



# Governor's Commission on Disabilities

## Annual Meeting

**Wednesday September 5, 2007 5 – 7 PM**

John O. Pastore Center, 41 Cherry Dale Court,  
Cranston, RI 02920-3049

(voice) 401-462-0100 (fax) 462-0106 (tty) via RI Relay 711

(e-mail) [disabilities@gcd.ri.gov](mailto:disabilities@gcd.ri.gov) (website) [www.disabilities.ri.gov](http://www.disabilities.ri.gov)

<b>Attendees:</b>	Paul Choquette (Chair); John MacDonald (Vice Chair); Jeanne Behie; Rosemary Carmody; Regina Connor; Binyamin Efreom; R. Timothy Flynn; Sanford Lupovitz; Dr. Kate McCarthy-Barnett; Lisa McKay; Bill Nieranowski; James Pitassi; Arthur Plitt; Patricia Ryherd; Rev. Gerard Sabourin; Nancy Thomas; & John Treat		
<b>Excused:</b>	Frederick Burke; Sharon Brinkworth; Joseph Corrente; Dr. Judith Drew; Ronald McMinn; Karen O'Connell-Lyons; Lorna Ricci; & Lou Salerno;		
<b>----- Minutes -----</b>			
<b>Call to Order and Acceptance of the Minutes</b>	<b>Paul Choquette, Chairperson</b>	<b>5 min.</b>	
Introductions: Vice Chair called the meeting to order at 5:06 PM			
MOTION: To accept the minutes of the previous meeting as: presented BE/PR passed unanimously			
<b>Action Items:</b>	<b>Discussion Leader:</b>		<b>Time:</b>
1. Adopt the operational plan of the commission including the establishment or retention of committees, and volunteer units	<b>Committee Chairpersons, Liaisons and Staff</b>		<b>40 min.</b>
<b>Operational Plan For Fiscal Years 2008 and 2009</b>			
Discussion: <b>Committee Structure</b>			
The Executive Committee recommends retaining the current committees (see list below) but to expanded the State Coordinating Committee on Disability Rights' responsibilities to include communication strategies, and oversight on the ADA Titles II & III "customer service" awareness & training activities; and to change membership to include 1 representative from each of the other committees (possibly the vice chairpersons).			
Committee Chairpersons describe the highlights of their committees' FY 2007 activities and proposed activities for FY 2008 & 2008. Commissioners ask questions of the Committee chairpersons			
<b>Committee</b>	<b>Responsibilities</b>		
<b>Accessibility</b>	Overseeing the removal of environmental and communication barriers at state owned facilities and Reviewing municipal and state agency disability parking enforcement annual reports and recommending improvements.		

Committee	Responsibilities
<b>Disability Business Enterprise<sup>1</sup></b>	Certifying rehabilitation agencies and businesses owned by people with disabilities or whose workforce consists of 60% of more people with disabilities for preferences on bidding for state contracts and <a href="#">Promoting the selection of rehabilitation facilities and disadvantaged small businesses owned by people with disabilities in the awarding of state government contracts</a>
<b>Election Assistance</b>	Overseeing the Election Assistance for Individuals with Disabilities Grant: Awarding polling place renovation grants to municipal boards of canvassers; Developing training modules to be used by election officials and poll place workers to better prepare them to meet a variety of voter needs; Recruiting people with disabilities to serve as trained poll workers, and/or serve, on an as-needed basis, as advisors to the Commission, the RI Disability Law Center, Secretary of State’s Election Division, and the State Board of Elections’ ongoing attempts to ensure polling site accessibility and greater participation by people with disabilities in the electoral process; and <a href="#">Monitoring the RI Disability Vote Projects voter registration and education outreach programs.</a>
<b>Employment</b>	Overseeing implementation of the provision of training and technical assistance regarding the employment provisions of the ADA Grant and Promoting Work and Work Incentives
<b>Hearing Board<sup>2</sup></b>	Conducting hearings and rendering decisions on matters relating to: Disability discrimination complaints involving physical barriers to public and private entities [RIGL 42-87]; Transition Plans from state agencies requesting to lease inaccessible facilities [RIGL 37-8-15.1]; and Open Meeting Transition Plans from local and state government entities [RIGL 42-46-13].
<b>Assistive Technology</b>	Authorizing the purchase of assistive technology as responsible accommodations for state employees, clients and residents of state institutions, <a href="#">and Granting waivers that allows a member of a public body (as defined by the RI Open Meeting Law) to participate by electronic communication or telephone communication only if the member's disability would prevent him/her from being physically present at the meeting location, and the use of such communication is the only reasonable accommodation.</a>
<b>Legislation</b>	Conducting public forums annually to identify the concerns of people with disabilities and their families, Drafting legislation to improve the quality of life of people with disabilities, and Reviewing and commenting on legislation impacting on people with disabilities.

<sup>1</sup> The Committee’s membership is restricted by law to: 2 people with disabilities; 3 representatives of rehabilitation facilities; and the designees of the directors of the departments of Mental Health, Retardation, and Hospitals & Human Services, the Purchasing Agent, and the Economic Development Corporation. The Commission Chairperson (or designee) chair’s the Committee.

<sup>2</sup> The Hearing Boards’ membership is set forth in law and shall consist of 5 Commissioners, appointed by the Commission chairperson.

Committee	Responsibilities
<b>State Coordinating Committee on Disability Rights<sup>3</sup></b>	Overseeing the State Government's compliance with the Americans with Disabilities Act and other federal/state disability rights laws, and <a href="#">Developing communication strategies promoting ADA Titles II &amp; III "customer service" awareness.</a>
<b>Executive</b>	Internal management of the Commission, and Making policy decisions between Commission meetings.
MOTION: To adopt a committee structure that includes the changes in committees and their responsibilities as presented (above) RCo/TF passed unanimously	
Discussion: <b>Volunteer Units</b>	
The two volunteer units currently are the mediation teams and the ABLE TOO... cable TV production crew.	
The Executive Committee recommends retaining the Mediation Teams, but not renewing the Able Too producer's contract when it expires on Dec. 31, 2007.	
MOTION: to retain the mediation teams, but disband the ABLE TOO... production crew as of December 31, 2007. PR/BE passed unanimously	
<b>Dinner Break &amp; Election Official/Poll Worker Video</b>	<b>20 min.</b>
<p>The Executive Committee recommends the adoption of the following changes in Commission Management changes, as part of the Operational Plan:</p> <p style="padding-left: 40px;"><b>B. Staff Supervision:</b></p> <ol style="list-style-type: none"> <li>1. Executive Secretary will directly supervise: <ol style="list-style-type: none"> <li>a. Special Project (State ADA) Coordinator</li> <li>b. Administrative Aide</li> <li>c. The Mary Brennan (Public Awareness) Fellows</li> <li>d. The Edward J. Schroeder (Legislative) Fellow</li> <li>e. Communications &amp; Media Contractors</li> <li>f. The Information Technology Contractors and</li> <li>g. Clerical and other Professional Service Contractors</li> </ol> </li> <li>2. The Special Project (State ADA) Coordinator will directly supervise: <ol style="list-style-type: none"> <li>b. The 3 Assistant ADA Coordinators</li> <li>c. The G. Frank Hanaway (Architectural Awareness) Fellow</li> <li>d. Design and Surveying Contractors</li> </ol> </li> </ol> <p><b>B. Administrative Functions</b></p> <ol style="list-style-type: none"> <li>1. Special Projects (State ADA) Coordinator: <ol style="list-style-type: none"> <li>a. Posting Biweekly Payroll</li> <li>b. Depositing Receipt</li> <li>c. Quarterly Reports: ADA Grant Activities</li> </ol> </li> <li>2. Executive Secretary: <ol style="list-style-type: none"> <li>a. Requisitions, Purchase Orders, Invoices, Journal Entries, &amp; Expense Reports</li> <li>b. Grant Financial Reports, Invoices &amp; Electronic Draw Down of Grant Funds</li> </ol> </li> </ol>	

<sup>3</sup> The Committee's membership is set forth in law, representatives of: the 5 General Officers; the 3 Boards of Education; the Public Transit Authority; the House of Representatives and Senate; and representatives of the general public and Executive branch of state government, chosen by the Commission chairperson.

- c. Quarterly Reports: ADA Grant; HAVA Grant; Voter Registration, Contract Services
- d. Ordering Supplies
- e. Filing of Regulations and Regulation Reports
- f. Responding to Public Records Requests

The Executive Committee recommends changes in staff support for the committees as follows:

1. Assistant ADA Coordinator (Accessibility): Accessibility
2. Assistant ADA Coordinator (Employment): Employment
3. Assistant ADA Coordinator (Services): Disability Business Enterprises
4. Special Projects (State ADA) Coordinator:
  - a. Assistive Technology
  - b. Election Assistance
  - c. Hearing Board
5. Executive Secretary:
  - a. Executive
  - b. Legislation
  - c. State Coordinating Committee on Disability Rights

**MOTION:** To adopt the management and committee support functions as presented (above)BE/TF passed, Nay – BN; Abstain – JP

Discussion: The Executive Committee recommends requesting the reallocation of the 2 vacant State Building Code Official (Access) positions to

- 1. Assistant ADA Coordinator (Accessibility) and
- 1 Assistant ADA Coordinator (Services).

**MOTION:** To immediately submit Personnel Action Requests for Reallocation of the Principal State Building Code Official (Access) and Senior State Building Code Official (Access) positions to 2 Assistant ADA Coordinators: 1 specializing in Accessibility and the other in Services as presented PR/BE, passed JP abstained

**MOTION:** To adopt the Annual Report for Fiscal Year 2007 and Operational Plans for Fiscal Years 2008 & 2009 as Presented after incorporate the update sheets, in terms of content, but direct the Communication Strategy Committee to make style and drafting revisions PR/AP

**MOTION:** To amend the motion to add a disclaimer that the figures are not audited. BN/JP passed unanimously

The Motion as Amended, passed unanimously

The Vice Chair turns the meeting over to the Chairperson

2. Allocate resources, adopt a Supplemental Budget request for Fiscal Year 2008 and set fee and complementary gift schedules

**Bob Cooper, Executive Secretary**

**10 min**

**Fiscal Year 2008 Complementary Gift & Fee Schedules**

The following Complementary Gift and Fee Schedule is recommended:

- For a \$20 donation your choice of an **ABLE TOO... Program Video Tape OR**
- Subscription to the Legislative Letter, weekly during the General Assembly Session mailed first class
- For a \$25 donation a subscription of the Legislative Letter and all Commission reports mailed

first class

- **Newsletters/Reports** available emailed Adobe pdf file or mailed first class in standard or large print, audio cassette, diskette or Braille

The Legislative Letter and Commission reports are emailed in Adobe pdf for free

For donations of double the Correction Industries Price, rounded up to next dollar

**Interior Signage**

- Standard 12” x 4” Rest Room, Men, Women, or Exit Signs with Braille & Access Logo
- Standard 8” x 8” Rest Room, Men, Women, Exit, Elevator, Escalator, Cafeteria, Telephone, Lobby,
- First Aid, Fire Extinguisher Signs with Braille & Access Logo
- Standard 8” x 2” Rest Room, Men, Women, Exit, Elevator, Escalator, Cafeteria, Telephone, Lobby,
- First Aid, Fire Extinguisher Signs with Braille, without access logo
- Customized Braille Signs \$0.50 Access Decal 6” x 6”

**Exterior Signage**

- Standard 12” x 18” Disability Parking, Directional, or Access Reflective Sign with Access Logo
- Standard Van Accessible Parking Sign without Access Logo
- Standard 10’ Galvanized Steel Sign Post with U-Channel and 3/8” Diameter Holes Spaced 1” on Center

**The fees for retrieval and/or copying of public records shall be equal to the amount allowed by the Access to Public Records Act**

**MOTION:** To adopt the Complementary Gift/Fee schedule as presented (above) BE/TF passed unanimously

The Executive Committee’s FY 2008 Supplemental Budget Recommendation was reviewed and discussed, along with its impact on FY 2009 and FY 2010.

**Budget Impact on Availability of**

Accessibility Personnel	FY 08	FY 09
2 vacant Accessibility positions	-2,668 hrs*	-2,668 hrs*
Fill 1st Asst. ADA Coordinator	1,239 hrs	1,645 hrs
Contract Access Surveyors	511 hrs	460 hrs
State ADA Coordinator	179 hrs*	172 hrs*
Balance	-739 hrs	-391 hrs
Funding Source staff	100% State \$	100% State \$
Funding Source contractors	46% State \$	13% State \$
Gap in Staffing: Accessibility, Assistive Technology, Election Assistance & Hearing Board all share 1 staff-person, until 1st vacancy is filled		
ADA Customer Service Personnel	FY 08	FY 09
Contract Employee	-533 hrs*	-572 hrs*
Fill 2nd Asst. ADA Coordinator**	620 hrs	1,234 hrs
Balance	87 hrs	662 hrs
Funding Source staff	100% State \$	0% State \$

\*\* In FY 08 50% of 2nd Asst. ADA Coordinator time on ADA Customer Service, in FY 09 72 % due to State \$ budget target.

Gap in Staffing: Smart Staffing Contract expires 9/30/07, if request to fill the 2nd vacancy is approved quickly the gap in staffing should be only a couple of weeks		
<b>ADA Employment Assistance Personnel</b>	<b>FY 08</b>	<b>FY 09</b>
Asst. ADA Coordinator:		
ADA Assistance (in FY 07 610 hrs)	991	1,152
Promoting Work (in FY 07 261 hrs)	413	494
Balance*	293 hrs	775 hrs
Funding Source staff	100% State \$	100% State \$
* Difference from Actual FY 07 hours		
Gap in Staffing: None		
<b>Disability Business Enterprise Personnel</b>	<b>FY 08</b>	<b>FY 09</b>
Contract Employee	-754 hrs*	-889 hrs*
Fill 2nd Asst. ADA Coordinator**	620 hrs	411 hrs
Balance	-134 hrs	-478 hrs
Funding Source staff	100% State \$	100% State \$
** In FY 08 50% of 2nd Asst. ADA Coordinator time on DBE, in FY 09 25% due to State \$ Budget Target.		
Gap in Staffing: Smart Staffing Contract expires 9/30/07, if request to fill the 2nd vacancy is approved quickly the gap in staffing should be only a couple of weeks		
<b>Communications Personnel</b>	<b>FY 08</b>	<b>FY 09</b>
State ADA Coordinator website	-50 hrs*	-50 hrs*
Executive Secretary	-115 hrs*	-41 hrs*
Asst. ADA Coordinator	-16 hrs*	-264 hrs*
Contract Cable TV Production	-32 hrs*	-120 hrs*
Contract Information Technology	164	82
Contract Communications	560	582
Balance	511 hrs	189 hrs
Funding Source staff	43% State \$	100 % State \$
Funding Source contractors	73% State \$	49% State \$
* Difference from Actual FY 07 hours		
Gap in Staffing: Executive, Legislation State Coordinating Committee on Disability Rights all share 1 staff-person.		

Annual Hours employees, fellows & contractors	Management	Public Awareness & Advocacy	Disability Rights Compliance	Disability Rights Technical Assistance	Election Assistance	Disability Business Enterprise	Promoting Work & Incentives	Total Hours Per Year
FY 09	991	2,035	390	5,910	1,111	569	629	<b>11,634</b>
FY 08	1,072	2,381	379	4,613	1,170	927	548	<b>11,089</b>
FY 07	1,662	1,905	428	5,735	1,216	889	274	<b>12,108</b>
FY 06	1,576	1,576	644	5,021	737	1,230	478	<b>11,259</b>
FY 05	1,798	1,745	821	5,389	224	291	575	<b>10,843</b>

Recommended Budget	FY 2005	FY 2006	FY 2007	Enacted	FY 2008	FY 2009
Explanation	Actual	Actual	Actual	FY 08	Revised	Request
<b>Expenditures by Object</b>						
Salary/Wage and Benefits	\$539,194	\$567,232	\$510,364	\$553,571	\$452,934	\$482,919
Contracted Professional Services	\$27,385	\$78,903	\$84,813	\$70,637	\$87,852	\$64,174
Operating Supplies & Expenses	\$28,771	\$30,013	\$25,375	\$54,552	\$22,964	\$23,281
Assistance and Grants	-\$356	\$2,850	\$59,063	\$87,438	\$107,937	\$102,938
Capital Purchases & Equipment	\$11,455	\$113,817	\$125,541	\$201,881	\$201,881	\$201,881
Operating Transfers (to RIC)	\$99,872	\$0	\$40,798	\$0	\$0	\$0
<b>Total Expenditures</b>	<b>\$706,320</b>	<b>\$792,815</b>	<b>\$845,945</b>	<b>\$968,079</b>	<b>\$873,568</b>	<b>\$879,192</b>
<b>Expenditures by Fund</b>						
State General Revenues	\$535,199	\$539,666	\$518,630	\$535,775	\$535,775	\$482,198
Federal Grants	\$39,209	\$71,908	\$162,174	\$181,692	\$123,787	\$188,424
Restricted Receipts	\$22,635	\$67,055	\$1,692	\$50,612	\$14,005	\$8,570
Operating Transfers (RICAP)	\$109,277	\$114,186	\$163,449	\$200,000	\$200,000	\$200,000
<b>Total Expenditures</b>	<b>\$706,320</b>	<b>\$792,815</b>	<b>\$845,945</b>	<b>\$968,079</b>	<b>\$873,568</b>	<b>\$879,192</b>
<b>FTE Positions</b>	<b>6.6</b>	<b>6.6</b>	<b>6.6</b>	<b>5.6</b>	<b>5.6</b>	<b>5.6</b>

3. Adopt a budget request for Fiscal Year 2009

**Bob Cooper**

**20 min.**

The Executive Committee's FY 2008 Supplemental Budget Request and the FY 2009 Budget Request is within the Commission's FY 2009 Budget Target and would not require any additional general revenue. It is felt that our "best shot" at getting permission to fill both vacant positions is with this proposal.

Discussion: If the Commission were "level funded" in FY 2009 at the FY 2008 Enacted level, a restoration of \$53,577:

- The 2nd vacant Assistant ADA Coordinator's salary/benefits could be fully funded with State \$;
- The DBE staff support could be restored to 50% from 25%, 822 annual hours instead of 411;
- A portion of ADA Grant funds no longer allocated for the 2nd Assistant ADA Coordinator's position could be used for Communications / Awareness around \$17,300; and
- The ADA Grant would carry forward \$52,198 into FY 2010.

**MOTION: To**

1. Adopt the Fiscal Year 2008 Supplemental Budget Request and Fiscal Year 2009 Budget Request as revised to include the Level Funding Option and
2. Direct the Ad Hoc Communication Strategy Committee to make style and drafting revisions to improve its presentation. PR/TF passed unanimously

4. Elect the vice chairperson

**Paul Choquette**

**10 min.**

**MOTION: To nominate John MacDonald Vice Chairperson of the Commission & close nominations PR/JB passed unanimously**

5. Give advice and consent to the Chairperson's appointments of committee chairpersons and members and liaisons to other

**Paul Choquette**

**10 min.**

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**The Chairperson nominates the following to be Committee chairpersons and members**

*Accessibility Committee*

Binyamin I. Efreom of Warwick, Chairperson,  
 Joseph Corrente of Cranston, Arthur M. Plitt of Pawtucket,  
 Kate McCarthy-Barnett, EdD of Coventry, Rev. Gerard O. Sabourin of Exeter, and  
 Ronald C. McMinn of Cumberland, Lou Salerno of West Warwick

*Assistive Technology Committee*

Regina Connor of North Providence, Chairperson  
 Frederick Burke of North Scituate, Bill Nieranowski of Westerly, and  
 Lisa C. McKay of North Kingstown, Lorna Ricci of Warwick

*Disability Business Enterprise Committee*

Bill Nieranowski of Westerly, Chairperson  
 John R. Treat of Bristol Dorene McShane of North Kingston

*Election Assistance Committee*

Rosemary C. Carmody of Coventry, Chairperson,  
 Regina Connor of North Providence, Arthur M. Plitt of Pawtucket, and  
 James A. Pitassi, Jr. of Johnston, Lorna Ricci of Warwick

*Employment Committee*

Patricia Ryherd of Barrington, Chairperson  
 Rosemary C. Carmody of Coventry, Bill Nieranowski of Westerly,  
 Judith Drew, Ph.D. of Cumberland, Arthur M. Plitt of Pawtucket,  
 Sanford Lupovitz of East Greenwich, James A. Pitassi, Jr. of Johnston, and  
 Lisa C. McKay of North Kingstown, Lorna Ricci of Warwick

*Hearing Board*

John J. MacDonald of Pawtucket, Acting Chairperson  
 Frederick Burke of North Scituate, Ronald C. McMinn of Cumberland, and  
 Judith Drew, Ph.D. of Cumberland, Arthur M. Plitt of Pawtucket  
 Karen O'Connell-Lyons, of Barrington

*Legislation Committee*

R. Timothy Flynn of Ashaway, Chairperson  
 Jeanne Behie of South Kingstown, Kate McCarthy-Barnett, EdD. of Coventry,  
 Sharon Brinkworth of Barrington, Arthur M. Plitt of Pawtucket,  
 Rosemary C. Carmody of Coventry, Rev. Gerard O. Sabourin of Exeter

*State Coordinating Committee on Disability Rights*

John J. MacDonald of Pawtucket, Acting Chairperson;  
 Bob Cooper of Scituate, Vice Chairperson  
 Nancy Thomas of Cranston

\* After the fall committee vice chairperson elections – they will be added to the committee's membership  
 The commissioners, who serve on the Committee as representatives of major state departments, don't appear  
 on this list.

*Executive Committee*

Consists of the Chairpersons and Vice Chairpersons of the Commission and its Committees

**MOTION:** To give advice and consent to the Chairperson's appointments of the following committee chairpersons and members as presented TF/BN passed unanimously

*The Chair nominates the following to be Liaisons:*

<i>Commission representation is required</i>	<i>Nominees</i>
1. Board of Elections' Voter Registration Advisory Committee	Rosemary Carmody
2. Emergency Management Advisory Committee	Kate McCarthy-Barnett

3. Emergency Management Agency's Elderly & Disability Work Group	Kate McCarthy Barnett	
4. Paratransit Task Force	Bob Cooper	
5. Department of Administration's Webmasters Committee	Harvey Salvas	
6. New England ADA Center Advisory Committee	Harvey Salvas	
7. RI Disability Vote Project's Steering Committee and Managing Directors	Rosemary Carmody	
<i>Commission asked to be represented on:</i>		
8. State Planning Council's Transportation Advisory Committee	John MacDonald	
9. John O. Pastore Center Council	Asst ADA Coord (Access)	
10. Department of Environmental Management's Trails Advisory Committee	Asst ADA Coord (Access)	
11. Housing Resources Commission's RI Homes Proposal Review Committee	Asst ADA Coord (Access)	
<i>Commission was asked to name a representative to:</i>		
12. Rhodes to Independence Steering Committee	?	
13. US Department of Labor's Office of Disability & Employment Policy / National Association of Governor's Committees on People with Disabilities	Patricia Ryherd	
<i>To be determined whether to designate an official representative to:</i>		
14. Rhodes to Independence Self Employment Working Group	Bill Nieranowski	
<p>MOTION: To give advice and consent to the Chairperson's appointments of liaisons presented PR/BE passed Nay - AP</p> <p>MOTION: To recommend the Governor appoint Harvey Salvas to the State Building Code Standards Committee as a person with disabilities. BE/SL passed, Aye SL, JP, NT, BE, JB, KMCCB, PR and Nay AP, TF, RCa, BN, JT</p>		
<b>Announcements and Scheduling of Meetings</b>	<b>Paul Choquette</b>	<b>5 min.</b>
<p>The Commission's bill to allow people with disabilities use telecommunications devices to participate on government boards that are unable to be physically present due to their disability, was enacted into law. The Commission is required to write regulations on the implementation of this law.</p>		
<p>Chapter 433 2007 -- S 0142 Enacted 07/07/07</p> <p><b>A N A C T</b></p> <p><b>RELATING TO STATE AFFAIRS AND GOVERNMENT -- OPEN MEETINGS</b></p> <p><b><u>Introduced By:</u></b> Senators Ciccone, Maselli, Moura, Badeau, and Ruggerio</p> <p><b><u>Date Introduced:</u></b> January 24, 2007</p> <p>It is enacted by the General Assembly as follows:</p> <p>SECTION 1. Section 42-46-5 of the General Laws in Chapter 42-46 entitled "Open Meetings" is hereby amended to read as follows:</p> <p><b><u>42-46-5. Purposes for which meeting may be closed -- Use of electronic communications -- Judicial proceedings -- Disruptive conduct. --</u></b></p> <p>(a) A public body may hold a meeting closed to the public pursuant to section 42-46-4 for one or more of the following purposes:</p> <p>(1) Any discussions of the job performance, character, or physical or mental health of a person or persons provided that such person or persons affected shall have been notified in advance in writing and advised that they may require that the discussion be held at an open meeting.</p> <p>Failure to provide such notification shall render any action taken against the person or persons affected null and void. Before going into a closed meeting pursuant to this subsection, the public body shall state for the record that any persons to be discussed have been so notified and this statement shall be noted in the minutes of the meeting.</p>		

(2) Sessions pertaining to collective bargaining or litigation, or work sessions pertaining to collective bargaining or litigation.

(3) Discussion regarding the matter of security including but not limited to the deployment of security personnel or devices.

(4) Any investigative proceedings regarding allegations of misconduct, either civil or criminal.

(5) Any discussions or considerations related to the acquisition or lease of real property for public purposes, or of the disposition of publicly held property wherein advanced public information would be detrimental to the interest of the public.

(6) Any discussions related to or concerning a prospective business or industry locating in the state of Rhode Island when an open meeting would have a detrimental effect on the interest of the public.

(7) A matter related to the question of the investment of public funds where the premature disclosure would adversely affect the public interest. Public funds shall include any investment plan or matter related thereto, including but not limited to state lottery plans for new promotions.

(8) Any executive sessions of a local school committee exclusively for the purposes (a) of conducting student disciplinary hearings or (b) of reviewing other matters which relate to the privacy of students and their records, including all hearings of the various juvenile hearing boards of any municipality; provided, however, that any affected student shall have been notified in advance in writing and advised that he or she may require that the discussion be held in an open meeting.

Failure to provide such notification shall render any action taken against the student or students affected null and void. Before going into a closed meeting pursuant to this subsection, the public body shall state for the record that any students to be discussed have been so notified and this statement shall be noted in the minutes of the meeting.

(9) Any hearings on, or discussions of, a grievance filed pursuant to a collective bargaining agreement.

(10) Any discussion of the personal finances of a prospective donor to a library.

(b) No meeting of members of a public body or use of electronic communication, including telephonic communication and telephone conferencing, shall be used to circumvent the spirit or requirements of this chapter; provided, however, these meetings and discussions are not prohibited.

(1) Provided, further however, that discussions of a public body via electronic communication, including telephonic communication and telephone conferencing, shall be permitted only to schedule a meeting.

(2) Provided, further however, that a member of a public body may participate by use of electronic communication or telephone communication while on active duty in the armed services of the United States.

(3) Provided, further however, that a member of that public body, who has a disability as defined in chapter 87 of title 42 and:

(i) cannot attend meetings of that public body solely by reason of his or her disability; and

(ii) cannot otherwise participate in the meeting without the use of electronic communication or telephone communication as reasonable accommodation, may participate by use of electronic communication or telephone communication in accordance with the process below.

(4) The governor's commission on disabilities is authorized and directed to:

(i) establish rules and regulations for determining whether a member of a public body is not otherwise able to participate in meetings of that public body without the use of electronic

communication or telephone communication as a reasonable accommodation due to that member's disability;

(ii) grant a waiver that allows a member to participate by electronic communication or telephone communication only if the member's disability would prevent him/her from being physically present at the meeting location, and the use of such communication is the only reasonable accommodation; and

(iii) any waiver decisions shall be a matter of public record.

(c) This chapter shall not apply to proceedings of the judicial branch of state government or probate court or municipal court proceedings in any city or town.

(d) This chapter shall not prohibit the removal of any person who willfully disrupts a meeting to the extent that orderly conduct of the meeting is seriously compromised.

SECTION 2. This act shall take effect upon passage.

MOTION: To authorize the Assistive Technology Committee to draft regulations to implement RI Public Law Chapter 2007 - 433 and conduct jointly with the Executive Committee a public hearing on the draft regulations. The Executive Committee is authorized to adopt the regulations, on behalf of the Commission.  
JP/SL passed unanimously

The Next Commission Meeting is our Fall Legislative Meeting, to develop the Commission's 2008 Legislative Package. The Legislation Committee will propose a Legislative Package and Scope of Review for the Commission to consider.

Next meeting will be on:	<b>Monday November 5, 2007</b>	Starting at: <b>5 PM</b>
Adjournment:	Chairperson adjourned the meeting at 8:15 PM	
<b>Resource persons:</b>	Bob Cooper, Secretary; Harvey Salvas; Christine Botts; & Christine Rancourt (GCD)	