



September 15, 2017

Hilary Malawer, Esq.  
Assistant General Counsel  
Office of the General Counsel  
United States Department of Education  
400 Maryland Avenue, SW  
Room 6E231  
Washington, DC 20202

Re: ED-2017-OS-0074-0001

Dear Ms. Malawer,

We are writing to offer public comment regarding important provisions enacted into law through the Workforce Innovation and Opportunity Act. Specifically, the provisions may be limiting or eliminating employment. The A Team NV is a membership organization comprised of people with intellectual and developmental disabilities who are working to preserve employment and residential choices. The members are individual self-advocates who are passionate about their rights and the rights of the people around them. Together, they advocate to protect and expand choices for all people.

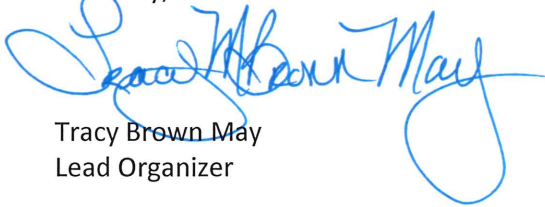
The definition of “competitive integrated employment” (34 CFR §361.5(c)(9)) was rewritten during the regulatory process. Our members believe the Department of Education changed what Congress intended by narrowing what qualifies as competitive integrated employment. This definition should be eliminated and replaced. The definition needs to include real jobs with outcomes and individual work settings need to be evaluated individually to identify the true outcome for the individual employee.

The definition of “competitive integrated employment” (CIE) and the definition of “integrated setting” (34 CFR §361.5(c)(32)), describes integration occurring at the “work unit” level. We believe a work unit has no real bearing on the outcome of a position. Some of our members work at Nellis AFB delivering mail, and providing food attendant services thanks to AbilityOne legislation. This legislation states that 75% of the labor hours performed on that contract must be performed by people with disabilities. That means people with disabilities have an opportunity to be employed earning living wages. The people employed at Nellis AFB also interact with non-disabled civilian and military personnel daily. To call this anything other than a community setting is just beyond the scope of our understanding. As a result of the interpretations, people are not being referred by VR to these open positions.

We implore you to focus on expanding employment options, not limit them. People need your help and it starts with school to work transition and preparing people to enter the workforce with the level of support and service that is right for them. Sometimes that means transitioning into a work program where people earn less than the minimum wages while providers focus on continual training. Eliminating any option for employment as a child transitions into adulthood is not the right answer.

Thank you for your time and consideration in this matter. We appreciate the opportunity to offer public comment and we are hopeful that regulations will be defined in the broadest way possible to allow for individual employment choices for all people with disabilities.

Sincerely,

A handwritten signature in blue ink, appearing to read "Tracy Brown May", with a large, stylized loop at the end.

Tracy Brown May  
Lead Organizer