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July 21, 2022

**To: Employment First partners, including case management entities, providers and VR Counselors and Transition Program leaders**

**From: Acacia McGuire Anderson (Statewide Employment First Coordinator), Lilia Teninty (Office of Developmental Disabilities Services Director), Keith Ozols (Vocational Rehabilitation Director) and Tenneal Wetherell (Oregon Department of Education Assistant Superintendent)**

**Re: Settlement dismissed after decade of work in Lane v. Brown case**

Today marked the end of Lane v. Brown as the class action lawsuit settlement was dismissed by the federal court after finding that Oregon had reached substantial compliance with the terms of the settlement agreement. This is a tremendous milestone following more than 10 years of work since this landmark case was filed to support people with intellectual and developmental disabilities (I/DD) in community employment.

The Lane v. Brown lawsuit was filed in Federal court in 2012, claiming that Oregon violated the law by segregating people with I/DD in sheltered workshops. The plaintiffs also claimed the state denied supported employment services that would allow people with I/DD the opportunity to work alongside people without disabilities in the community. In 2016, the Lane v. Brown settlement was approved by the court, which outlined the work to be done.

Even before Lane v. Brown was filed, Oregon had adopted the Employment First policy in 2008, with the goal that every person with I/DD who wanted to, could work in the community with access to appropriate supports. This effort continued with the Governor's first Executive Order on Employment First in 2013 and

another in 2015, the Lane v. Brown settlement agreement, and more. As a result, Oregon employment services for people with I/DD have been transformed for the better.

We are deeply grateful to self-advocates, families, providers, case management entities, state workers and others who put in tremendous effort toward these employment initiatives. We know that this work has been difficult, particularly during the pandemic. Your contributions are valued and important.

### **The impact of these efforts**

As detailed in the [final report to the court](#) by independent reviewer Nicole Jorwic, J.D., Oregon has made “substantial progress in expanding access to competitive integrated employment (CIE).” All numerical goals for the Lane v. Brown settlement agreement have been met. There has also been substantial compliance with other settlement goals, including changes in policies, establishment of new training and grants. As a result, Jorwic found Oregon in substantial compliance with the agreement.

An important outcome of this work was the September 2020 closure of ODDS-funded sheltered workshop services in Oregon. In 2016, there were 143 people with I/DD in community employment. That number grew to over 1,500 people in 2021. We have also witnessed a culture shift in Oregon with employers recognizing the value of people with I/DD in the workforce. [This report details those successes.](#)

Another outcome has been creation of the [Impact Oregon](#) job board website. This website was built to help increase services capacity by helping people find careers in Oregon’s developmental disabilities services.

Though the expectations outlined in the settlement agreement have been met, our work continues. The final report to the court includes specific recommendations for the state, the Statewide Employment First Work Group, ODDS, Vocational Rehabilitation, and the Oregon Department of Education. These recommendations build on the achievements of the settlement agreement to continue improvements in providing employment services resulting in meaningful employment of individuals with I/DD.

To recognize this milestone, we will be posting success stories on the [Employment First Facebook page](#). If you have an experience to share about your involvement

with these efforts, we encourage you to share on the Facebook page. We would love to read about your contributions.

Thank you for supporting employment services for people with intellectual and developmental disabilities. Your efforts have made Oregon a leader in employment supports and services.

Acacia, Lilia, Keith and Tenneal