

# State Exchange on Employment and Disability (SEED)

## Interim Report



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## 1. INTRODUCTION

In June of 2015, the U.S. Department of Labor’s (DOL) Office of Disability Employment Policy (ODEP) launched the State Exchange Employment and Disability (SEED) initiative. SEED is designed to advance policy development at the state and local level that promotes employment opportunities for people with disabilities. The initiative was created with the goal of addressing deficiencies in state policies that have been identified by experts, advocacy groups, and legislators thought to limit the ability of individuals with disabilities to secure or maintain employment (e.g., Bragdon, 2016; California Committee on Employment of People with Disabilities, 2014; Cornell University, 2002; Disability Law Center of Alaska, 2014; Krepcio, Barnett, & Heldrich, 2013; National Conference of State Legislatures, 2016; National Governors Association, 2013). For example, the Disability Law Center of Alaska’s conducted a systems review of the implementation of the Employment First legislation which identified barriers individuals with disabilities face, including existing subminimum wage statues that allow employers to pay individuals with disabilities less than abled employees, inconsistencies or limited availability of employment transitions services, and lack of transportation services especially for individuals living in rural areas.

According to the National Conference of State Legislatures’ 2016 scan of disability employment state statutes and legislation (Rall, Reed, & Essex, 2016), a number of potentially beneficial disability employment policies have not yet been adopted by states. For example, only 12 states had policies that either directed the state to be a model employer in the hiring of people with disabilities or included “fast track” hiring provisions/preferences for people with disabilities. In addition, 20 states lacked laws that encourage private employers to foster the recruitment, hiring, and retention of people with disabilities. An aim of SEED is to encourage states and local legislators to adopt these types of policies to help persons with disabilities find employment.

To build knowledge about SEED, the Chief Evaluation Office (CEO) and ODEP at DOL awarded a contract to Coffey Consulting (Coffey), in partnership with the American Institutes for Research (AIR), to conduct a formative evaluation of the SEED initiative. This paper is an interim report on the formative evaluation and provides background on the initiative and the evaluation. It also provides a description of SEED’s progress at roughly the halfway point of the evaluation and offers implications for continuation of the initiative.

## 2. BACKGROUND

### 2.1 Background on the SEED Initiative and Approach

SEED, a collaborative with ODEP and leading state intermediary organizations, helps state policymakers have the necessary tools and resources to develop and implement state-level policy that advances employment outcomes for people with disabilities. The goal of SEED is to foster a nationwide workforce more inclusive of people with disabilities by working with intermediary organizations to advance federal disability employment policies at the state level. SEED was instituted as a new approach in response to ODEP's challenge in promoting disability employment policies at the state and local levels. Through SEED, ODEP could provide states with insight and guidance to build on state policymakers' understanding of disability employment policy, coming from sources with whom they already have relationships – member-based state policymaker organizations.

SEED's core approach has been to engage member-based state policymaker organizations to serve as "intermediaries" between ODEP and state and local policymakers (e.g., National Conference of State Legislatures [NCSL], Council of State Governments [CSG], and Women in Government [WIG]). These intermediaries are intended to help foster better understanding about the needs of state and local policymakers. Based on these needs, SEED offers (or will offer) an array of support, including research, policy options, and technical assistance to help state and local policymakers establish, adopt, and implement policies that promote employment opportunities for people with disabilities.

Because SEED is a relatively new initiative (started June 2015), its model and processes continue to evolve. The goal is that when SEED is fully developed, implemented, evaluated, and refined, it may serve as a model for other DOL offices and Federal agencies tasked with promoting policy from the Federal to state and local levels.

### 2.2 SEED Evaluation Design and Progress

The Coffey/AIR Team conducted an evaluability assessment to determine whether the SEED initiative had reached a reasonable stage to allow for evaluation and, if so, what the appropriate type of evaluation would be. Based upon the evaluability assessment, as well as DOL and Technical Working Group (TWG)<sup>1</sup> reviews, the Coffey/AIR team recommended three primary types of analyses.

First, a needs assessment to examine areas where the SEED model might focus improvements by understanding the context in which SEED operates, potential barriers and facilitators in uptake, and the feasibility of implementing SEED as initially intended. Second, an implementation-focused analysis to assess discrepancies between the SEED

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<sup>1</sup> The TWG consisted of subject matter experts recruited to serve in a peer review role, with expertise in evaluation, communication, diffusion of innovation, knowledge translation, and prior efforts similar to SEED in using intermediaries to facilitate state policy development.

implementation plan and the execution of that plan. Third, a progress-focused analysis to monitor progress toward implementation and improvement goals during the implementation of SEED.

The evaluation design identified several types of data collection efforts to allow for the analyses described above. These included:

- a literature scan of the Implementation Science Literature,
- three rounds of intermediary interviews with key staff of all intermediaries prior to and during the implementation of SEED,
- attendance and observation at conferences in which SEED is involved,
- interviews with selected state legislators or their staff,
- a State Survey to gain information about states' needs, barriers, SEED market penetration, feedback on SEED materials and activities, and a partial network analysis to identify where participating legislators and staff obtain information related to disability employment policy, and
- a review of NCSL's Disability Employment Webpage State Legislation Database to track disability employment related legislation proposed or enacted.

A final evaluation report will summarize the final results.

The formative evaluation approach and methods described above were identified as appropriate to the stage of the SEED initiative. As with any evaluation approach, there are limitations that should be acknowledged. First among them is that the SEED model continues to evolve as we conduct our formative evaluations. The evaluation is, therefore, a snapshot in time of an ongoing, changing initiative. Second, this evaluation as currently planned and funded will only cover two years of the initiative, so some important potential outcomes will likely occur beyond the evaluation timeframe (for example, state legislation may take years to draft, propose, and enact even if it were directly attributable to SEED's efforts). Third, to the extent data are collected via interviews with key participants in the SEED initiative, it is possible there are certain perceptions or types of information that participants are reluctant to share (negative perceptions, problems, etc.). However, it should be noted that participants appear to have been forthcoming during interviews and at meetings. Finally, access to state legislators and their staff that will take place in the future will be coordinated through the intermediary organizations, which could introduce some selection bias. Despite these limitations, the project team and TWG experts thought the benefits outweighed any potential limitations. Specifically, because the research team designed the data collection to minimize potential biases, the TWG members thought working with the imprimatur of a trusted source could ultimately be beneficial in promoting trust and participation on the part of state legislators and staff for a formative evaluation such as this one.

**Evaluation Progress to Date.** The evaluation process started in September 2015, roughly four months after the initiation of SEED. At the time the evaluation process began, ODEP

had hired Concepts, Inc. as the contractor to staff the effort, adopted the name “SEED” for the project, roughly outlined how they expected the project to proceed, and began engaging with two identified intermediaries: NCSL and CSG.

The contents of this report are based on data collection between September 2015 and February 2017. Data collection methods included:

- document review of initial and updated or additional SEED documents as created;
- meetings and semi-structured interviews with interviews with ODEP staff, contractors working on SEED, and representatives from two intermediary organizations: the Council of State Governments (CSG) and the National Conference of State Legislatures (NCSL);
- feedback from technical working group (TWG) members;
- briefings and updates from the SEED implementation team (ODEP staff, contractors, and intermediaries),
- observation of two National Task Force conferences convened by SEED, attended and chaired by state legislator members of CSG and NCSL; and
- a literature scan of the Implementation Science literature.

The following sections of this Interim Report will focus on examining the progress of the SEED initiative at this mid-way point in the evaluation using the RE-AIM framework. This framework is described in the next section.

### 3. INTERIM PROGRESS OF SEED

The **RE-AIM** framework is used to examine the SEED initiative to date for this Interim Report. This framework was developed in 1999 (Glasgow R.E., Vogt T.M., & Boles S.M., 1999) to enhance the quality, speed, and impact of efforts to translate research into practice. The framework examines efforts to translate research or policy into practice in five elements or “steps:”

- Reach the intended target population
- Efficacy or effectiveness
- Adoption by target staff, settings, or institution
- Implementation consistency, costs and adaptations made during delivery
- Maintenance of intervention effects in individuals and settings over time

The goal of RE-AIM is to encourage program planners, evaluators, and policymakers to pay more attention to essential program elements including external validity that can improve the sustainable adoption and implementation of effective, generalizable, evidence-based interventions (RE-AIM.org, 2016). As a popular framework for implementation, as noted above, RE-AIM provides a useful framework for formative evaluation by examining progress and key questions through the lens of the five stages of RE-AIM.

The key inputs of the SEED model to date include DOL/ODEP, federal agency partners, state intermediaries, and state policymakers. The implementation team also engaged national provider organizations, employer groups and disability advocacy organizations as the logic model, provided in Appendix A, indicated (for example, the National Disability Institute, the U.S. Business Leadership Network, Apple, and Walgreens). The SEED team has also specified short-term, mid-term and long-term outcomes as well as outputs for SEED.

In the first year, SEED focused its efforts on information gathering with two key outcomes, convening conferences and meetings and conducting environmental scans and review of state legislation and policies. In the second year, SEED is expected to increase awareness and knowledge on disability employment policies among engaged stakeholders. Key outputs in the medium term include building the National Task Force (NTF) and producing publications/case studies. In the long term (late second year and beyond), SEED will produce *model* policy for states for adoption through preparing and disseminating the national policy framework and providing in-state technical assistance.

Based on document reviews, interviews with key participants, observation of conferences, and reports by ODEP leaders to staff, it appears that as of 2016, after 12 months of implementation of SEED, the implementation team had achieved the short-term goal as it has engaged three intermediaries and created a National Task Force. The implementation team is on track to achieve its medium- and long-term goals with a key policy report ready to release. In this Interim Report, we document findings from the evaluation of implementation fidelity and progress using data and information collected

from our research activities to date and observations of recent SEED implementation activities. Notably, the evaluation team continues to collect interview, survey and other related data to assess awareness, knowledge, and behavior changes. Results from these ongoing data collection efforts will be discussed in the Final Report.

### 3.1 Reach

The SEED concept was based on a prior effort in which ODEP collaborated with the U.S. Department of Transportation to promote accessibility policy. In that effort, an intermediary was used to promote the policies in question. This led to the creation of a state outreach awareness strategy since named SEED. The initial vision was to recruit some number of intermediaries to help adapt and promote policy to the states to overcome any resistance to Federal suggestions considered by states as too generic for their particular circumstances. The initial vision shared with the evaluation team was that ODEP would recommend policies based on its expertise and evidence, and the intermediary organizations would promote them to their state members, and help them adapt the policies. ODEP would provide any technical assistance needed.

This plan evolved into more of a partnership with the intermediary organizations, which took a leadership role in planning and implementing events in coordination with ODEP. The approach further evolved in that the intermediaries decided the effort could be more powerful if they collaborated together in one coordinated effort.

**Engaging Stakeholders.** There are two key levels of stakeholders that SEED sought to engage. The first level is intermediary groups intended to serve as a conduit to the second level target, state-level policymakers. ODEP has successfully accomplished the first part, establishing the infrastructure with intermediaries to increase awareness and education of disability employment policy for the intermediaries, and ultimately policy transfer.

The first step for SEED was to recruit appropriate intermediary organizations. ODEP determined it would prefer to have fewer, more invested intermediaries than a larger number of under-committed intermediaries. The SEED team initially identified NCSL and CSG as good candidates for participation. NCSL is a member-based organization representing state legislators. All state legislators (7,383) and staff members are automatically members of NCSL, which make up its 25,000 members. CSG is the only national organization serving all three branches of state government in all 50 states. With 14,000 members, CSG fosters the exchange of insights and ideas to help state officials shape public policy.

ODEP and Concepts, Inc. have been successful in engaging with these intermediaries as assessed by their willingness to participate, and the depth of that participation. Within six months, the SEED contractor was able to sign subcontracts with both of the intermediary organizations initially targeted. Through these intermediaries, SEED quickly gained the potential to reach almost 40,000 state policymakers and their staff members – their primary target audience. Moreover, involvement by NCSL and CSG exceeded initial expectations, as both organizations agreed to take an active partnership role

rather than a more passive or pro forma involvement. The intermediary organizations have displayed a willingness to work together. Instead of separate efforts, intermediaries suggested a combined ODEP-NCSL-CSG effort. This was not anticipated at the outset of SEED, but after some discussion ODEP agreed. This combined effort has led to the primary effort of SEED: a joint *National Task Force on Workforce Development and Employability for People with Disabilities*.

The National Task Force consists of four subcommittees—each has approximately 10-12 state leaders and four to six non-voting external advisors representing the private sector, key stakeholders, and/or academia. Intermediaries carefully recruited and selected task force members based on their area of expertise, historical work on disability issues, geographic location, and political affiliation to ensure that there is a balance of perspective. Members represent the legislative and executive branches of state government. The National Task Force, co-chaired by Governor Jack Markell from Delaware and Senator Beau McCoy from Nebraska, has met twice in person (March and April of 2016) and once via teleconference. The National Task Force, with SEED's help, drafted a National Policy Framework that was distributed in December 2016.

Using data from the 2014 American Community Survey (ACS), a national survey conducted annually by the U.S. Census Bureau to provide demographic, economic, and housing data on a nationally representative sample of U.S. residents, Table 1 presents employment rate and labor participation rate of individuals with disabilities aged 18 to 64 for states that participated in the SEED National Task Force conferences and those that did not. (Note that participation was voluntary by response to a request from the intermediaries.) Also included are the employment and labor force participation rates for these two groups.

Further evidence of SEED's reach is that one National Task Force participant was also a member of another intermediary organization and potential SEED target: Women In Government (WIG). The National Task Force member recommended to WIG that the organization join SEED as a third intermediary.

Women In Government is a national, non-profit, non-partisan organization of women state legislators. Women In Government has provided leadership opportunities, networking, expert forums, and educational resources for over 28 years on policy issues to almost 1,800 legislators. ODEP entered discussions with WIG and participated in three WIG regional events. The last one focused on Career Readiness, and another in November 2016 focused on accommodations for persons with mental health disorders. In October 2016, the SEED contractor drafted a subcontract with WIG as it has for NCSL and CSG to officially engage them as a SEED intermediary.

**Table 1: Employment and Labor Participation of Individuals with Disabilities By State**

States that Participated in SEED NTF			States that did NOT Participate in SEED NTF		
State	Employment Rate	Labor Force Participation Rate	State	Employment Rate	Labor Force Participation Rate
Colorado	74%	79%	Alabama	64%	70%
Delaware	71%	77%	Alaska	68%	76%
Florida	68%	74%	Arizona	66%	72%
Hawaii	75%	78%	Arkansas	65%	69%
Illinois	72%	78%	California	68%	75%
Iowa	78%	82%	Connecticut	75%	81%
Kentucky	66%	71%	DC	72%	79%
Maine	71%	75%	Georgia	67%	73%
Maryland	76%	81%	Idaho	70%	75%
Massachusetts	75%	80%	Indiana	71%	76%
Minnesota	79%	83%	Kansas	75%	79%
Nebraska	80%	82%	Louisiana	66%	71%
Nevada	69%	77%	Michigan	68%	74%
Ohio	71%	76%	Mississippi	62%	68%
Oregon	69%	75%	Missouri	70%	75%
Pennsylvania	72%	77%	Montana	72%	76%
Rhode Island	75%	81%	New Hampshire	77%	81%
South Dakota	78%	81%	New Jersey	73%	79%
Tennessee	68%	73%	New Mexico	64%	69%
Texas	70%	75%	New York	71%	76%
Washington	71%	76%	North Carolina	69%	75%
West Virginia	63%	67%	North Dakota	79%	81%
			Oklahoma	68%	72%
			South Carolina	67%	73%
			Utah	73%	76%
			Vermont	76%	80%
			Virginia	74%	78%
			Wisconsin	76%	80%
			Wyoming	77%	80%
<b>Average</b>	<b>72%</b>	<b>77%</b>	<b>Average</b>	<b>70%</b>	<b>75%</b>

*Source: authors' calculation using data from the 2014 American Community Survey*

ODEP has an interest in exploring opportunities to engage other intermediary organizations in the future as SEED evolves. However, the three existing intermediaries meet the needs of the initiative at the current phase.

With respect to direct SEED contact with legislators (or indirect contact through SEED sponsored activities), to date this contact has been limited in number. This is expected, as SEED has been building the infrastructure and developing the materials that will

enable a considerable outreach to these policymakers by the end of 2016. Through the National Task Force, SEED has engaged roughly 40 state-level policymakers. These policymakers have had a high level of engagement. Evaluators observing the National Task Force conferences noted that policymakers were not passive recipients of information (a low level of engagement) or asked to review information and offer suggestions (moderately engaged), but served as crucial active participants in the creation of the National Policy Framework. For example, state legislators were actively involved in “driving” the content of the National Policy Framework through committee working sessions to generate policy needs and ideas. Specifically, legislators chaired National Task Force committees, served on the committees to generate policy priorities and ideas, and created the outline of the framework for SEED staff to develop further. National Task Force members also reviewed and approved the draft and final policy document.

There have also been a roughly equal number of state legislators who have been engaged at WIG roundtables with SEED, though not as intensely as in the National Task Force. WIG representatives, however, noted that state policymakers in attendance expressed deep commitment over disability employment issues.

In addition, through the efforts of ODEP, NSCL, and CSG, the SEED team has identified a list of “champions” that include over 145 state legislators interested in disability employment policy across all states. This positions SEED to broaden its reach to legislators in 2017.

## 3.2 Effectiveness

The effectiveness of SEED to date must be considered relative to the early stage of the effort. According to the model developed by SEED, the main outcomes sought at the early stages of the effort were knowledge sharing, improved collaboration, improved motivation, and enhanced understanding and awareness of disability employment policy issues. Over the medium-term, the focus of activities shifts to knowledge and awareness, and the additional outcomes sought include consideration of inclusive workforce policy, positive shifts in perspective, and positioning of disability policy as a key workforce issue. This section examines the effectiveness of reaching these outcomes in the early going of SEED.

### 3.2.1 Strategies to Institutionalize Policies

One important way SEED can achieve the goals of awareness, consideration, and positioning of disability employment policy is through efforts to institutionalize disability employment policy with the intermediaries, and ultimately the state legislators in ways that align the interventions with local conditions (Chambers, Glasgow, & Strange, 2013). Strategies used to institutionalize policies are highlighted below.

***National Meetings.*** The National Task Force and four subcommittees convened two national meetings, one in March and the other in April, 2016. The first meeting introduced the issues impacting people with disabilities and their ability to secure and retain meaningful employment. The meeting also explained the mission of the

subcommittees and National Task Force and reviewed the timeline and process for the development of the national policy framework. Each subcommittee met independently and identified key issues under its respective purview.

In the second National Task Force meeting, the subcommittees met for an intensive two-day session to consider policy options and case studies for those key issues identified for inclusion in the national policy framework. At the conclusion of the second meeting, the National Task Force briefly convened to review the progress made by the subcommittees and to determine any additional emphasis required.

These meetings help form closer working relationships among SEED intermediaries and improve state legislators' knowledge and awareness about employment policies for individuals with disabilities through expert presentations and group discussions. The stated objectives of the first meeting were to invite participants to become members of the National Task Force and begin generating state needs and policy ideas in four key policy areas represented by the four committees. The goals appear to have been met as the conference was well attended, and the committees each formed and began work on policy ideas with each committee presenting initial ideas to the full plenary before the conference ended.

The objectives of the second meeting were to continue work from the first session to have an outline of key policies that could be developed into a National Policy Framework. Again, the second conference was well attended, and state participants worked in their committees to identify key policy issues and policy options to be included in the policy framework. A final teleconference was held to review the policy ideas after the SEED implementation team (ODEP staff, Concepts, Inc., and intermediary members) consolidated them. SEED was able to get approval to move forward with the ideas and generate the National Policy Framework document.

In addition, the evaluation team attended debriefing sessions after each meeting at which ODEP and the intermediary organizations indicated that they were satisfied with the level of engagement and that outcomes were met. The Coffey/AIR team also provided feedback on areas for improvements at the end of these sessions and during quarterly meetings with SEED leadership.

***National Policy Framework.*** After the national meetings, the National Task Force convened by conference call to review and approve the policy options and case studies that will be advanced in the resultant policy framework. In the last quarter of 2016, NCSL and CSG in collaboration with SEED developed the National Policy Framework.

The 2016 CSG National Conference in Colonial Williamsburg, Virginia, began with a full-day CSG Policy Academy "Workforce Development and Employability for People with Disabilities" on Thursday, December 8. The policy academy served as the national launch for the policy framework and explored state policy issues addressed in it.

***In-State Programs and Technical Assistance.*** NCSL and CSG will provide educational and technical assistance to states that submit a request for support on disability

employment policies. The ODEP and Concepts, Inc. will provide technical assistance to NCSL and CSG as needed.

**Other Strategies.** CSG convened a two-hour policy workshop and include programming focused on these issues as part of jurisdictional committee sessions/meetings at each of CSG's four regional annual meetings.

NCSL performed a variety of research and informational activities in support of the policy effort. These include:

- Maintaining a searchable database of all 2016 state legislation related to Disability and Disability Employment Issues.
- Statutory and legislative research on topics identified by the issue subcommittees.
- Two informational webinars of topics related to the subcommittee topics.
- Rollout of the National Policy Framework at NCSL meetings in 2016 and 2017.

WIG will work with project partners to facilitate up to four state policy Roundtables for the following disability employment policy priorities: Transportation and Technology; Career Readiness and Employability; Hiring, Retention and Reentry; and Entrepreneurship, Tax Incentives and Procurement. WIG will identify and convene up to 40 legislators to participate in the state policy Roundtables, provide each Roundtable with background materials and key themes for discussion with the support of SEED project partners, and facilitate and collect feedback from the discussions.

### **3.2.2 Awareness, Knowledge, and Disability Employment Policy Transfer**

One way to evaluate the effectiveness of SEED in the early stage is to assess the extent to which ODEP has been successful at improving engaged stakeholders' awareness and knowledge about disability employment policies and ultimately transferring their key disability employment policy priorities to these engaged stakeholders.

The SEED initiative has raised awareness and knowledge about disability employment policies. While NCSL and CSG each had some level of focus on disability-related policy, intermediary representatives engaged with SEED told the evaluation team during interviews that their participation with SEED has led to increased attention and visibility within their organization for disability employment policy, and made the topic more visible. This was corroborated by infrastructure changes on the part of the intermediaries observed by the evaluation team, including: hiring of staff to focus on SEED, creating a portion of the intermediary website devoted to disability employment policy, and adapting a policy tracker to be able to track the progress of disability employment policies as they are proposed and enacted or rejected by state legislatures. Likewise, the creation of the National Task Force means over 40 legislators were brought together with experts several times to focus exclusively on disability employment policy. And WIG has had two sessions in coordination with regional conferences focused on these issues.

With respect to specific policies, approximately seven topics were advanced in a joint meeting between ODEP and the intermediaries. As described above, SEED expected that intermediaries would adopt some or all of these topics and translate them for their state-level members to adopt. Both NCSL and CSG agreed with some of the initial priorities including:

1. Accessibility technology (including tax incentives)
2. Employment-related accessible transportation
3. Individual learning plans (ILPs)
4. Apprenticeship (credentialing/licensing)
5. Stay-at-work/Return to work

However, as SEED evolved to include the National Task Force approach, the team jointly decided that the committees should be formed around four key areas for policy:

1. **Career Readiness and Employability:** Focus on issue areas involved in preparing individuals to enter the workforce including K-12 education, experiential learning and individual learning plans (ILPs). Employability is the capacity to obtain and keep satisfactory work. It includes a set of attributes, skills and knowledge that all labor market participants should possess to ensure they have the capability of being effective in the workplace--to the benefit of themselves, their employer, and society.
2. **Hiring, Retention and Reentry:** Focus on individuals in the labor market or reentering the labor market after a disability or a break in employment and would include a focus on inclusive workplaces and supports.
3. **Transportation, Technology and Other Employment Supports:** Focus on supporting accessible solutions to alleviate barriers to employment for individuals with disabilities.
4. **Entrepreneurship and Tax Incentives:** Focus on self-employment and entrepreneurship for people with disabilities, as well as tax incentives for all businesses employing individuals with disabilities (Note: Procurement was later added to this committee's topic.)

The SEED Implementation Team worked to ensure that all five of the initially considered policy areas had a "home" in the committees. State legislators were the co-chairs of the committees at the National Task Force meetings, and the process was "member driven" with ODEP participating but not leading the meetings. ODEP could, therefore suggest, or influence the direction of the committees, but not dictate the policies.

As the National Policy Framework was drafted, ODEP played an important role by reviewing drafts and suggesting policies or policy revisions that align with existing policies that have been demonstrated to be effective. The National Policy Framework reflects substantial ODEP input both in the topics and policies.

A final means by which SEED has set the stage for transfer of specific policies to intermediaries is through CSG's Shared State Legislation (SSL) docket. SSL is a committee at CSG that reviews different policy areas and provides legislative language to share with states providing a starting point for policymakers who want to draft a bill in that area. The SSL is a key resource. Legislators look at what the SSL put forward and included in the docket. SEED worked with CSG to submit a series of bills as a package to the SSL for consideration. The SSL considers roughly 75 bills and only 20% are selected for distribution. However, the co-chair for the SSL committee was a member of a SEED National Task Force subcommittee, and some other SSL members were part of the National Task Force work, too. Some topics covered in the SSL package included: affirmative action and state set asides, internship efforts in state as model employer, transportation, Transportation Network Companies (e.g., Uber) ensuring accessible vehicles, workforce development, and agency collaboration. Ultimately, half of the policies suggested were accepted by the SSL, which is a very high percentage, and a special supplement of the SSL was issued for the first time in roughly a decade to highlight these issues.

### 3.2.3 Outcomes of SEED to Date<sup>2</sup>

SEED has had three primary outcomes at this stage of the initiative.

1. **Establish infrastructure with intermediaries.** After one full year of the implementation of the SEED initiative, the SEED project has established partnerships with three intermediaries: NCSL, CSG and WIG. SEED continues to engage stakeholders and make this largely a legislator-driven process. ODEP has begun to build the capacity of intermediaries to aid members on disability employment issues, and the intermediaries will provide technical assistance to states to build capacity.
2. **Form a National Task Force.** SEED assembled a National Task Force that included legislators as the leadership, committee chairs, and members, as well as including experts to advise the group from relevant government and private organizations.
3. **Develop a policy framework.** SEED has established shared policy options between ODEP and the intermediaries, developed a National Policy Framework, and included individuals' personal stories in National Task Force meetings. The National Policy Framework was launched in December, 2016. States are expected to review and adopt these policy options with the assistance of SEED project partners.

These accomplishments have the potential to result in substantial future outcomes in policy transfer to and adoption by states.

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<sup>2</sup> Outcomes are as of December 2016.

### 3.3 Adoption

The previous section discussed the extent to which intermediaries had incorporated ODEP policy. This section offers preliminary findings based on observations of policy adoption by legislators, and the materials and infrastructure put in place by SEED to promote adoption. The evaluation team anticipates conducting two additional rounds of interviews to collect information on awareness and knowledge as well as behavior changes after the implementation of SEED. Intermediary interviews will also provide information about barriers working with ODEP and areas to improve in coming years. In Summer 2017, (pending OMB approval) the evaluation team will administer a survey to state legislators and their staff that have been involved with SEED in any way (e.g., the NTF, roundtables, receiving technical assistance, or using SEED materials). This survey is intended to obtain information from state policymakers and their staff members regarding where they get information on disability employment policy, what their needs and barriers are regarding adopting and implementing disability employment policies, SEED's implementation process for state disability employment policies, perceptions of SEED, and organizational or policy changes that have taken place since SEED was formed.

Results of these data will inform the assessment of SEED's effectiveness in achieving its goals of getting ODEP supported disability employment policy adopted in the coming year.

**Adoption of ODEP Policies.** The SEED initiative is too early in its implementation for states to adopt ODEP policies. Nevertheless, the initiative has helped lay a path that is expected to lead to the adoption of ODEP-initiated policies. This groundwork has included influencing guiding principles adopted by the National Task Force, such as:

- Disability is a natural part of the human experience that in no way diminishes one's right to fully participate in all aspects of life;
- Disability can develop at any point during an individual's lifetime and can have varying impacts;
- Successful disability policy embraces the "nothing without us" principle;
- People with disabilities are underutilized in our workforce and frequently experience social and economic disadvantage; and
- People with disabilities have valuable and unique contributions to make.

These guiding principles offer the National Task Force a common understanding of the beliefs that guide its National Policy Framework and can direct members as they identify and consider ODEP policies for adoption. This, however, will take time. Implementation Science literature suggests a two- to four-year timeline for sustained change (Bertram et al., 2011). There will be a need in some states to promote the policies and their benefits and build capacity before change policies can be adopted and implemented. Different aspects of the SEED effort could be considered in the pre-implementation stage or implementation phases. Nevertheless, the National Task Force has already identified policy recommendations sorted by the following categories: 1) laying the groundwork,

2) preparing for work, 3) getting to and accessing work opportunities, 4) staying at work, and 5) supporting self-employment.

An important component of intervention adoption and maintenance identified in the Implementation Science literature is securing commitment and buy-in from leadership (Hall et al., 2014; Hunter & Killoran, 2004; Metz, Blase, & Bowie, 2007; Weaver, 2010). The National Task Force is led by Delaware Governor Jack Markell, who is the CSG president and has a long-standing reputation as a disability employment champion, along with CSG Chair Nebraska Senator Beau McCoy. This leadership structure demonstrates strong buy-in from influential stakeholders and lends credibility to this important initiative. Intermediaries have worked closely with National Task Force members to facilitate, coordinate, and support the process of researching and drafting policy options. Including stakeholders in the intervention adoption and maintenance process is also reflected throughout the Implementation Science literature as a way to positively influence intervention outcomes (Blase, Fixsen, Sims, & Ward, 2015; Hunter & Killoran, 2004; Richards, Blackstock, & Carter, 2007).

**Infrastructure in Support of Disability Employment Policy.** The SEED initiative maximizes opportunities to operate within existing infrastructures by partnering intermediaries, while providing the practical financial support that is needed to launch a new initiative within these infrastructures. Partnering with NCSL, CSG, and WIG affords SEED an existing audience to advance disability employment policy at the state levels. With support of intermediary stakeholders, the work of the National Task Force was organized around four subcommittees that reflect disability employment policy, but also are responsive to interests and scope of responsibilities among members.

As discussed above, Concepts, Inc. has entered into a formal agreement with each intermediary organization to support the program, devoting funding to help with tasks such as navigating member organizations, identifying stakeholder needs, convening policymakers to discuss disability employment policy, and introducing policy options. Likewise, each intermediary has dedicated staff time to work on the initiative. NCSL hired a staff member devoted half-time to SEED, offering a deeper level of engagement than would otherwise be possible. CSG uses funds from the Concept subcontract to help convene subcommittees and develop recommendations. Similarly, WIG uses funds to support staff time in collaborating with ODEP to facilitate the Roundtables and participation of regular project meetings.

**Materials from SEED to support use of policies.** SEED developed an online platform to serve as a central repository of resources to support ODEP, intermediaries, and other stakeholders throughout the initiative. This platform includes both logistical and content resources to support the work of SEED. In addition, SEED has created a logic model to explain the SEED approach. This logic model employs a “seed” metaphor to represent the development of the initiative and includes an illustration of seeds that develop into plants. In addition, SEED will offer an assortment of technical assistance, including research, writing support, and training.

Perhaps the biggest single offering developed by SEED to support adoption of policy is the aforementioned National Policy Framework (entitled *Work Matters*) produced by the National Task Force. This was released in December 2016 and offers policy options and examples to state legislators interested in adopting disability employment policies. In addition, CSG has developed an assortment of issue briefs explaining key policy areas for legislators supplemental to (but supportive of) the National Policy Framework that will be released soon. These briefs coincided with webinars and other forms of technical assistance to support disability employment policies. These activities are expected to improve awareness and knowledge on disability employment policies and facilitate state policy adoptions.

**Tracking of Disability Policy Adoption by States.** NCSL launched a Disability Employment Webpage as a result of its work with SEED. This site includes a State Legislation Database on Disability and Employment (also referred to as the “NCSL Legislative Tracker” or “policy tracker”). The policy tracker includes search terms suggested by ODEP and other stakeholders to help users identify disability employment legislation currently under consideration in various states. The NCSL Legislative Tracker captures bills and resolutions introduced in state legislatures and follow them from introduction to enactment or failure. It tracks 16 different categories, and the disability focus is the newest category. NCSL has the ability to add executive orders to items being tracked, but it does not track regulation, nor does it track existing law that is searchable by legal search services.

Given that the National Task Force policy framework and other strategies was not launched until December 2016, it is too early to expect SEED to have had an impact on State policy. This is both based on the speed of the state regulatory process, which intermediary representatives indicated can take two or more years, and the implementation science literature, which suggests a two- to four-year timeframe for successful intervention (Bertram, Blase, Shern, Shea, & Fixsen, 2011). However, the evaluation team will utilize information collected from the tracker to identify SEED related policies and legislatures if data become available in time. The team will also seek assistance from intermediaries to track and collect necessary data through other venues. For instance, CSG uses publications to track policy, such as its “Pathways to Prosperity” report. These data will complement our qualitative data and deepen our understanding of the implementation process and progress.

### 3.4 Implementation

The Implementation Science literature (Saldana, 2014) suggests that the three primary stages of implementation consist of:

- **Pre-implementation:** identifying an organizational challenge that would benefit from improvement or alternative methods (also called the “exploration” phase). This phase also includes preparing for and adopting an intervention and piloting/refining the intervention;
- **Implementation:** actively executing the intervention; and

- **Sustainment:** maintaining the implementation efforts and possibly expanding or scaling up the intervention. It may also include introducing innovations to the process.

Because of the complexity of the SEED initiative, where one considers SEED in this process depends upon how one defines the “intervention.” That is, does the intervention include bringing intermediaries in to work with ODEP, or is that only a precursor and the work of the intermediaries, and the assembled SEED Implementation Team, is itself the intervention? For the purposes of this interim report, we will consider the very idea of working through intermediaries to be part of the SEED intervention itself.

**Pre-Implementation.** SEED was fairly sparse in the pre-implementation activities with respect to creating specific plans, definitions, or models prior to engaging intermediaries. For example, the logic model, specific definitions of policy, and whether or not direct state contact was part of the SEED model were all in development or being discussed as intermediary contact was initiated. Nevertheless, SEED did create basic implementation plans based primarily on prior efforts with the Department of Transportation upon which SEED was based. For example, ODEP clearly identified what it considered to be the problem: not having the desired level of impact on state policies – states were reluctant to listen to the Federal government policy ideas, and the normal ODEP approach of demonstration projects and reports was slow and not having the desired level of impact. Likewise, the major goals of the program were broadly understood – identify and recruit intermediaries with the goal of getting ODEP-backed disability employment policies adopted (where this is defined as having the force of law, regulation, executive order, etc.). The intent was to use the prior DOT effort as a model, identify appropriate intermediaries, provide them policy options, and support them with technical assistance as needed.

ODEP understood that a contractor would be needed to help execute these ideas. Concepts, Inc. was hired with the aim to help recruit intermediaries, serve as the prime contractor for intermediaries, clarify the SEED model, and work with intermediaries to translate state policy into legislation and get it adopted by states.

Early on, Concepts, Inc. helped develop a basic set of steps for SEED operation:

1. ODEP proposes policy to intermediaries through SEED
2. Intermediaries follow an internal process to determine if the policy is in the best interests of their member-base
3. If intermediaries buy-in, they package policies in a way that speaks to stakeholders
4. ODEP then recommends language or actions
5. Intermediaries issue a collaborative report
6. Intermediaries engage states that are ready and willing to begin to have a conversation about disability and employment

In the initial pre-implementation phase, SEED was conducted with reasonable fidelity to the original intent. It is worth noting that the specifics of how SEED would operate were not completely formulated. The SEED team was “building the airplane as it flew” as one member stated. SEED staff members were putting together a SEED logic model and developing an understanding of roles even as SEED moved into Implementation. This led to some initial “feeling out” processes as intermediaries were engaged, but also encouraged flexibility and a willingness to adapt with intermediary input. ODEP was not strictly committed to one specific model or vision of how SEED would work. This flexibility by the funding agency allowed for modifications to the plan that reflect the interests of the intermediaries and state policymakers, enhancing buy-in and commitment.

**Implementation.** As ODEP considered engaging intermediaries as part of the intervention, the intervention itself began as SEED reached out NCSL and CSG. This part of the intervention was also conducted according to the original SEED model. The two intermediaries were recruited and engaged, policy priorities began to be negotiated, statements of work were developed, and intermediary subcontracts put in place. All of this was in accord with the original vision, and within the first seven months of the initiative.

Where implementation deviated from the original intervention plan was the decision to work through the National Task Force approach. This became a key inflection point for SEED. This may reflect the willingness of intermediaries to invest a deeper level of commitment and leadership into SEED than perhaps originally envisioned by ODEP. It would also require substantial flexibility by ODEP’s SEED leadership. ODEP faced a choice to either proceed with the concept as outlined above, or accept the recommendation to adopt the National Task Force approach. ODEP accepted the Task Force approach.

In many ways, the updated approach incorporates most of the original concepts of SEED – ODEP can still guide policy priorities, suggest policy language, and provide expertise. And the intermediaries are still serving as the conduit to the state legislators. However, the process is taking place in a more member-driven, bottom-up manner. This offers perhaps less control for ODEP, but the Implementation Science literature would suggest potentially greater returns based on a higher level of commitment and engagement (Blase, Fixsen, Sims, & Ward, 2015; Hall et al., 2014; Hunter & Killoran, 2004; Metz, Blase, & Bowie, 2007; Weaver, 2010). Additionally, it may be possible for the intermediaries to more effectively engage staff to advance the efforts of the National Task Force and keep disability policy in a perspective to which legislators can relate.

The National Task Force approach has become the primary (though not only) activity of SEED. The approach involves an ambitious set of activities that included:

1. Recruiting intermediary members as National Task Force members and co-chairs
2. Hosting three working conferences of the National Task Force
3. Generating and refining a set of policy options in four key areas

4. Refining these options into a National Policy Framework
5. Introducing the National Policy Framework to intermediary membership at large
6. Supporting the National Policy Framework with technical assistance

The SEED team succeeded in implementing the first three steps of this approach, and completed the roll out the National Policy Framework in December of 2016.

As discussed above, SEED engaged WIG as a third intermediary, which has introduced efforts apart from to the National Task Force involving four state policy Roundtables that address disability employment policy priorities. It is unclear whether this effort will follow the original SEED model or a different approach.

### 3.5 Maintenance

This section discusses attempts to maintain the efforts of SEED and continue to assist disability employment policy adoption at the state level after the intervention is complete.

**Building Maintenance into the SEED Approach.** It is too early in the process for SEED to focus a great deal on maintenance of policy adoption as the initiative is still early in implementation of the intervention and has just recently released its primary product, the National Policy Framework. However, SEED has executed activities designed to promote maintenance of progress that has been made over the long term.

First, SEED's initiators defined successful policy adoption in terms that are lasting and have authority behind them. Focusing on legal, regulatory, or executive orders increases the likelihood that if such policies are adopted, they will not be quickly overturned.

Second, as discussed above, by capacity building with intermediary organizations, ODEP is encouraging the possibility that SEED could continue should DOL funding end as the intermediaries will have in place the knowledge and tools to continue to support their legislative members who wish to adopt SEED supported policy. Currently the intermediaries are at least somewhat dependent on SEED funding, but the more capability they have, the less dependent on ODEP and ODEP funding they may be.

Third, the strategy of creating a broad National Policy Framework document could assist with maintenance of a focus on disability employment policy. Such a framework could, if successful, serve as a touchstone for legislators who have or develop an interest in disability employment topics for years to come. Legislators interested in these policies will have a framework and examples from which to draw an array of priority policy areas. Were SEED to disappear the day after it is launched, the document would still provide a starting point for legislators and intermediaries.

Finally, the strategies of using bottom-up, member-driven approaches that engaged state leadership early on may help develop the commitment to ensure maintenance of the policy priorities at least as long as the legislators on the National Task Force are in office. Although it is possible they change, research suggests engagement promotes

commitment and continuity (Hunter & Killoran, 2004; Weaver, 2010). Policy options reflect the needs, constraints, and opportunities that states share.

**Intermediaries Continuation Long Term.** It is unclear now whether intermediaries will maintain a long-term focus on disability employment policy. Future data collection will help clarify this issue. There are a number of challenges that will have to be overcome. For one, CSG's current leadership is committed to disability employment issues (Governor Markell is CSG's President, and Nebraska Senator McCoy is the CSG Chair). However, as the leadership turns over, it is possible that future leaders will be less invested in disability employment issues and choose to reduce commitment. Intermediaries also expressed the utility of funding in supporting SEED activities. If and when this funding is no longer available, their level of SEED activity may ebb. However, early discussions with intermediaries indicated that they have received interest in disability employment topics from their members, and there appears to be initial enthusiasm for the National Policy Framework as webinars are reportedly filling up.

## 4. EXPECTATIONS AND IMPLICATIONS FOR YEAR 2

This section discusses the expected activities of SEED and the formative evaluation in the second year of the evaluation.

### 4.1 Expected SEED Activities

**Implementation.** Year one of the SEED implementation involved laying considerable groundwork for fully engaging the ultimate target audience of state legislators. The plans included bringing that effort into fruition:

- Rolling out the National Policy Framework to state legislators including:
  - A series of research briefs on the four key policy areas
  - Four webinars in November of 2016 on the four key policy areas
  - A full-day “Disability Employment Policy Academy”
- Conducting Technical Assistance activities to assist legislators in adopting policies
- Tracking disability employment policy adoption using NCSL’s tracker
- Supporting adoption from CSG’s SSL docket
- Continuing to develop the engagement with WIG
- Potentially investigating additional intermediaries

Completing the items above represent bringing to full implementation SEED’s National Policy Framework approach, and continuing to build the parallel WIG engagement.

**Evaluation.** The evaluation team will conduct two additional rounds of intermediary interviews with key SEED leaders from ODEP and participating intermediaries. We will also conduct one round of state interviews with members. Intermediary interview data will be used to evaluate the intermediaries’ perspective and observed behavior changes at the state level (e.g., connecting various service providers, state Vocational Rehabilitation agency and Local Business Network to better serve people with disabilities; share resources on best and promising practices with service providers; and disseminate information obtained through intermediaries).

The team will conduct interviews with selected state members that are part of the National Task Force to learn about the implementation process and progress after the official launch of the National Policy Framework. Interview participants will be recommended by the intermediary organizations from among those who participated in SEED and can give informed options. The team will also interview representatives from selected states that participate in the initial round of in-state educational programming or workshops to gauge their interests, understand their needs, identify barriers to uptake, perceptions about SEED model, information transfer process (how information gained through the intermediaries will be transferred to other state personnel), and planned policy adoption process as well as suggestions on how to improve SEED implementation to assist policy adoption.

To gain additional information on the states' needs before SEED is fully implemented and learn about the implementation process, the evaluation team will also conduct a state staff survey. The purpose of the survey is threefold. First, the survey allows the team to collect information on the state needs and where they seek assistance in policy adoption. Second, the survey helps determine whether and how federal policy or practice promoted in SEED is transferred to the state level. Last, the survey helps identify state stakeholders' perception of SEED, as well as barriers to implement the model and suggestions to improve the implementation process. The survey will be conducted with the population of state legislators and their staff who participated in SEED in any way – be it NTF, roundtable, technical assistance or using SEED materials. SEED leadership maintains a list of participants that will be used as the universe for the survey, which will be sent to all of these participants. The data will be analyzed using primarily descriptive statistics to learn about participants, their needs, barriers to implementing SEED supported disability employment policies, whether SEED improve their knowledge and awareness, SEED strengths, and areas to improve.

The evaluation team will also utilize information collected from the NCSL policy tracker to identify SEED related policies and legislatures if data become available in time. The team will also seek assistance from intermediaries to track and collect necessary data through other venues. For instance, CSG uses publications to track policy, such as its "Pathways to Prosperity" report. These data will complement our qualitative data and deepen our understanding of the implementation process and progress.

## 4.2 Implications

The SEED formative evaluation team offers these implications of our findings at the mid-point of the evaluation. These implications are based on observation, the Implementation Science literature, and professional experience of the evaluation team. Further data in the coming months will enable more data-based suggestions.

- 1. Update the logic model.** The evaluation team recommends updating the logic model to reflect the recent progress and implementation activities. For instance, creating a model policy is no longer a long-term goal. Instead, a set of policy options will be identified and provided to the states soon. If the ultimate goal of SEED is policy adoption, it should be explicitly stated in the logic model. This will help with both clarity and evaluation of the effort.
- 2. Document and track SEED activities.** Numerous SEED implementation activities were carried out in the last year. Yet, many of these activities are not documented in a systematic way. Proper documentation and tracking of SEED activities are crucial for understanding how SEED is working to affect change. It is also critical to evaluation and replication. The evaluation team strongly recommends the Implementation Team compile information on their activities and prepare a guide. This will be particularly important as technical assistance activities begin in support of the National Policy Framework.

- 3. Plan Beyond the National Policy Framework.** SEED has recently launched the National Policy Framework. Much of the work over the coming year may be in support of the framework and assisting states to adopt the policies it contains. Given that the National Task Force and Policy Framework have been the main focus of SEED's attention, it may be worth beginning to discuss what comes after that for SEED and the intermediaries to continue toward long-term goals.
- 4. Diversify the approach.** SEED's major (though not only) focus over the past year has been the National Task Force and Policy Framework. For good reasons SEED has taken a calculated risk of putting a lot of "eggs" in the National Task Force "basket." It appears to offer a chance for substantial impact at the state level.

However, as new intermediaries join and SEED progresses, our results suggest SEED should continue to explore other potential approaches for getting disability employment policy out to states and supporting them as they have with WIG. Likewise, as technical assistance is member driven, SEED can support different state approaches through this technical assistance. A diversity of approaches will spread the risk of any one large effort, and allow for new learning and discovery opportunities.

- 5. Consider longer-term planning and budgeting for SEED.** ODEP and SEED have had initial success in engaging intermediaries and are poised to launch a major policy framework. If the SEED model proves effective, particularly in the ultimate goal of policy adoption by states, DOL should consider longer term budgeting and planning. This may include seeking stable funds (within DOL or from other means), and longer-term contracting for SEED staff (i.e., Concepts, Inc.) and intermediaries. Otherwise, SEED will be limited in long-range planning as staff and intermediaries always have to consider if they will be funded beyond the short range, as intermediaries and contractors have indicated.
- 6. Synthesize meeting notes.** The SEED implementation Team meets regularly with partners and stakeholders. The evaluation team has reviewed notes from different meetings; however, it is unclear if or how these notes are utilized. The implementation team should consider synthesizing all meeting notes to document progress, identify gaps or areas for improvement, and track key accomplishments.
- 7. Use professional facilitators at larger work meetings.** ODEP allowed the intermediaries to take the lead in planning the National Task Force meetings, and they chose a member-driven approach the legislators are comfortable with. This was reasonable, but variance was observed in process and efficiency across committees. Professional facilitators are not in charge of meeting content; ideally they offer expertise regarding group process and decision-making, helping the group to achieve its stated objectives. A blended approach can perhaps be used, where facilitators are guided by committee chairs, but can assist them and recommend processes to get to the intended outcomes.

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# APPENDIX A: SEED LOGIC MODEL

STATE EXCHANGE ON EMPLOYMENT & DISABILITY (SEED)

## Cultivating Change

SEED is an ODEP-led collaborative of state intermediary organizations working to help state legislators ensure their states' policies facilitate increased employment opportunities for people with disabilities. This includes state-level policy indirectly related but nevertheless critical to employment, such as transportation & technology

