criteria from the Social Security Administration

<u>DEDUCTIBLE</u>	<u>NOT DEDUCTIBLE</u>
<p><b>1. Attendant Care Services</b>            Performed in the work setting.</p> <p>Performed to help you prepare for work, the trip to and from work, and after work (e.g., bathing, dressing, cooking, and eating).</p> <p>Services which incidentally also benefit your family (e.g., meals shared by you and your family).</p> <p>Services performed by your family member for a cash fee where he/she suffers an economic loss by reducing or ending his/her work in order to help.</p>	<p><b>1. Attendant Care Services</b>            Performed on non-workdays or helping you with shopping or general homemaking (e.g., cleaning, laundry).</p> <p>Performed for someone else in your family.</p> <p>Services performed by your family member for a cash fee where he/she suffers no economic loss.</p> <p>Services performed by your family member for payment "in-kind" (e.g., room and board) regardless of whether the family member suffers economic loss.</p>
<p><b>2. Transportation Costs</b>            The cost of structural or operational modifications to your vehicle which you need in order to travel to work, even if you also use the vehicle for non-work purposes.</p> <p>The cost of driver assistance or taxicabs where unimpaired individuals in the community do not generally require such special transportation.</p> <p>Mileage expenses at a rate determined by SSA for an approved vehicle and limited to travel to and from employment.</p>	<p><b>2. Transportation Costs</b>            The cost of your vehicle whether modified or not.</p> <p>The cost of modification to your vehicle not directly related to your impairment or critical to your operation of the vehicle (e.g., paint or décor preferences).</p>
<p><b>3. Medical Devices</b>            Wheelchairs, hemodialysis equipment, pacemakers, respirators, traction equipment, and braces (e.g., arm, leg, back, etc.).</p>	<p><b>3. Medical Devices</b>            Any device you do not use for a medical purpose.</p>
<p><b>4. Work-Related Equipment and Assistance</b>            One-handed typewriters, typing aids (e.g., page-turning devices), measuring instruments, reading aids for visual impairments, electronic visual aids, Braille devices, telecommunications devices for hearing impairments, and special work tools.</p> <p>Reader services if you are visually impaired, interpreter services if you are deaf or hard of hearing, expenses for a job coach.</p>	<p><b>4. Work-Related Equipment and Assistance</b>            If you are self-employed, equipment previously deducted as a business expense.</p>
<p><b>5. Prosthesis</b>            Artificial hip. Artificial replacement of an arm, leg, or other parts of the body.</p>	<p><b>5. Prosthesis</b>            Any prosthetic device that is primarily for cosmetic purposes.</p>

## EXHIBIT 3-1 (CONTINUED)

### Examples of Expenses Likely and Not Likely to Be Deductible Based on Criteria from the Social Security Administration

<b>DEDUCTIBLE</b>	<b>NON-DEDUCTIBLE</b>
<p><b>6. Residential Modifications</b>  <i>If you are employed outside of your home:</i>  Modifications to the exterior of your house that permit access to the street or to transportation (e.g., exterior ramps, railing, and pathways).</p> <p><i>If you are self-employed at home:</i>  Modifications made inside your home in order to create a workspace to accommodate your impairment (e.g., enlarge doorway into an office or workroom, the modification of office space to accommodate your problems in dexterity, etc.).</p>	<p><b>6. Residential Modifications</b>  <i>If you are employed outside of your home:</i>  Modifications to your house to help you in your home (e.g., enlarge interior doorframes, lower kitchen appliances and bathroom facilities, interior railings, stairway chair lift).</p> <p><i>If you are self-employed at home:</i>  Any modification expenses you previously deducted as a business expense in determining SGA.</p>
<p><b>7. Routine Drugs and Routine Medical Services</b>  Regularly prescribed medical treatment or therapy that is necessary to control your disabling condition (even if control is not achieved), such as anti-convulsant drugs or blood level monitoring, radiation treatment or chemotherapy, corrective surgery for spinal disorders, anti-depressant medication, etc. Your physician's fee relating to these services are deductible.</p>	<p><b>7. Routine Drugs and Routine Medical Services</b>  Drugs and/or medical services used for your minor physical or mental problems (e.g., routine physical examinations, allergy treatment, dental examinations, and optician services).</p>
<p><b>8. Diagnostic Procedures</b>  Any procedure related to the control, treatment, or evaluation of your disabling condition (e.g., brain scans, and electroencephalograms).</p>	<p><b>8. Diagnostic Procedures</b>  Procedures not related to your disabling condition (e.g., allergy testing).</p>
<p><b>9. Non-Medical Appliances and Devices</b>  In unusual circumstances, when devices or appliances are essential for the control of your disabling condition either at home or at work (e.g., an electric air cleaner if you have severe respiratory disease), and this need is verified by a physician.</p>	<p><b>9. Non-Medical Appliances and Devices</b>  Devices you use at home or at the office which are not ordinarily for medical purposes (e.g., portable room heaters, air conditioners, dehumidifiers, and humidifiers) and for which your doctor has not verified a medical work-related need.</p>
<p><b>10. Other Items and Services</b>  Expendable medical supplies (e.g., incontinence pads, elastic stockings, and catheters).</p> <p>The cost of a personal assistance dog including food, licenses, and veterinary services.</p>	<p><b>10. Other Items and Services</b>  An exercise bicycle or other device for physical fitness unless verified as necessary by your physician.</p>

## Tips for Interacting with People with Disabilities

When introduced to a person with a disability, it is appropriate to offer to shake hands. People with limited hand use or who wear an artificial limb can usually shake hands. (Shaking hands with the left hand is an acceptable greeting.)

Remember that people with disabilities, like all people, are experts on themselves. They know what they like, what they do not like, and what they can and cannot do.

If you offer assistance, wait until the offer is accepted. Then listen to or ask for instructions. Do not insist or be offended if your offer is not accepted.

Don't be afraid to ask questions when you're unsure of what to do.

Usually people with disabilities do not want to make the origin or details of their disability the first topic of conversation.

Avoid asking personal questions about someone's disability. If you must ask, be sensitive and show respect.

People with disabilities may be accompanied by a personal assistant or a sign language interpreter. Always direct your communication to the individual with a disability and not to the companion/interpreter.

Use a normal speaking tone and style. If someone needs you to speak in a louder voice, they will ask you to do so.

Don't be embarrassed to use common expressions such as "I've got to run now," "See you later," or "Have you heard about" even if the person doesn't run, see or hear well. People with disabilities use these phrases all the time.

Be aware that many people can have disabilities that are not apparent. Just because you cannot see a disability does not mean it doesn't exist.

Be considerate of the extra time it might take a person with a disability to get some things done.

Give unhurried attention to a person who has difficulty speaking. Don't pretend to understand when you don't—ask the person to repeat what they said.

Speak calmly, slowly and directly to a person who is hard of hearing. Don't shout or speak in the person's ear. Your facial expressions, gestures, and body movements help in understanding. If you're not certain that you've been understood, write your message.

Greet a person who is visually impaired by telling the person your name and where you are.

When you offer walking assistance, let the person take your arm and then tell him or her when you are approaching inclines or steps, or turning right or left.

Avoid excessive praise when people with disabilities accomplish normal tasks. Living with a disability is an adjustment, one most people have to make at some point in their lives, that does not require exaggerated compliments.

Avoid terms that imply that people with disabilities are overly courageous, brave, special, or superhuman.

Respect all assistive devices (i.e., canes, wheelchairs, crutches, communication boards, service dogs, etc.) as personal property. Unless given specific and explicit permission, do not move, play with, or use them.

Don't pet a guide or companion dog while it's working.

Make community events available to everyone. Hold them in wheelchair accessible locations.

When planning a meeting or other event, try to anticipate specific accommodations a person with a disability might need.

Relax. Anyone can make mistakes. Offer an apology if you forget some courtesy. Keep a sense of humor and a willingness to communicate.

Listen to the person with the disability. Do not make assumptions about what that person can or cannot do.

When speaking with a person with a disability, talk directly to that person, not through his or her companion. This applies whether the person has a mobility impairment, a mental impairment, is blind, or is deaf and uses an interpreter.

Extend common courtesies to people with disabilities as you would anyone else. Shake hands and hand over business cards. If the person cannot shake your hand or grasp your card, he or she will tell you. Do not be ashamed of your attempt, however.

If the disability includes a speech impairment and you are having trouble understanding the person is saying, ask him or her to repeat rather than pretend you understand. The former is respectful and leads to accurate communication; the latter is belittling and leads to embarrassment.

*From: Irene M. Ward & Associates (1994).  
The ten commandments of communicating  
with people with disabilities.*