



DWIB

Updated July 17, 2012

MEMORANDUM FOR RECORD

SUBJECT: Joint DOL-DET Disability Policy

1. It is the policy of the DOL-DET and DWIB in providing any aid, benefits, services, or training under a WIA Title I financially assisted program or activity, a recipient must not, directly or through contractual, licensing, or other arrangements, on the ground of disability:

a. Deny a qualified individual with a disability the opportunity to participate in or benefit from the aid, benefits, services, or training;

b. Afford a qualified individual with a disability an opportunity to participate in or benefit from the aid, benefits, services, or training that is not equal to that afforded others;

c. Provide a qualified individual with a disability with an aid, benefit, service or training that is not as effective in affording equal opportunity to obtain the same result, to gain the same benefit, or to reach the same level of achievement as that provided to others;

d. Provide different, segregated, or separate aid, benefits, services, or training to individuals with disabilities, or to any class of individuals with disabilities, unless such action is necessary to provide qualified individuals with disabilities with aid, benefits, services or training that are as effective as those provided to others;

e. Deny a qualified individual with a disability the opportunity to participate as a member of planning or advisory boards; or

f. Otherwise limit a qualified individual with a disability in employment of any right, privilege, advantage, or opportunity enjoyed by others receiving any aid, benefit, service, or training.

2. A recipient must not, directly or through contractual, licensing, or other arrangements, aid or perpetuate discrimination against qualified individuals with disabilities by providing significant assistance to an agency, organization, or person that discriminates on the basis of disability in providing any aid, benefits, services or training to registrants, applicants, or participants.

a. A recipient must not deny a qualified individual with a disability the opportunity to participate in DDOL or WIA Title I-financially assisted programs and/or activities despite the existence of permissibly separate or different programs or activities.

b. A recipient must administer DDOL or WIA Title I-financially assisted programs and activities in the most integrated setting appropriate to the needs of qualified individuals with disabilities.

c. A recipient must not, directly or through contractual, licensing, or other arrangements, use standards, procedures, criteria, or administrative methods:

- 1) That have the purpose or effect of subjecting qualified individuals with disabilities to discrimination on the ground of disability;
- 2) That have the purpose or effect of defeating or substantially impairing accomplishment of the objectives of the DDOL or WIA Title I-financially assisted programs and/or activities with respect to individuals with disabilities; or
- 3) That perpetuates the discrimination of another entity if both entities are subject to common administrative control or are agencies of the same state.

3. Rachel Gold is the Point of Contact for this Policy.

William J. Potter
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Delaware Workforce Investment Board