



**Governor's Commission on Disabilities**

**Executive Committee**

**Wednesday, August 27, 2014**

**4:30 PM - 5:30 PM**

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

(voice) 401-462-0107 (fax) 462-0106 (tty) via RI Relay 711

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	<p><b>Attendees:</b> Timothy Flynn (Chair.); Andrew Argenbright; Jack Ringland; &amp; Linda Ward  <b>Absentees:</b> Rosemary Carmody, (Vice Chair.); Judi Drew; Paul Harden; Sarah Everhart Skeels; Casey Gartland; Ronald McMinn; &amp; Harvey Salvas  <b>Staff:</b> Bob Cooper, Executive Secretary</p>
	<p><b>4:30 Call to Order and Acceptance of the Minutes, Timothy Flynn, Chair</b>          Chair calls the meeting to order at 4:37 PM</p>
	<p><b>MOTION:</b> To accept the minutes of the previous meeting as presented          Motion moved by JR, seconded by AA, passed unanimously</p>
<p><b>Action Items:</b></p>	
	<p><b>4:35 Appointment of Commissioners, Timothy Flynn</b>  <b>Purpose/Goal:</b> To make recommendations to the Governor on appointments and reappointments of Commissioners.  <b>Discussion:</b> Tabled</p>
	<p><b>4:45 Commission FY 2015 &amp; 2016 Strategic Plan and Budget Request, Bob Cooper, Executive Secretary</b>  <b>Purpose/Goal:</b> To prepare recommendations for the Commission to consider at the Annual Meeting: FY 2015 &amp; 2016 Strategic Plan and Budget Requests  <b>Discussion:</b> The members reviewed the staff draft FY 2015 &amp; 2016 Strategic Plan and Budget Requests PowerPoint, below.</p>



# *Governor's Commission on Disabilities*

*Ideas for Today and Tomorrow*

# Vision Statement

That every Rhode Islander with a disability is able “to accomplish the maximum potential in independence, human development, productivity and self-sufficiency” {RIGL 42-51-6(2)}.

# Mission

- To ensure “that people with disabilities are afforded the opportunities to exercise all the rights and responsibilities accorded to citizens of this state” {RIGL 42-51-6(1)}



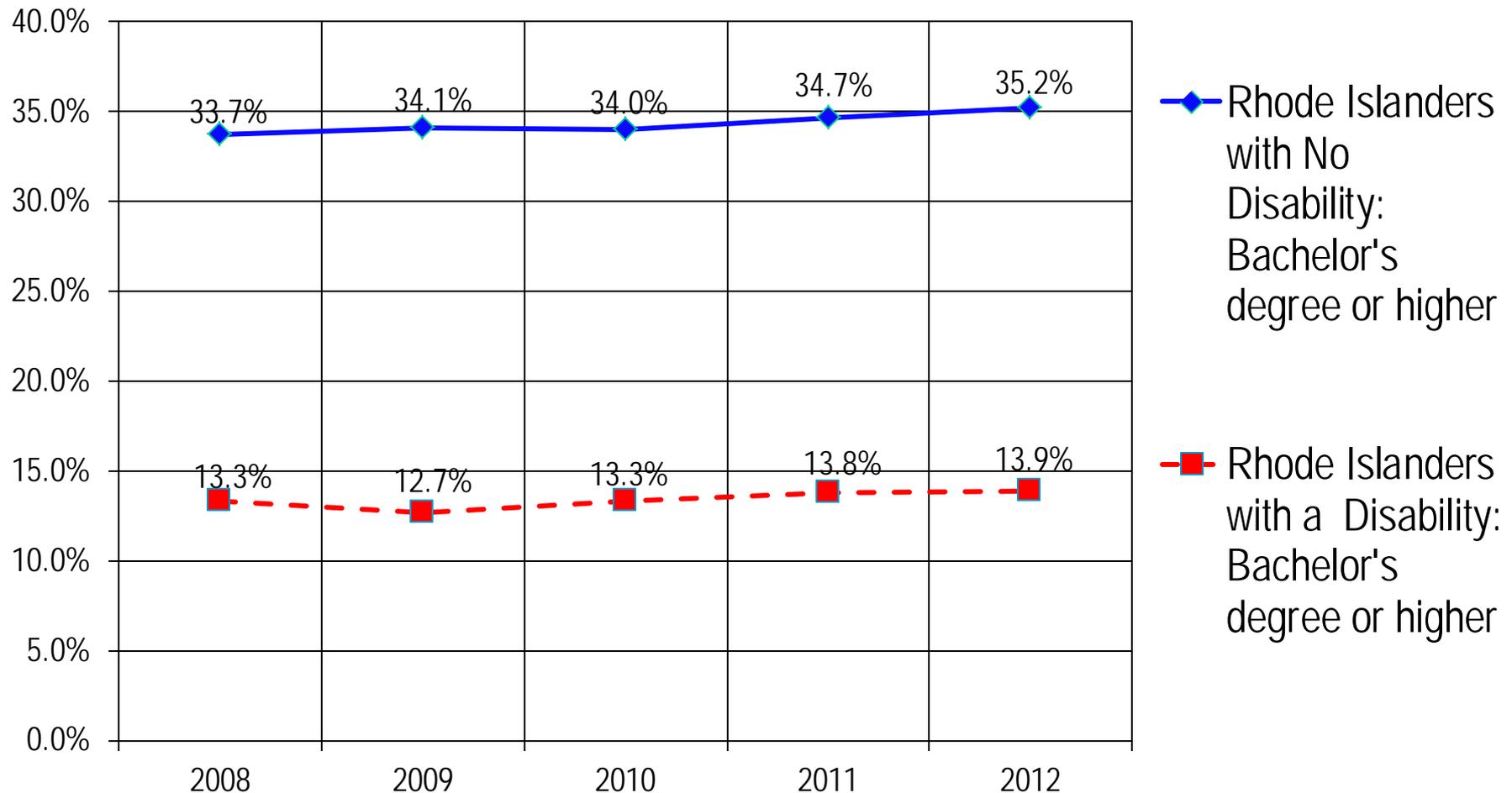
# Goals

- To foster the adoption of policies that will ensure every person with disabilities:
  - Is able to work;
  - Is able to live on her / his own with the right services at the right time and right place; and
  - Is involved in her / his neighborhood and community.
- To protect the rights of individuals with disabilities,
- To promote employment and entrepreneurship of individuals with disabilities.

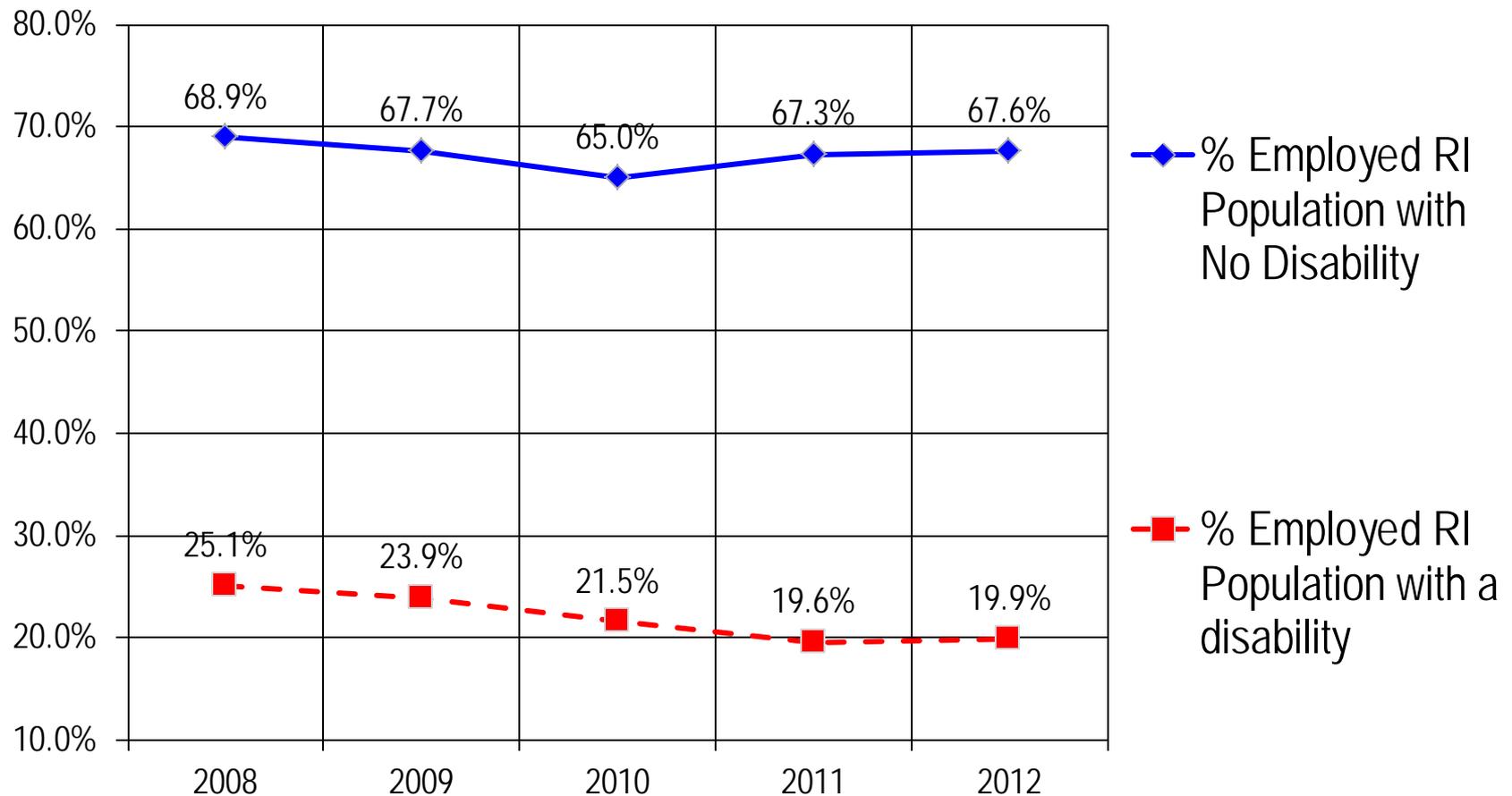
# Strategic Barriers

- There are almost 3 times the percentage of RI College Graduates with No Disability as RI College Graduates with a Disability
- There are more than 3 times the percentage of Rhode Islanders with No Disability are Employed than Rhode Islanders with a Disability
- Almost double the percentage of Americans with Disabilities are Self-Employed than Rhode Islanders with Disabilities
- There is a \$10,000 gap in Median Earned Income of Employed Working Age Rhode Islander with No Disability as RI Workers with a Disability
- There is 20% gap between the percentage of Rhode Islanders with No Disability at or above 150% of the poverty level and Rhode Islanders with a Disability

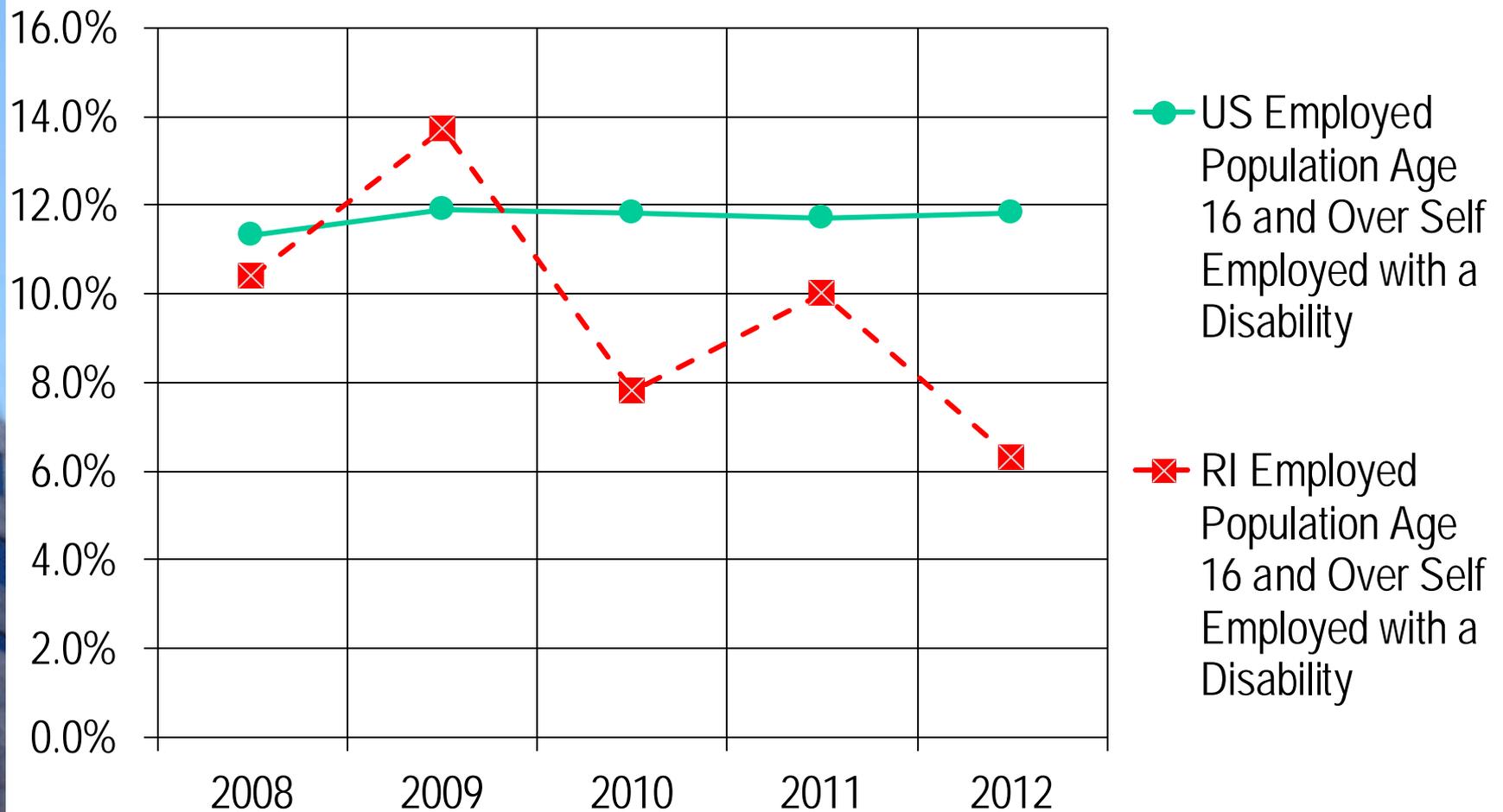
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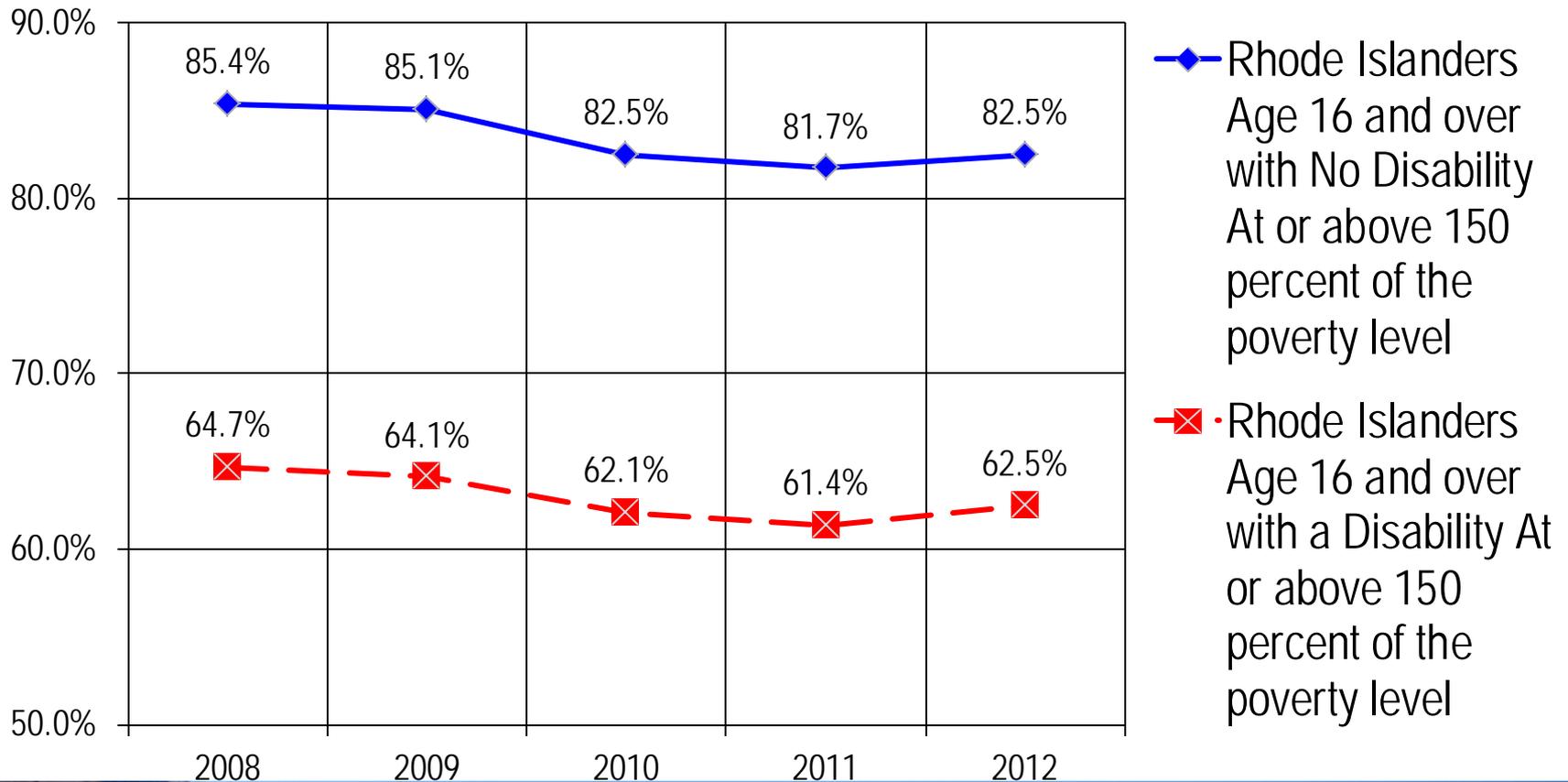
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# There is 20% gap between the percentage of Rhode Islanders with No Disability at or above 150% of the poverty level and Rhode Islanders with a Disability



# Strategies and Objectives



# Fostering the Adoption of Policies that will Benefit Persons with Disabilities

## The Legislation Committee shall:

- (1) "Study the concerns of people with disabilities in reaching the maximum in Independent living and human development and exercising all of the rights and responsibilities accorded to citizens of this state;
- (2) Arouse community interest in the concerns of people with disabilities;" {RIGL 42-51-6.2(b)} and
- (3) Mobilize the community, people with disabilities, their family, friends, etc. to address the "concerns" and influence policymakers.

## The Staff shall:

- Draft legislation to address those "concerns";
- Prepare legislative impact statements and arrange testimony;
- Track disability related bills and publish a weekly legislative newsletter.

# Protecting the Rights of Individuals with Disabilities

## **§42-51-6 Governor's Commission on Disabilities - Duties.**

- (3) Coordinating compliance with federal and state laws protecting the rights of individuals with disabilities by state agencies;
- (4) Providing technical assistance to public and private agencies, businesses, and citizens in complying with federal and state laws protecting the rights of individuals with disabilities;"

## **§42-87-5 Civil Rights of People with Disabilities - Enforcement of anti-discrimination provisions**

- "(b)(1) The [commission] is empowered and directed to investigate and hear all complaints relating to alleged violations of this chapter relating to the physical inaccessibility of buildings and structures."

## **§42-46-5 Open Meetings – Use of electronic communications**

- (ii) Grant a waiver that allows a member [of a public body] 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;

## **§37-8-15.1 Accessibility of leased or rented facilities for people with disabilities**

- (4) The [commission] shall certify that the lessee agency's program accessibility plan ensures access to, and use of the facility to be leased or rented for people with disabilities.

## **Help America Vote Act- Voting Access for Individuals with Disabilities-Grants to States**

# “Coordinating compliance with federal and state laws protecting the rights of individuals with disabilities by state agencies;”

## Action Plan

The Accessibility Committee shall:

- “Develop, make periodic revisions to, and oversee the implementation of a [504/ADA] transition plan for the removal of environmental and communication barriers in state-owned facilities;” {RIGL 42-51-9(4)(iv)}

The Staff shall:

- Review and approve design plans for construction, renovation or alteration of all state owned facilities and state funded projects;
- Manage the accessibility renovation projects at state owned facilities;
- Investigate disability discrimination complaints filed against state agencies and state funded programs and activities.

**“Providing technical assistance to public and private agencies, businesses, and citizens in complying with federal and state laws protecting the rights of individuals with disabilities;”**

## **Action Plan**

The Staff shall:

- Review design plans and make recommendations to improve functional access, to public and private entities, designers, developers, and others;
- Offer training designed to encourage the voluntary compliance with laws protecting the rights of individuals with disabilities;
- Reach out to and disseminate information on the rights of people with disabilities to: emergency management personnel, youth (college students under age 30), older workers, veterans and people with disabilities from multi-cultural communities;
- Conduct disability accessibility surveys and provide advice on how to overcome any barriers identified
- Offer mediation to assist parties who voluntarily chose to utilize that service to resolve allegations of discrimination on the basis of disability

# §42-87-5 Civil Rights of People with Disabilities - Enforcement of anti-discrimination provisions.

## §42-46-5 Open Meetings – Use of electronic communications

## §37-8-15.1 Accessibility of leased or rented facilities for people with disabilities

### Action Plan

The Staff shall:

- Investigate disability discrimination complaints

The Staff and/or the Mediation Teams shall:

- “Attempt by informal methods of conference, persuasion, and conciliation, to induce compliance” {RIGL 42-51-6.2(b)(4)}.

“The Hearing Board is empowered to:

- “Receive, investigate, and act upon charges of unlawful practices” {RIGL 42-51-6.1(c)}
- “...issue and cause to be served upon the respondent an order requiring the respondent to cease and desist from such practices” {42-87-5(b)(2)(iii)}
- “Grant a waiver that allows a member [of a public body] 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” {RIGL 42-46-5(ii)}
- certify that the lessee agency's program accessibility plan ensures access to, and use of the facility to be leased or rented for people with disabilities {RIGL 37-8-15.1(4)}

# Help America Vote Act –Voting Access for Individuals with Disabilities – Grants to States

## Action Plan

The Election Assistance Committee shall oversee the HAVA Grant\*.

Section 261 of HAVA funds may only be used for the following activities:

- “Making polling places, including the path of travel, entrances, exits, and voting areas of each polling facility, accessible to individuals with the full range of disabilities;
- Providing the same opportunity for access and participation, including privacy and independence, to individuals with the full range of disabilities as for other voters;
- Training election officials, poll workers, and election volunteers on how best to promote the access and participation of individuals with the full range of disabilities in elections for Federal office; and
- Providing individuals with the full range of disabilities with information about the accessibility of polling places.” {Help America Vote Act, Title II, Part 2, Section 261,Public Law 107-252.}

## The Staff shall:

- Survey polling places,
- monitor renovation projects,
- Provide technical assistance to local election officials, and
- Investigate disability voting rights complaints.

\* HAVA Funding may run-out during FY 2015.

# Promoting Employment of Individuals with Disabilities

## The Employment Committee shall:

- Ensure that every person with a disability has fair and equitable access to employment opportunities

## The Staff shall:

- “Provid[e] technical assistance to public and private agencies, businesses, and citizens in complying with federal and state laws protecting the rights of individuals with disabilities;” {RIGL 42-51-6(4)}

# Promoting Entrepreneurship by supporting Disability Business Enterprises Action Plan

The Disability Business Enterprise Committee shall\*:

- Certify small disadvantaged disability owned businesses that qualify for the RIGL 37-2.2 Disability Business Enterprises program; and
- Submit a list of the certified small disadvantaged disability businesses and the products and services provided by them to the chief purchasing officer at least once a year.{RIGL 37-2.2-4(d)}.

The Staff shall\*:

- Compile applications for DBE Certification and
- Conduct outreach & awareness of the program.

**\*Once the Department of Administration issues updated Purchasing Rules.**

# Resource Allocation: FY 15 Revised Request

Amount Over or (Under)Target	\$3,860.00			(\$6,367.00)	(\$100.51)	(\$8,914.00)	\$107,528.00	\$96,006
FundingSource	GeneralRevenue					Restricted	RICAP	GrandTotal
[B]FY2015 CurrentServiceLevel	GCD Operations	Mary Brennan Fellowship	Disability Business Enterprise	NE ADA Grant	HAVA Grant	Public Forums	FR1 Access Renovations	
Category Summary								
Wages and Benefits	\$322,060		\$8,524	\$14,267	\$19,002			\$363,853
Contracted Professional Services	\$3,502	\$0.00	\$533	\$1,066	\$0	\$2,696		\$8,863
Operating Supplies and Expenses	\$10,868	\$0	\$921	\$6,521	\$29,848	\$6,236		\$54,394
Assistance and Grants	\$0.00	\$14,718	\$0	\$11,039	\$221,248	\$0		\$247,005
Capital Purchases and Equipment	\$628	\$0	\$0	\$0	\$0	\$0	\$1,106,260	\$1,106,888
Operating transfers	\$0	\$0	\$0	\$0	\$0	\$0	\$1,268	\$1,268
<b>Total</b>	<b>\$337,058</b>	<b>\$14,718</b>	<b>\$9,978</b>	<b>\$32,893</b>	<b>\$270,098</b>	<b>\$8,932</b>	<b>\$1,107,528</b>	<b>\$1,782,271</b>
Target(availablegrantfunds)		\$357,895		\$30,367	\$271,264	\$21,825	\$128,028	\$538,216
Grand Total All Accounts		\$361,754		\$32,893	\$271,164	\$8,932	\$1,107,528	\$1,782,271

## Potential cuts to meet target:

- Reduce fellowships from 4 to 3 saving\$ 3,679
- Reduce printing of DBE brochures from \$500 to \$319, saving \$181

# Resource Allocation: FY 15 Staffing

[B] FY 2015 Current Service Levels	Advocacy & Public Awareness	Accessibility Technical Assistance	Disability Rights Compliance	Employment	Admin. Support	Disability Business Enterprise	ADA Access	ADA Employ	HAVA Grant
Executive Secretary	\$54,979	\$1,279	\$19,179	\$-	51,143	\$-	\$-	\$-	\$1,279
Annual Hours	659	15	230	0	613	0	0	0	15
FTE	0.43	0.01	0.15	-	0.40	-	-	-	0.01
Assistant ADA Coordinator (Employ.)	\$-	\$5,114	\$-	\$62,219	\$-	\$8,524	\$-	\$8,524	\$853
Annual Hours	-	96	-	1,170	-	160	-	160	16
FTE	-	0.06	-	0.73	-	0.10	-	0.10	0.01
Assistant ADA Coordinator (Accessibility)	\$-	\$79,330	\$-	\$-	\$-	\$-	\$-	\$-	\$14,000
Annual Hours	-	1,380	-	-	-	-	-	-	244
FTE	-	0.85	-	-	-	-	-	-	0.15
Public Education Aide	\$22,974	\$5,744	\$	\$	\$20,102	\$	\$	\$ 5,744	\$ 2,872
Annual Hours	664	166	-	-	581	-	-	166	83
FTE	0.40	0.10	-	-	0.35	-	-	0.10	0.05
Total State Employee \$	\$ 77,953	\$91,467	\$19,179	\$62,219	71,245	\$8,524	\$0	\$14,268	\$19,004
State ADA Maintenance of Effort		1,643		1,155					
Total State funded annual hours (MoE)	1,323	1,658	230	1,170	1,194	160			
<b>difference from MoE</b>		<b>15</b>		<b>15</b>					
Combined Total Employee Hours	1,323	1,658	230	1,496	1,194	160	-	326	358
Combined Historic Average Hours	1,066	2,468		1,284	1,002	114			
Full Time Equivalent Staffing	0.83	1.02	0.15	0.73	0.75	0.10	0	0.20	0.22

# Resource Allocation FY 16: Current Service Request

Amount Over or (Under) Target	\$33,548.00			(\$226.00)	\$0.00	(\$7,352.00)	\$0.00
Funding Source	General Revenue			Federal Grants		Restricted	RICAP
[C] FY 2016 Current Service Level	GCD Operations	Mary Brennan Fellowship	Disability Business Enterprise	NE ADA Combined	HAVA Grant	Public Forums	FR1 Access Renovations
Category Summary							
Wages and Benefits	\$368,897		\$8,669	\$6,608	\$101		
Contracted Professional Services	\$3,550	\$0	\$533	\$11,039	\$0	\$2,696	
Operating Supplies and Expenses	\$11,331	\$0	\$959	\$0	\$0	\$4,261	
Assistance and Grants	\$0	\$14,718	\$0	\$0	\$0	\$0	
Capital Purchases and Equipment	\$0	\$0	\$0	\$30,141	\$101	\$0	\$990,000
Operating transfers	\$0	\$0	\$0	\$39,261	\$101	\$0	\$10,000
<b>Total</b>	<b>\$383,778</b>	<b>\$14,718</b>	<b>\$10,161</b>	<b>\$30,141</b>	<b>\$101</b>	<b>\$6,957</b>	<b>\$1,000,000</b>
Target (available grant funds)		\$375,109		\$6,608	\$101	\$16,399	\$1,000,000
Grand Total All Accounts		\$408,657		\$11,039	\$0	\$6,957	\$1,000,000

## Potential cuts to meet target:

- Reduce Workweek from 35 hrs to 33 hrs, saving \$33,151
- Reduce printing of DBE brochures from \$500 to \$338, saving \$114
- Shift ADA fellowships from NE ADA Grant to Mary Brennan Fund and increase staff hours charge to the Grant, savings \$1,259

# Resource Allocation FY 16: Staffing Current Service Request

[C] FY 2016 Current Service Level	Advocacy & Public Awareness	Accessibility Technical Assistance	Disability Rights Compliance	Election Assistance	Employment	Admin. Support	Disability Business Enterprise	ADA Access	ADA Employ
Executive Secretary	\$80,135	\$ -	\$20,034	\$ -	\$ -	\$33,390	\$ -	\$ -	\$ -
Annual Hours	920	0	230	0	0	383	0	0	0
FTE	0.60	-	0.15	-	-	0.25	-	-	-
Assistant ADA Coordinator (Employ.)	\$ -	\$5,200	\$ -	\$ -	\$ 67,588	\$ -	\$8,666	\$4,333	\$ 867
Annual Hours	-	96	-	-	1,250	-	160	80	16
FTE	-	0.06	-	-	0.78	-	0.10	0.05	0.01
Assistant ADA Coordinator (Accessibility)	\$ -	\$98,993	\$ -	\$9,791	\$ -	\$ -	\$ -	\$ -	\$ -
Annual Hours	-	1,478	-	146	-	-	-	-	-
FTE	-	0.91	-	0.09	-	-	-	-	-
Public Education Aide	\$23,985	\$2,999	\$ -	\$2,999	\$5,997	\$17,989	\$ -	\$2,999	\$2,999
Annual Hours	664	83	-	83	166	498	-	83	83
FTE	0.40	0.05	-	0.05	0.10	0.30	-	0.05	0.05
State ADA Maintenance of Effort (MoE)		1,643			1,155				
Total State funded annual hours	1,584	1,657	230	229	1,416	881	160		
<b>difference from MoE</b>		<b>14</b>			<b>261</b>				
Combined Total Employee Hours	1,584	1,820	230	229	1,515	881	160	163	99
Combined Historic Average Hours	1,066	2,468		402	1,284	1,002	114		
Full Time Equivalent Staffing	1.00	1.02	0.15	0.14	0.88	0.55	0.10	0.1	0.06
Combined State/Federal FTE	1.00	1.12	0.15	0.14	0.94	0.55	0.10		

# Resource Allocation FY 16: Staffing Constrained Request

Funding Source  [E] FY 2016 Constrained 2	Commission Operations (General Revenue)						Federal Grants		
	Advocacy & Accessibility		Disability	Election	Employment	Admin.	Disability	ADA Access	ADA
	Public Awareness	Technical Assistance	Rights Compliance	Assistance	Technical Assistance	Support	Business Enterprise		Employ
Executive Secretary	\$72,121	\$0	\$20,034	\$0	\$0	\$33,390	\$0	\$0	\$0
Annual Hours	832	-	230	-	-	383	-	-	-
FTE	0.54	-	0.15	-	-	0.25	-	-	-
Assistant ADA Coordinator (Employ.)	\$0	\$5,199	\$0	\$0	\$63,256	\$0	\$8,665	\$0	\$4,333
Annual Hours	-	96	-	-	1,175	-	160	-	80
FTE	-	0.06	-	-	0.73	-	0.10	-	0.05
Assistant ADA Coordinator (Access.)	\$0	\$81,588	\$0	\$9,791	\$0	\$0	\$0	\$10,879	\$0
Annual Hours	-	1,223	-	146	-	-	-	162	-
FTE	-	0.75	-	0.09	-	-	-	0.10	-
Public Education Aide	\$20,388	\$2,999	\$0	\$2,999	\$5,997	\$17,989	\$0	\$2,999	\$2,999
Annual Hours	569	83	-	83	166	498	-	83	83
FTE	0.34	0.05	-	0.05	0.10	0.30	-	0.05	0.05
Total State Employee \$	\$92,509	\$89,786	\$20,034	\$12,790	\$69,253	\$51,379	\$8,665	\$13,878	\$7,332
State ADA Maintenance of Effort (MoE)		1,643			1,155				
Total State funded annual hours difference from MoE	1,401	1,631	230	229	1,341	881	160		
		228			186				
Combined Total Employee Hours	1,401	1,876	230	229	1,504	881	160	245	163
Full Time Equivalent Staffing	0.89	0.86	0.15	0.14	0.83	0.55	0.1	0.15	0.1

	<p>MOTION: To recommend the Commission adopt the FY 2015 &amp; 2016 Strategic Plan and Budget Requests, revise the Power Point:</p> <ul style="list-style-type: none"> <li>• Slide 2 delete citation &amp; "" marks;</li> <li>• Slide 3 Mission remove bullet;</li> <li>• Slide 4 revise wording to read as goals not strategies;</li> <li>• Slide 5 reword items - begin with Rhode Islanders with disabilities;</li> <li>• Slides 6 - 10 reword titles to match Slide 5;</li> <li>• Slide 11 insert original wording from Slide 4;</li> <li>• Slide 12 replace numbers with bullets, remove "" marks from the word concerns;</li> <li>• Slide 13 replace HAVA citation with "Protecting Access to Voting by Individuals with Disabilities";</li> <li>• Slide 14 insert Hearing Board's responsibilities;</li> <li>• Slide 17 reword title to match revised Slide 13;</li> <li>• Slide 18 insert Disability Business Enterprise Committee's responsibilities from Slide 19;</li> <li>• Slides 20 - 24 reconfigure columns to match the 3 Strategies; and</li> <li>• Slides 21, 23, &amp; 24 list only annual hours by position.</li> </ul> <p>Motion moved by JR, seconded by LW passed unanimously</p>
	<p><b><i>5:25 Agenda for the Next Meeting, Timothy Flynn</i></b></p> <p><b>Purpose/Goal: To set the agenda for the next meeting</b></p> <p>Discussion: The next scheduled meeting is on <b>09/08/14 - 4:30</b>, immediately following the Legislation Committee.</p> <ol style="list-style-type: none"> <li>1. Fellowship Interviews</li> </ol>
	<p><b><i>5:30 Adjournment, Timothy Flynn</i></b></p> <p>MOTION: To adjourn at 5:38 PM</p> <p>Motion moved by AA, seconded by LW, passed unanimously</p>