



July 9, 2018

Secretary Betsy DeVos
U.S. Department of Education
400 Maryland Ave., SW
Washington, DC 20202-7100

Dear Secretary DeVos,

The undersigned organizations write to express our strong opposition to any efforts by the U.S. Department of Education to weaken or open existing regulations implementing the Workforce Innovation and Opportunity Act (WIOA) of 2014.

WIOA was passed with overwhelming bipartisan support and represents the first major legislative reform of the public workforce system in 15 years. WIOA expresses a clear policy in support of competitive integrated employment: jobs where people with disabilities are paid the same wages, have the same opportunities for advancement, and work alongside their co-workers without disabilities. Among other provisions, WIOA defines an employment outcome as competitive integrated employment; prohibits the placement of students transitioning from school into segregated subminimum wage employment without having first had the opportunity to try competitive integrated employment; mandates pre-employment transition services to prepare students for competitive integrated employment; requires people in segregated subminimum wage settings to be offered competitive integrated employment; and requires that vocational rehabilitation services support competitive integrated employment outcomes.

Of particular concern to the undersigned was the recent notification in the Secretary's Unified Agenda that the Secretary intends, or at least is considering, to issue a Notice of Proposed Rulemaking to amend the regulatory definition in the WIOA implementing regulations, 34 CFR part 361. **Our organizations strongly oppose any effort by the Department to reopen the WIOA regulations and urge the Secretary to reconsider.**

The undersigned wish to state unequivocally that opening the WIOA regulations will undermine implementation of WIOA, which establishes competitive integrated employment as a clear national priority and built on the goal of economic self-sufficiency established in the bipartisan Americans with Disabilities Act of 1990. The Department's WIOA regulations not only reflect this important Congressional intent, but they also codify long-standing Department of Education policy. Opening the regulations is unnecessary. Any concerns that the Department may have, or misinformation existing in the field, can be addressed most effectively through sub-regulatory guidance. The undersigned groups stand ready to engage in thoughtful dialogue with you and your staff about how to best craft such guidance.

Thank you for consideration of this very important matter. We would welcome the opportunity to discuss our concerns further. You can contact Alison Barkoff, CPSD Policy Advisor (abarkoff@cpr-us.org) or Amanda Lowe, NDRN Senior Public Policy Analyst (amanda.lowe@ndrn.org) with any questions or to follow up on our letter.

Sincerely,

American Association of People with Disabilities (AAPD)
American Civil Liberties Union (ACLU)
American Network of Community Options and Resources (ANCOR)
Association of People Supporting Employment First (APSE)
Association of Programs for Rural Independent Living (APRIL)
Association of University Centers on Disabilities (AUCD)
Autism Society of America
Autistic Self Advocacy Network (ASAN)
Bazelon Center for Mental Health Law
Center for American Progress (CAP)
Center for Public Representation
Collaboration to Promote Self Determination (CPSD)
Council of Parent Attorneys and Advocates (COPAA)
Council of State Administrators of Vocational Rehabilitation (CSAVR)
Disability Rights Education Fund (DREDF)
Institute for Educational Leadership (IEL)
Mental Health America
National Alliance on Mental Illness (NAMI)
National Association for Rights Protection and Advocacy (NARPA)
National Association of Councils on Developmental Disabilities (NACDD)
National Council on Independent Living (NCIL)
National Association of State Directors of Developmental Disabilities Services (NASDDDS)
National Association of State Directors of Special Education (NASDSE)
National Association of State Mental Health Program Directors (NASMHPD)
National Center for Learning Disabilities
National Disability Institute
National Disability Rights Network (NDRN)
National Down Syndrome Congress
National Federation of the Blind
National Organization of Nurses with Disabilities
National Organization on Disability
National Rehabilitation Association
Paralyzed Veterans of America
RespectAbility
Service Employees International Union (SEIU)
TASH
The Arc of the United States
United Spinal Association

Cc: Assistant Secretary Johnny Collett, OSERS
Deputy Assistant Kimberly Richey, OSERS