



# Governor's Commission on Disabilities' Executive Committee

**Tuesday August 11, 2009 4 – 5:30 PM and  
Tuesday August 18, 2009 4 – 5:30 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>	Timothy Flynn (Chair.); Rosemary Carmody; Kate McCarthy-Barnett; Ronald McMinn; & Patricia Ryherd	
<b>Absent:</b>	Judi Drew	
<b>----- Minutes -----</b>		
<b>Call to Order and Acceptance of the Minutes</b>	<b>R. Timothy Flynn, Chairperson</b>	<b>5 min.</b>
Chair called the meeting to order at 4 PM.		
MOTION: To accept the minutes of the previous meeting as presented RMcM/KMcCB passed unanimously		
<b>Preparing recommendations for the Annual Meeting regarding the:</b>	<b>Bob Cooper, Executive Secretary</b>	<b>Time: 80 min.</b>
<b>1. Allocation of Commission resources</b>		
Review material submitted by the committees regarding: <ul style="list-style-type: none"> <li>a) its operations;</li> <li>b) critical activities [required by either state law or grant];</li> <li>c) prioritize of the critical activities;</li> <li>d) methods used to achieve those critical activities;</li> <li>e) the methods that have been successful;</li> <li>f) the best utilization of staff, volunteers, fellows, grants, etc. to achieve those critical activities;</li> <li>g) the methods that have not been successful;</li> <li>h) alternative methods to achieve the critical activities and;</li> <li>i) outcome and output measurements from prior years would be compiled for each activity and examined for cost/benefit.</li> </ul>		
<b>Accessibility Committee</b>		
b/c) critical activities / prioritize critical activities:		
1. RIGL 42-51-6. Governor's Commission on Disabilities - Duties. "It shall be the duty of the commission to work in cooperation with the National Council on Disability and other interested federal, state, and local agencies, organizations, and employers in: ... (3) Coordinating compliance with federal and state laws protecting the rights of individuals with disabilities by state agencies" by <ul style="list-style-type: none"> <li>a. Adopting the State Facility Accessibility Renovation Capital Budget Request</li> <li>b. Review Open Meeting Spaces (Staff Assistance)</li> <li>c. Provide technical assistance to State Govt. Agencies, Partners, Businesses and those with</li> </ul>		

disabilities.

d. Approving State Agency Transition Plans

2. RIGL 42-51-6. Governor's Commission on Disabilities - Duties. "It shall be the duty of the commission to work in cooperation with the National Council on Disability and other interested federal, state, and local agencies, organizations, and employers in: ....(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" by providing technical assistance to State Agencies, Partners, Businesses and those with disabilities.
3. RIGL 42-51-6. Governor's Commission on Disabilities - Duties. "It shall be the duty of the commission to work in cooperation with the National Council on Disability and other interested federal, state, and local agencies, organizations, and employers in:  
(1) Promoting on behalf of the people with disabilities and assuring, on behalf of the state, that people with disabilities are afforded the opportunities to exercise all of the rights and responsibilities accorded to citizens of this state; by becoming a more positive & proactive player in accessibility within the State of Rhode Island.
4. RIGL 30-15-6. Emergency Management - Advisory council. "b) It shall be the duty of the council to advise the governor and the adjutant general on all matters pertaining to disaster preparedness."
5. RIGL 31-28-7.3. Disability parking enforcement program. "(c)(4) The disability parking enforcement enhancement plan shall be reviewed by governor's commission on disabilities within sixty (60) days of receipt and suggest improvements to the disability parking enforcement enhancement plans, that shall not be construed as required amendments. ... (d) Following receipt of an annual program report, the governor's commission on disabilities may suggest improvements to a disability parking enforcement enhancement program."
6. RIGL 40-14-8. Equipment Loan Fund For People with Disabilities - Rules and regulations. "The director shall, with the advice of the governor's commission on disabilities, promulgate rules and regulations concerning eligibility, interest rates, repayment terms, and such other matters as are necessary and proper to carry out the purpose of this chapter."

d/e) the methods that have been successful:

1. Fellowship programs have been VERY successful, committee to continue to search for grant opportunities, Americorps Program availability
2. Current Intern Project: Open Meetings Inspections

f) the best utilization of staff, volunteers, fellows, grants, etc. to achieve those critical activities:

1. Streamline procedures regarding phone system and incoming calls. Staff hours being utilized doing secretarial work, returning calls back for referrals to other State of RI Departments.
2. Updated phone system or part-time desk assistant may increase overall productivity.

g) the methods that have not been successful:

1. Concern was introduced that only 5% of current pay is actually paid for by the State of RI. Other 95% is HAVA & ADA Funding. Committee to research and explore methods to limit full-dependency on grant programs for salary.

h) alternative methods to achieve the critical activities:

1. Recruit volunteers as disability advocates, "watchdogs" and committee members to expand capabilities without increasing workload hardship.
2. Serve-Rhode Island to be contacted regarding possible volunteer positions available at the RIGCD--- Using Serve RI/ Volunteer Center of RI as a volunteer recruitment base.

j) outcome and output measurements from prior years would be compiled for each activity and examined for cost/benefit:

1. technical assistance calls, lots of low-cost, easily attainable solutions proposed and accepted

**Disability Business Enterprise Committee**

b/c) critical activities / prioritize critical activities:

1. ; RIGL 37-2.2-4. Disability Business Enterprises – Disability business enterprise committee - Membership - Duties. “to certify small disadvantaged disability businesses and rehabilitation facilities that qualify under their regulation for a preference under 37-2.2-3 or 37-2.2-3.1 and submit a list of the certified small disadvantaged disability businesses and rehabilitation facilities and the products and services provided by them to the chief purchasing officer at least once a year.”
2. RIGL 37-2.2-3.1 Disability Business Enterprises – Policy and applicability. “The director of administration, in consultation with the governor's commission on disabilities, is authorized and directed to establish rules and regulations for awarding contracts to small disadvantaged businesses owned and controlled by persons with disabilities in the procurement of goods, services, construction projects, or contracts funded in whole or in part by state funds, in accordance with 37-2-9(b)(14).” by promoting passage of rules and regulations that give DBE’s preference when bidding for state contracts (minority/woman owned business model) by Sept. 30, 2009;
3. RIGL 37-2.2-3 Disability Business Enterprises – *Preference for products and services produced by persons with disabilities*. “A list describing the styles, designs, sizes, and varieties of articles made by persons with disabilities and describing all available services and subcontract work which can be provided by those persons shall be prepared ... [and submitted] to the state purchasing agent.”
4. Continue to monitor and notify DBE’s of state contracts
5. Coordinate trainings on federal contracting process by December 31, 2009
6. DBE Coordinator to meet with the DBE’s
  - d/e) the methods that have been successful: NA
  - f) the best utilization of staff, volunteers, fellows, grants, etc. to achieve those critical activities: NA
  - g) the methods that have not been successful: NA
  - h) alternative methods to achieve the critical activities: NA
  - j) outcome and output measurements from prior years would be compiled for each activity and examined for cost/benefit: NA

**Election Assistance Committee**

b/c) critical activities / prioritize critical activities:

RIGL 42-51-6. Governor’s Commission on Disabilities – Duties. “It shall be the duty of the commission to work in cooperation with the National Council on Disability and other interested federal, state, and local agencies, organizations, and employers in:

(3) Coordinating compliance with federal and state laws protecting the rights of individuals with disabilities by state agencies; [and]

(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” by

- a. conducting accessibility surveys of polling place locations with the State Board of Elections officials prior to election use;
- b. awarding polling place accessibility renovation grants to local boards of canvassers; and
- c. poll workers’ recruitment, training & retention

2. RIGL 17-9.1-31. Registration of voters – Voter registration advisory board. “(a) The state board of elections shall establish a voter registration advisory board, subsequently referred to as the advisory board, to assist in the drafting of regulations and the monitoring of implementation of the National Voter Registration Act of 1993, 42 U.S.C. 1973gg et seq., and to help recruit and train the volunteer registrars” by recruitment of poll workers, to supplement the low numbers available currently before the 2010 elections in RI.

3. RIGL 42-51-6. Governor's Commission on Disabilities – Duties. “It shall be the duty of the commission to work in cooperation with the National Council on Disability and other interested federal, state, and local agencies, organizations, and employers in: .... (1) Promoting on behalf of the people with disabilities and assuring, on behalf of the state, that people with disabilities are afforded the opportunities to exercise all of the rights and responsibilities accorded to citizens of this state” by funding the RI Disability Vote Project’s voter outreach, education, and registration.

d/e) the methods that have been successful

1. RIDVP
2. working with BOE re: poll worker training,
3. development of video

f) the best utilization of staff, volunteers, fellows, grants, etc. to achieve those critical activities:

1. RIDVP and it's members re: outreach, voter recruitment., registrations BOE has been extremely helpful
2. GCD to check polls for accessibility

g) the methods that have not been successful:

1. Present committee members discussed best methodology for the recruitment of poll workers with disabilities. Various ideas introduced including newspaper ads, posters, signage, mailings, help recruiting/training poll workers from our community, and advocacy.
2. Pilot program in the big three “Providence, Cranston, Warwick” to be designed to boost polling worker numbers. As a pilot program, adjustments can be made to strategy as time goes forward.
3. Volunteers/ Poll Workers biggest issue in preparing for and executing elections. Limited number of staff available, over 500 polling locations.
4. Staff hours shall be dedicated to polling place accessibility as 2010 Elections become closer

h) alternative methods to achieve the critical activities:

1. try pilot program in 2-3 cities/towns re; recruiting poll workers BOE will help train

j) outcome and output measurements from prior years would be compiled for each activity and examined for cost/benefit:

1. look at increase in number of voters from dis. comm. number of poll workers recruited and increase in membership of RIDVP

### **Employment Committee**

b/c) critical activities / prioritize critical activities:

1. RIGL 42-51-6. Governor's Commission on Disabilities - Duties. “It shall be the duty of the commission to work in cooperation with the National Council on Disability and other interested federal, state, and local agencies, organizations, and employers in:
  - (1) Promoting on behalf of the people with disabilities and assuring, on behalf of the state, that people with disabilities are afforded the opportunities to exercise all of the rights and responsibilities accorded to citizens of this state; ....
  - (3) Coordinating compliance with federal and state laws protecting the rights of individuals with disabilities by state agencies; [and]
  - (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”, by providing ADA technical assistance:
    - a. technical assistance via telephone, email and in-person;
    - b. training;
    - c. publication distribution; and

- d. staff DBTAC conference exhibit tables and actively pursue two exhibit opportunities per year.
  - 2. Maintain outreach to students with disabilities and their support services in high school and higher education. Identify and network with state education associations such as guidance counselors, disability services and career counselors e.g. continue with College/University staff events (2 a year);
  - 3. RIGL 28-5.1-9. Equal Opportunity and Affirmative Action - State employment services. “(d) The department of labor and training, the governor's commission on disabilities, the advisory commission on women, and the Rhode Island economic development corporation shall fully utilize their knowledge of the labor market and economic conditions of the state, and their contacts with job applicants, employers, and unions, to promote equal employment opportunities, and shall require and assist all persons within their jurisdictions to initiate actions which remedy any situations or programs which have a negative impact on protected classes within the state” by
    - a. Disseminating LMI information to encourage students to high wage/high demand careers;
    - b. Increasing direct employer contact (Chambers of Commerce, TACs, TLS network) and obtain input from employers on their needs;
    - c. Mediation to resolve employee/employer disputes related to the Title I ADA;
  - 4. RIGL 42-47.1-5. State Government Internship Program - Summer internships for students with disabilities. “The program in consultation with the governor's commission on disabilities and other agencies servicing people with disabilities shall establish a summer internship program for students with disabilities. The student interns shall be placed in state agencies for the purposes of enabling these individuals in establishing an awareness of the governmental process, and also develop academic skills and career goal awareness through experiential education.” by working with transition age students and their support systems to provide ADA information.
- d/e) the methods that have been successful:
- 1. Prepared and presented customized ADA presentations for specific audiences i.e. employers, disability organizations, state and local government agencies, etc.
  - 2. Brought various college/university staff together to identify their ADA needs, identify resources and provide information. Topics included internships, accommodations, transportation, etc.
  - 3. Educated college students on their rights and responsibilities to increase their understanding of the ADA and improve employment outcomes of students with disabilities.
  - 4. Provided outreach to high school students/parents and staff (new to '08-'09 contract).
  - 5. Provided technical assistance to employers and employees regarding their rights and responsibilities under the ADA via phone, e-mail, or in person.
  - 6. Provided NEADA with articles for the newsletter 3 times a year.
  - 7. Distributed materials relevant to issue/concern.
  - 8. Participated in exhibits and on panels.
- f) the best utilization of staff, volunteers, fellows, grants, etc. to achieve those critical activities:
- 1. DLT/NetWORKri representative to make connection with a volunteer agency to obtain a volunteer to assist with copying and preparation of materials as needed;
  - 2. where appropriate use e-mail with links rather than hand-outs;
  - 3. have committee members identify contacts and training opportunities to maximize efficiency.
- g) the methods that have not been successful:
- 1. meetings limited to students with disabilities.
- h) alternative methods to achieve the critical activities: NA

j) outcome and output measurements from prior years would be compiled for each activity and examined for cost/benefit:

1. Committee goal to train 100 college students in their rights and responsibilities under the ADA including the value the internships

### **Hearing Board**

b/c) critical activities / prioritize critical activities:

1. RIGL 42-51-6.1 Governor's Commission on Disabilities - Hearing Boards. To "receive, investigate, and act upon charges of unlawful practices" regarding:
  - a. RIGL 37-8-15.1. Public Buildings - Accessibility of leased or rented facilities for people with disabilities
  - b. RIGL 42-46-13. Open Meetings - Accessibility for persons with disabilities
  - c. RIGL 42-87-5(b). *Civil Rights of People with Disabilities* - Enforcement of anti-discrimination provisions.
2. RIGL 42-46-5(b)(3 & 4). Open Meetings - Purposes for which meeting may be closed - Use of electronic communications - Judicial proceedings - Disruptive conduct. To "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"

d/e) the methods that have been successful:

1. Staff able to resolve all complaints prior to hearing.

f) the best utilization of staff, volunteers, fellows, grants, etc. to achieve those critical activities:

g) the methods that have not been successful: NA

h) alternative methods to achieve the critical activities:

1. Recruit other Commissioners to serve on the hearing board and
2. Chair should quickly fill vacancies on the hearing board

j) outcome and output measurements from prior years would be compiled for each activity and examined for cost/benefit:

1. Complaints resolved prior to hearing
2. Barriers removed, after hearing and corrective order

### **Legislation Committee**

b/c) critical activities / prioritize critical activities:

1. RIGL 42-51-6. Governor's Commission on Disabilities - Duties. "It shall be the duty of the commission to work in cooperation with the National Council on Disability and other interested federal, state, and local agencies, organizations, and employers in:
  - (1) Promoting on behalf of the people with disabilities and assuring, on behalf of the state, that people with disabilities are afforded the opportunities to exercise all of the rights and responsibilities accorded to citizens of this state; [and]
  - (2) Arousing community interest in the concerns of people with disabilities through the utilization of whatever community and state resources the commission may deem necessary to accomplish the maximum in independent living and human development"
2. RIGL 42-66.3-8. Home and Community Care Services to the Elderly – Home and community care advisory committee. "(a) There is established a permanent state committee to be known as the home and community care services advisory committee established for the purpose of advising the director of elderly affairs relative to the needs and concerns of home and community care services care recipients."

d/e) the methods that have been successful:

1. GCD Bylaws N.V.E. Permanent Committees – Legislation Committee. Shall:
  - a. Review and comment on local, state, and federal legislation concerning persons with disabilities.

- b. Conduct public hearings to elicit public comments prior to the development of the Commission's Legislative Package.
  - c. Prepare a Legislative Package for the commission to review; and a scope of review that outlines the areas of general assembly legislation that the committee should be empowered to review and comment on during the upcoming legislative session.
  - d. Prepare and disseminate statements as to the impact of legislation being considered by the RI General Assembly, on the quality of life of individuals.
- f) the best utilization of staff, volunteers, fellows, grants, etc. to achieve those critical activities:
- 1. Review all legislation, introduced into the General Assembly, within the approved scope of review;
  - 2. Send a statement concerning the impact (beneficial or harmful) of bills, along with reasons, to the appropriate General Assembly committees, legislative leaders and the Governor;
  - 3. Include comments on the need for amendments to those bills; and
  - 4. Provide statement of impact on any legislation which the Governor's Office or the General Assembly request, even if outside the approved scope of review.
- g) the methods that have not been successful: NA
- h) alternative methods to achieve the critical activities: NA
- j) outcome and output measurements from prior years would be compiled for each activity and examined for cost/benefit: NA

**State Coordinating Committee on Disability Rights**

- b/c) critical activities / prioritize critical activities:
- 1. RIGL 42-51-10. Governor's Commission on Disabilities - State Coordinating Committee on Disability Rights. "The commission shall establish a state coordinating committee on disability rights to advise and assist the commission to implement self-evaluation and compliance plans as required by federal and state laws protecting the rights of individuals with disabilities."
- d/e) the methods that have been successful: NA
- f) the best utilization of staff, volunteers, fellows, grants, etc. to achieve those critical activities:
- 1. Either recommend legislative repeal or
  - 2. Expand membership to include all state agency ADA Coordinators and have only 2 meetings a year – on or about January 26<sup>th</sup> and July 26<sup>th</sup>?
- g) the methods that have not been successful: NA
- h) alternative methods to achieve the critical activities: NA
- j) outcome and output measurements from prior years would be compiled for each activity and examined for cost/benefit: NA

**Executive Committee**

- b/c) critical activities / prioritize critical activities:
- 1. RIGL 42-51-6. Governor's Commission on Disabilities - Duties. "It shall be the duty of the commission to work in cooperation with the National Council on Disability and other interested federal, state, and local agencies, organizations, and employers in: ... (5) From time to time, but not less than once a year, to report to the legislature and the governor, describing the investigations, proceedings, and hearings the commission has conducted and their outcome, the decisions it has rendered, and the other work performed by it, and make recommendations for further legislation concerning abuses and discrimination based on disability that may be desirable.
  - 2. RIGL 42-51-11. Governor's Commission on Disabilities - Mary Brennan fellowship fund. "(a) There is established the Mary Brennan fellowship fund ("the fellowship fund"), which shall be utilized to create a fellowship program for college students with disabilities. (b) These fellowships shall provide a semester-long, part-time placement with the commission in Rhode

Island, working on disability policy and research. Each fellow will be assigned to a specific placement, providing assistance to the commission in disability policy. Mentor experiences will introduce the fellows to disability policy issues and actions at the local, state and federal levels.

3. GCD Bylaws N.V.E. Permanent Committees – Executive Committee.

- a. It shall be responsible for the general management of the commission, including:
  - i. The development of policy between commission meetings;
  - ii. The approval, prior to submission, of all grant proposals and applications;
  - iii. The securing of non-state funding or sponsorship of certain commission activities;
  - iv. The drafting of the Commission’s state budget request, for commission approval, at the annual meeting;
  - v. The coordinating of the activities, including public relations, of the committees and volunteer units;
  - vi. The development of the annual operational plan and assessment of the Commission’s goals and objectives;
- b. It shall be responsible for the management of personnel, including:
  - i. Recommending job descriptions for staff persons, interns, fellows and volunteers to the commission;
  - ii. Recommending personnel procedures to the commission;
  - iii. Hearing any grievance of staff persons, interns, fellows or volunteers and rendering decisions upon such matters;
  - iv. Screening applicants for employment and recommending candidates to the Commission;
  - v. Interviewing exiting staff persons;
  - vi. Screening applicants for appointment to the Commission and recommending candidates to the Governor

d/e) the methods that have been successful:

f) the best utilization of staff, volunteers, fellows, grants, etc. to achieve those critical activities: NA

g) the methods that have not been successful: NA

h) alternative methods to achieve the critical activities: NA

j) outcome and output measurements from prior years would be compiled for each activity and examined for cost/benefit: NA

FISCAL YEAR	hours & percent	Election Assistance	HAVA Funded Election Assistance	Disability Rights Compliance	Disability Parking Enforcement	Disability Rights Technical Assistance	ADA Grant Funded Technical Assistance	Disability Business Enterprise	HRIC Funded DBE	HRIC Funded Promoting Work	Promoting Work	Public Awareness & Advocacy	Management	Annual # Hours Paid	Move
FY 1998	hours			488		3,930	110	56				1,456	1,973	8,012	
	%			6%		49%	1%	1%	0%	0%	0%	18%	25%	100%	
FY 1999	hours			483		3,494	134	99				1,663	1,874	7,747	
	%			6%		45%	2%	1%	0%	0%	0%	21%	24%	100%	
FY 2000	hours			506	64	3,753	140	97				1,567	1,789	7,916	585
	%			6%	1%	47%	2%	1%	0%	0%	0%	20%	23%	100%	7%
FY 2001	hours			553	48	4,170	145	120				1,687	1,870	8,594	
	%			6%	1%	49%	2%	1%	0%	0%	0%	20%	22%	100%	
FY 2002	hours			350	24	2,626	55	202				1,324	2,576	7,156	
	%			5%	0%	37%	1%	3%	0%	0%	0%	19%	36%	100%	
FY 2003	hours			1,427	128	3,770	578	176	243	245	70	1,830	3,069	11,535	
	%			12%	1%	33%	5%	2%	2%	2%	1%	16%	27%	100%	
FY 2004	hours	135	254	1,014	40	4,731	691	72	248	288	203	1,532	2,071	11,277	
	%	1%	2%	9%	0%	42%	6%	1%	2%	3%	2%	14%	18%	100%	
FY 2005	hours	37	187	821	45	4,536	808	143	149	424	152	1,798	1,798	10,895	
	%	0%	2%	8%	0%	42%	7%	1%	1%	4%	1%	16%	16%	100%	
FY 2006	hours	146	591	3,588	39	3,549	1,062	29	1,201	848	54	1,576	1,576	14,258	
	%	1%	4%	25%	0%	25%	7%	0%	8%	6%	0%	11%	11%	100%	
FY 2007	hours	38	749	293	30	2,968	572	889			274	2,268	1,662	9,742	
	%	0%	8%	3%	0%	30%	6%	9%			3%	23%	17%	100%	
FY 2008	hours	189	0	14		1,690	710	903			656	1,366	1,131	6,657	
	%	3%	0%	0%	0%	25%	11%	14%			10%	21%	17%	100%	
FY 2009	hours	90	60	53		2,954	273	877			888	698	688	6,580	
	%	1%	1%	1%	0%	45%	4%	13%			13%	11%	10%	100%	
Average hours		92	265	771	51	3,296	436	289	460	451	288	1,454	1,626	8,602	NA
Combined hours		357		771	3,783			749		740		1,454	1,626	8,025	
Combined %		4%		8%	40%			8%		8%		15%	17%	100%	

<b>2. Configuration of (non-statutory) Committees</b>	
<b>FY 2009 committees were:</b>	<b>Possible committees for FY 10 &amp; 11</b>
Accessibility Committee	Accessibility Committee
Assistive Technology Committee	Transfer Purchase of assistive technology to Accessibility Cmte.
	Transfer Open Meeting Telecommunication Waivers to the
Hearing Board	Hearing Board
Election Assistance Committee	Election Assistance Committee
Employment Committee	Employment Committee
Legislation Committee*	Legislation Committee
Executive Committee*	Executive Committee
<b>Statutory Committees</b>	
Disability Business Enterprise Committee	
Hearing Board	
State Coordinating Committee on Disability Rights	
* Established by Commission bylaws / operating regulations.	
<p><b>MOTION:</b> To recommend the Commission’s FY 2010 &amp; FY 2011 Operational Plan include the committees: Accessibility Committee; Election Assistance Committee; and Employment Committee, in addition to the statutory committees (Disability Business Enterprise, Hearing Board and State Coordinating Committee on Disability Rights) and those required by the Commission’s Operating Regulation (Legislation &amp; Executive). RMcM/PR passed, RC abstained</p>	
<b>Critical Activities</b>	
<p><b>Accessibility</b>  Oversight: Accessibility Committee,  Staff: State ADA Coordinator &amp;  Assistant State ADA Coordinator - Accessibility</p>	
<p>1. RIGL 42-51-6. Governor's Commission on Disabilities - Duties. “It shall be the duty of the commission to work in cooperation with the National Council on Disability and other interested federal, state, and local agencies, organizations, and employers in:</p> <p>(1) Promoting on behalf of the people with disabilities and assuring, on behalf of the state, that people with disabilities are afforded the opportunities to exercise all of the rights and responsibilities accorded to citizens of this state; by becoming a more positive &amp; proactive player in accessibility within the State of Rhode Island.</p>	
<p>2. RIGL 42-51-6. Governor's Commission on Disabilities - Duties. “It shall be the duty of the commission to work in cooperation with the National Council on Disability and other interested federal, state, and local agencies, organizations, and employers in: ... (3) Coordinating compliance with federal and state laws protecting the rights of individuals with disabilities by state agencies” by</p>	

**Critical Activities**

- a. Adopting the State Facility Accessibility Renovation Capital Budget Request
- b. Review Open Meeting Spaces (Staff Assistance)
- c. Provide technical assistance to State Govt. Agencies, Partners, Businesses and those with disabilities.
- d. Approving State Agency Transition Plans

3. RIGL 42-51-6. Governor's Commission on Disabilities - Duties. "It shall be the duty of the commission to work in cooperation with the National Council on Disability and other interested federal, state, and local agencies, organizations, and employers in: .... (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" by providing technical assistance to State Agencies, Partners, Businesses and those with disabilities.

4. RIGL 31-28-7.3. Disability parking enforcement program. "(c)(4) The disability parking enforcement enhancement plan shall be reviewed by governor's commission on disabilities within sixty (60) days of receipt and suggest improvements to the disability parking enforcement enhancement plans, that shall not be construed as required amendments. ... (d) Following receipt of an annual program report, the governor's commission on disabilities may suggest improvements to a disability parking enforcement enhancement program."

5. RIGL 30-15-6. Emergency Management - Advisory council. "b) It shall be the duty of the council to advise the governor and the adjutant general on all matters pertaining to disaster preparedness."

6. RIGL 40-14-8. Equipment Loan Fund For People with Disabilities - Rules and regulations. "The director shall, with the advice of the governor's commission on disabilities, promulgate rules and regulations concerning eligibility, interest rates, repayment terms, and such other matters as are necessary and proper to carry out the purpose of this chapter."

Outcome Measurement: The number of easily attainable solutions proposed and accepted  
 Output Measurement: The number of technical assistance calls

**Disability Business Enterprise**

Oversight: Disability Rights Committee

Staff: Assistant ADA Coordinator - Employment

1. RIGL 37-2.2-4. Disability Business Enterprises – Disability business enterprise committee - Membership - Duties. "to certify small disadvantaged disability businesses and rehabilitation facilities that qualify under their regulation for a preference under 37-2.2-3 or 37-2.2-3.1 and submit a list of the certified small disadvantaged disability businesses and rehabilitation facilities and the products and services provided by them to the chief purchasing officer at least once a year."

2. RIGL 37-2.2-3.1 Disability Business Enterprises – Policy and applicability. "The director of administration, in consultation with the governor's commission on disabilities, is authorized and directed to establish rules and regulations for awarding contracts to small disadvantaged businesses owned and controlled by persons with disabilities in the procurement of goods, services, construction projects, or contracts funded in whole or in part by state funds, in accordance with 37-2-9(b)(14)." by promoting passage of rules and regulations that give DBE's preference when bidding for state contracts (minority/woman owned business model) by Sept. 30, 2009;

3. RIGL 37-2.2-3 Disability Business Enterprises – Preference for products and services produced by persons with disabilities. "A list describing the styles, designs, sizes, and varieties of articles made by persons with disabilities and describing all available services and subcontract work which can be provided by those persons shall be prepared ... [and submitted] to the state purchasing agent."

### **Critical Activities**

4. Award mini-grants to DBEs and Rehab Facilities to subscribe to government procurement email search engines

5. Disseminate information on trainings on federal contracting process by December 31, 2009; and

6. Disability Business Enterprises' Coordinator to meet with the Disability Business Enterprises.

Outcome Measurement: The number persons with disabilities working employed on government contracts awarded to disability business enterprises and rehabilitation facilities

Output Measurement: The number of government contracts: bid on, awarded to disability business enterprises and rehabilitation facilities, through the DBE program (quarterly reporting).

### **Election Assistance**

Oversight: Election Assistance Committee

Staff: Assistive ADA Coordinator - Accessibility

1. RIGL 42-51-6. Governor's Commission on Disabilities - Duties. "It shall be the duty of the commission to work in cooperation with the National Council on Disability and other interested federal, state, and local agencies, organizations, and employers in:
- a. (3) Coordinating compliance with federal and state laws protecting the rights of individuals with disabilities by state agencies; [and]
  - b. (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" by:
  - c. conducting accessibility surveys of polling place locations with the State Board of Elections officials prior to election use;
  - d. awarding polling place accessibility renovation grants to local boards of canvassers; and
  - e. poll workers' recruitment, training & retention.

2. RIGL 17-9.1-31. Registration of voters - Voter registration advisory board. "(a) The state board of elections shall establish a voter registration advisory board, subsequently referred to as the advisory board, to assist in the drafting of regulations and the monitoring of implementation of the National Voter Registration Act of 1993, 42 U.S.C. 1973gg et seq., and to help recruit and train the volunteer registrars" by recruitment of poll workers, to supplement the low numbers available currently before the 2010 elections in RI.

3. RIGL 42-51-6. Governor's Commission on Disabilities - Duties. "It shall be the duty of the commission to work in cooperation with the National Council on Disability and other interested federal, state, and local agencies, organizations, and employers in: .... (1) Promoting on behalf of the people with disabilities and assuring, on behalf of the state, that people with disabilities are afforded the opportunities to exercise all of the rights and responsibilities accorded to citizens of this state" by funding the RI Disability Vote Project's voter outreach, education, and registration.

Outcome Measurement: The increased number of voters from the disability community and the number of poll workers recruited from the disability committee

Output Measurement: The increased membership in the RI Disability Vote Project

### **Employment**

Oversight: Employment Committee

Staff: Assistant ADA Coordinator - Employment

1. RIGL 42-51-6. Governor's Commission on Disabilities - Duties. "It shall be the duty of the commission to work in cooperation with the National Council on Disability and other interested federal, state, and local agencies, organizations, and employers in:

## Critical Activities

- a. Promoting on behalf of the people with disabilities and assuring, on behalf of the state, that people with disabilities are afforded the opportunities to exercise all of the rights and responsibilities accorded to citizens of this state; ....
- b. Coordinating compliance with federal and state laws protecting the rights of individuals with disabilities by state agencies; [and]
- c. 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”, by providing ADA technical assistance:
- d. technical assistance via telephone, email and in-person;
- e. training;
- f. publication distribution; and
- g. staff DBTAC conference exhibit tables and actively pursue two exhibit opportunities per year.
- h. maintain outreach to students with disabilities and their support services in high school and higher education. Identify and network with state education associations such as guidance counselors, disability services and career counselors e.g. continue with College/University staff events (2 a year);

2. RIGL 28-5.1-9. Equal Opportunity and Affirmative Action - State employment services. “(d) The department of labor and training, the governor's commission on disabilities, the advisory commission on women, and the Rhode Island economic development corporation shall fully utilize their knowledge of the labor market and economic conditions of the state, and their contacts with job applicants, employers, and unions, to promote equal employment opportunities, and shall require and assist all persons within their jurisdictions to initiate actions which remedy any situations or programs which have a negative impact on protected classes within the state” by:
- a. disseminating LMI information to encourage students to high wage/high demand careers;
  - b. increasing direct employer contact (Chambers of Commerce, TACs, TLS network) and obtain input from employers on their needs;
  - c. mediation to resolve employee/employer disputes related to the Title I ADA

3. RIGL 42-47.1-5. State Government Internship Program - Summer internships for students with disabilities. “The program in consultation with the governor's commission on disabilities and other agencies servicing people with disabilities shall establish a summer internship program for students with disabilities. The student interns shall be placed in state agencies for the purposes of enabling these individuals in establishing an awareness of the governmental process, and also develop academic skills and career goal awareness through experiential education.” by working with transition age students and their support systems to provide ADA information.

4. Outcome Measurement: The number of and percentage of employers satisfied with the service provided.

5. Output Measurement: The training of 100 college students with disability on their rights and responsibilities under the ADA including the value of internships

## Disability Rights Compliance

Oversight: Hearing Board and

State Coordinating Committee on Disability Rights

Staff: State ADA Coordinator

1. RIGL 42-51-6.1 Governor’s Commission on Disabilities - Hearing Boards. To “receive, investigate, and act upon charges of unlawful practices” regarding:

### Critical Activities

- a. RIGL 37-8-15.1. Public Buildings - Accessibility of leased or rented facilities for people with disabilities
- b. RIGL 42-46-13. Open Meetings - Accessibility for persons with disabilities
- c. RIGL 42-87-5(b). Civil Rights of People with Disabilities - Enforcement of anti-discrimination provisions.

2. RIGL 42-46-5(b)(3 & 4). Open Meetings - Purposes for which meeting may be closed - Use of electronic communications - Judicial proceedings - Disruptive conduct. To “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”

3. RIGL 42-51-10. Governor's Commission on Disabilities - State Coordinating Committee on Disability Rights. “The commission shall establish a state coordinating committee on disability rights to advise and assist the commission to implement self-evaluation and compliance plans as required by federal and state laws protecting the rights of individuals with disabilities.”

Outcome Measurement: The number of complaints resolved prior to hearing

Output Measurement: The number of barriers removed after hearing and corrective orders

### Advocacy & Information

Oversight: Legislation Committee

Staff: Executive Secretary

1. RIGL 42-51-6. Governor's Commission on Disabilities - Duties. “It shall be the duty of the commission to work in cooperation with the National Council on Disability and other interested federal, state, and local agencies, organizations, and employers in:
- (1) Promoting on behalf of the people with disabilities and assuring, on behalf of the state, that people with disabilities are afforded the opportunities to exercise all of the rights and responsibilities accorded to citizens of this state; [and]
  - (2) Arousing community interest in the concerns of people with disabilities through the utilization of whatever community and state resources the commission may deem necessary to accomplish the maximum in independent living and human development”

2. RIGL 42-66.3-8. Home and Community Care Services to the Elderly – Home and community care advisory committee. “(a) There is established a permanent state committee to be known as the home and community care services advisory committee established for the purpose of advising the director of elderly affairs relative to the needs and concerns of home and community care services care recipients.”

Outcome Measurement: The numbers of bills the Commission supported that become law and opposed that were not enacted into law.

Output Measurement: The number of bills reviewed by the Legislation Committee and legislative impact statements issued.

The number of presentations about the Commission’s activities (surveys)

### Administrative Support

Oversight: Executive Committee

Staff: Executive Secretary

1. RIGL 42-51-6. Governor's Commission on Disabilities - Duties. “It shall be the duty of the commission to work in cooperation with the National Council on Disability and other interested federal, state, and local agencies, organizations, and employers in: ... (5) From time to time, but not

### Critical Activities

less than once a year, to report to the legislature and the governor, describing the investigations, proceedings, and hearings the commission has conducted and their outcome, the decisions it has rendered, and the other work performed by it, and make recommendations for further legislation concerning abuses and discrimination based on disability that may be desirable.

2. RIGL 42-51-11. Governor's Commission on Disabilities - Mary Brennan fellowship fund. "(a) There is established the Mary Brennan fellowship fund ("the fellowship fund"), which shall be utilized to create a fellowship program for college students with disabilities. (b) These fellowships shall provide a semester-long, part-time placement with the commission in Rhode Island, working on disability policy and research. Each fellow will be assigned to a specific placement, providing assistance to the commission in disability policy. Mentor experiences will introduce the fellows to disability policy issues and actions at the local, state and federal levels.

3. GCD Bylaws N.V.E. Permanent Committees – Executive Committee.

- a. It shall be responsible for the general management of the commission, including:
  - i. The development of policy between commission meetings;
  - ii. The approval, prior to submission, of all grant proposals and applications;
  - iii. The securing of non-state funding or sponsorship of certain commission activities;
  - iv. The drafting of the Commission’s state budget request, for commission approval, at the annual meeting;
  - v. The coordinating of the activities, including public relations, of the committees and volunteer units;
  - vi. The development of the annual operational plan and assessment of the Commission’s goals and objectives;
- b. It shall be responsible for the management of personnel, including:
  - i. Recommending job descriptions for staff persons, interns, fellows and volunteers to the commission;
  - ii. Recommending personnel procedures to the commission;
  - iii. Hearing any grievance of staff persons, interns, fellows or volunteers and rendering decisions upon such matters;
  - iv. Screening applicants for employment and recommending candidates to the Commission;
  - v. Interviewing exiting staff persons;
  - vi. Screening applicants for appointment to the Commission and recommending candidates to the Governor

Outcome Measurement: The increasing the number of applicants for the fellowships  
The percentage of Committees that meet their goals and objectives.

Output Measurement: The average processing time for invoices – goal 100% under 30 days.

**MOTION:** To recommend the Commission adopt for FY 2010 & FY 2011 Committee priorities and performance measurements above. PR/KMcC-B passed unanimously

MOTION: To recommend the Commission’s FY 2010 & FY 2011 allocation of staff resources below:			Average		Median	
Activity	Hrs/wk	FTE	%	FTE	%	FTE
Advocacy & Public Awareness	22	0.63	15%	0.61	17%	0.68

MOTION: To recommend the Commission's FY 2010 & FY 2011 allocation of staff resources below:			Average		Median	
Activity	Hrs/wk	FTE	%	FTE	%	FTE
Disability Business Enterprise	5	0.14	8%	0.32	4%	0.15
Disability Rights Compliance	7	0.20	8%	0.33	5%	0.22
Disability Rights Technical Assistance	81.5	2.33	40%	1.60	46%	1.85
Election Assistance	7	0.20	4%	0.15	3%	0.12
Promoting Work	0	0	8%	0.31	5%	0.20
Management	17.5	0.50	17%	0.69	19%	0.78
<b>Total</b>	<b>100%</b>	<b>4.00</b>	<b>100%</b>	<b>4.00</b>	<b>100%</b>	<b>4.00</b>

PR/RC passed unanimously

MOTION: To direct the staff to prepare for consideration at Tuesday August 18<sup>th</sup> Executive Committee meeting a draft FY 2010 Revised Budget & FY 2011 Budget Requests, based on the decisions made in the above motions. RMcM/PR passed unanimously

## 2. Possible Commission Regulation Changes

Discussion:

1. Should the Commission's Operating Regulations (bylaws) be amended to establish a procedure for electing/selecting a Vice Chairperson Pro Tempore when the Vice Chairperson becomes Acting Chairperson due to a vacancy of the Chairperson?
2. Should the Assistive Technology Committee's responsibilities be split, now that there isn't any funding to purchase assistive technology? Should the Hearing Board conduct Open Meeting Telecommunication Wavier Requests? If assistive technology funding becomes available could the Accessibility Committee handle any requests? Could the current members of the Assistive Technology Committee be invited to join the Accessibility Committee?
3. Should the Commission's regulations regarding parking be updated to reflect the transfer of responsibilities from the Disability Parking Committee to the Accessibility Committee?
4. Are there any other "consolidations" or streamlining of procedures (regulation) that should be considered in light of a much smaller staff?

Amendment to the Commission's Regulation Chapter N General Operating Rules

### ***V. Method of Operation***

#### **A. Officers' Responsibilities**

##### **2. The vice-chairperson:**

*Shall be elected annually at the annual meeting and:*

*The vice-chairperson shall:*

1. Assume all the duties of the chairperson, in accord with the state laws, whenever the

chairperson is unable to perform them;

2. Be the authorized agent for all fiscal documents relating to the reimbursement of expenses of the chairperson; and

3. Assume other duties that the commission may assign.

*In the event that the chairperson's position is vacant and the Vice Chairperson becomes Acting Chairperson, the Executive Committee shall appoint a Vice Chairperson Pro Tempore to serve until the Governor has appointed a new Chairperson.*

#### **D. Quorum and Majority Rule**

a) 1. A quorum for commission meetings shall be ~~eight (8)~~ a simple majority of the commissioners<sup>1</sup>.

b) 2. All decisions of the commission shall be by majority vote of the Commissioners, who are appointed by the Governor and are qualified and present, except when otherwise specified in these General Operating Rules.

Amendment to the Commission's Regulation Chapter G Effective Communications;

### **III. EFFECTIVE COMMUNICATIONS**

A. All state agencies shall take appropriate steps to ensure that communications with applicants, participants, and members of the public with disabilities are as effective as communications with others, including providing auxiliary aids and services.

B. State agencies shall ensure interested persons, including persons with impaired vision or hearing can obtain information as to the existence and location of accessible services, activities, and facilities. (see sample wording)

C. All state agencies are responsible for ensuring entities acting on their behalf in delivering a service, program or activity comply with this chapter.

D. All state agencies shall, by April 1, 2000, conduct a self-evaluation of current communication practices to determine whether any screen out or tend to screen out an individual with a disability or any class of individuals with disabilities from fully and equally enjoying any service, program, or activity.

~~Agencies shall submit to the Commission's ADA Equipment Committee requests for the acquisition of auxiliary aids to modify existing communications technology, where necessary, to eliminate any communication barrier, see Chapter I Equipment Requests.~~

### **IV. TELEPHONE SERVICE**

A. All state agencies that communicate by telephone with applicants and beneficiaries must utilize TTYs or the RI Relay Service to communicate with applicants and beneficiaries who use TTYs. ~~State agencies may request a~~

~~TTY by completing Telecommunication Device (TTY) Request GCD Form G-2~~

<sup>1</sup> RIGL 42-46-2. Definitions. 4) "Quorum", unless otherwise defined by applicable law, means a simple majority of the membership of a public body.

~~and submitting it to the Commission's staff.~~

B. State agencies that accept telephone calls from applicants, beneficiaries and / or the general public shall accept RI Relay Service calls and ensure their staff is adequately trained in effective use of the RI Relay.

C. Automated telephone systems shall provide direct access to individuals who use TTYs and computer modems.

D. Telephone emergency services, including 911 services, shall provide direct access to individuals who use TTYs and computer modems.

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Amendment to the Commission's Regulation Chapter H Nondiscriminatory Eligibility Criteria for Services;

**IV. COMMISSION REVIEW AND APPROVAL**

A. State agencies shall submit a request to the Governor's Commission on Disabilities, describing any eligibility criteria that screen out or tend to screen out an individual with a disability or a class of individuals with disabilities that the agency:

1. Believes are necessary for the provisions of the service, program or activity being offered; and

2. Would like to retain, impose or apply.

B. ~~A committee appointed by the~~ The Commission's Hearing Board shall conduct a public hearing on a state agency's request to retain, impose or apply such criteria. A representative of the department proposing the criteria must attend the public hearing and be prepared to respond to questions from the ~~committee~~ board members. The state agency must submit, fifteen (15) business days in advance of the hearing:

1. A detailed description of all programs, activities, and services affected by the proposed criteria;

2. A description of each criteria that may screen out or tend to screen out individuals or classes of individuals with disabilities including the reason the criteria must be imposed or applied;

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Amendment to the Commission's Regulation Chapter I Reasonable Accommodation Requests;

**VI. AUXILIARY AIDS**

**A. If the reasonable accommodation will require the obtaining of equipment or devices (auxiliary aids), the agency's ADA Coordinator shall:**

1. Within 15 business days of receiving an individual's Reasonable Accommodation Request Form; and

2. Prior to the purchase of any equipment or devices check with the Commission's Central ADA Equipment Pool, to determine if equipment in the pool would meet the need of the individual. When equipment is available from the Central ADA Equipment Pool, then the agency's ADA Coordinator will

arrange to have that equipment assigned to the qualified individual.

**B. Commonly used Auxiliary Aids**

~~1.—The Information and Assistive Technology Committee may authorize the Commission's staff to purchase, in bulk or singularly, commonly used auxiliary aids, such as TTYs, assistive listening systems and devices, wheelchairs, etc.;~~

~~2.—The Commission's staff may purchase commonly used auxiliary aids, upon receipt and review of agency requests or at his/her discretion refer the request to the Information and Assistive Technology Committee for its review.~~

**C. Other Auxiliary Aids Costing less than \$1,000**

1. The agency will obtain or modify that equipment or devices utilizing operating funds.

2. Taking into account the preference of the qualified individual the agency's ADA Coordinator shall recommend the accommodation that best serves the needs of the qualified individual and the agency.

3. The agency's administrator will arrange for its purchase, immediately.

~~**D. Other Auxiliary Aids costing \$1,000 or more:**~~

~~1.—The state Central ADA Equipment Pool (and not the agency) will obtain or modify that equipment or devices utilizing capital funds.~~

~~2.—The agency's ADA Coordinator completes the Auxiliary Aid Section of the Reasonable Accommodation Request GCD Form I-1 including a job analysis and returns it to the Governor's Commission on Disabilities' Information and Assistive Technology Committee;~~

~~3.—The Information and Assistive Technology Committee shall review the Auxiliary Aid Request at its next scheduled meeting and approve, reject or modify the request. The qualified individual and the agency's ADA Coordinator may appear and testify at meetings of the Information and Assistive Technology Committee when their request is on the agenda. Notice of the meeting shall be sent to the affected agency's ADA Coordinator and the individual the equipment is requested for.~~

~~4.—The Information and Assistive Technology Committee shall:~~

~~a) —Review any advice provided by the Office of Rehabilitation Services, and conduct a technical review of possible equipment or devices.~~

~~b) —Take into account the preference of the qualified individual; and~~

~~c) —Recommend, to the agency's ADA Coordinator [with a copy sent to the individual for whom the equipment is requested, the accommodation that best serves the needs of the qualified individual and the agency.~~

~~d) —If the individual accepts that recommendation, the Commission's Assistant ADA Coordinator (Compliance) will arrange for its purchase, immediately.~~

~~5.—If the Information and Assistive Technology Committee approves the request, the Commission's Assistant ADA Coordinator (Compliance) will~~

~~arrange for the purchase of the auxiliary aid, or if it is already in the Central ADA Equipment Pool, its customization and transfer to the requesting agency;~~

~~6.—If the Information and Assistive Technology Committee rejects the request, the Committee shall state its reasons for rejection in writing to the agency’s ADA Coordinator [with a copy sent to the individual for whom the equipment is requested], within a week of the meeting;~~

~~7.—If the Information and Assistive Technology Committee modifies the request, the Committee shall state its reasons for the modification, in writing, to the agency’s ADA Coordinator [with a copy sent by the agency to the individual for whom the equipment is requested], within a week of the meeting. The agency’s ADA Coordinator shall consult with the qualified individual about consenting to the modification. The agency’s ADA Coordinator shall advise the Information and Assistive Technology Committee, if the qualified individual consents to the modification, in writing.~~

~~8.—Requests that are rejected by the Information and Assistive Technology Committee or are modified by the Committee, but not consented to by the qualified individual may be resubmitted with additional documentation or explanation to the Information and Assistive Technology Committee for reconsideration at its next scheduled meeting.~~

Amendment to the Commission’s Regulation Chapter K Enhanced Enforcement of Disability Parking;

**IV. SUBMISSION OF DISABILITY PARKING ENFORCEMENT ENHANCEMENT PLANS**

A. The state agencies and cities and towns shall submit their Disability parking enforcement enhancement plans to the Commission’s ~~Disability Parking~~ Accessibility Committee, on the Disability Parking Enforcement Enhancement Plan GCD Form K.

B. The state agencies shall develop and submit a disability parking enforcement enhancement plan to the Commission’s ~~Disability Parking~~ Accessibility Committee, by November 1, 1999 and the cities and towns by April 1, 2000.

**VI. ANNUAL REPORTING**

Beginning January 1, 2001 and on each January 1 thereafter, cities and towns and the state agencies shall submit to the Commission’s ~~Disability Parking~~ Accessibility Committee an annual progress report chronicling the collections of fines, procedures used, convictions, and any problems or successes which result from the disability parking enforcement enhancement program.

**VII. REVIEW OF DISABILITY PARKING ENFORCEMENT ENHANCEMENT PLANS AND ANNUAL REPORTS**

The Commission’s ~~Disability Parking~~ Accessibility Committee shall review and make suggested improvements to the disability parking enforcement

enhancement plans, in writing to the agency / municipality within 60 days receipt of those plans and annual reports.

Amendment to the Commission's Regulation Chapter P Open Meeting  
Telecommunication Accommodation Waiver Requests;

**IV. REQUESTING AN OPEN MEETING TELECOMMUNICATIONS  
ACCOMMODATION WAIVER**

- A. Whenever a request for an Open Meeting Telecommunications Accommodation Waiver is made to the Commission, it shall provide the requesting party with a copy of these regulations and assist the individual in preparing an Open Meeting Telecommunications Accommodation Waiver Request GCD Form P-1.
- B. The party requesting the waiver shall provide medical information:
1. Only medical information needed to document the need for the accommodation that is specifically related to limitations caused by the public body member's disability that prevent that member from attend meetings of that public body solely by reason of his or her disability.
  2. The ~~Assistive Technology Committee~~ [Hearing Board](#) and its staff member shall review any medical information needed to document that the individual is "a member of that public body, who has a disability" in relation to the need to be accommodated. The Committee members and staff must handle confidential medical information in accord with the RIGL 5-37.3 Confidentiality of Health Care Communications and Information Act.
  3. The state's rehabilitation /disability services experts may assist the ~~Assistive Technology Committee~~ [Hearing Board](#) understand the medical information provided.
  4. Other Commission personnel shall not participate in the review of nor have access to the individual's medical information.

**V. GRANTING OR REJECTING A TELECOMMUNICATIONS  
ACCOMMODATION WAIVER**

- ~~1.~~ A. The ~~Assistive Technology Committee~~ [Hearing Board](#) shall review the Waiver Request at its next scheduled meeting and approve or reject the request. The member of the public body may appear and testify at meeting of the Assistive Technology Committee via telecommunication devices when their request is on the agenda. Notice of the meeting shall be sent to the affected public body and the member the waiver is requested for.
- ~~2.~~ B. The ~~Assistive Technology Committee~~ [Hearing Board](#) shall:
- a) 1. Review any advice provided by the state's rehabilitation /disability services experts regarding the factors preventing the public body member's physical attendance at meetings of that public body.*
  - b) 2. Conduct a technical review of possible electronic communication or telephone communication equipment or devices that would enable that member to participate in the public body's meetings.*

3. C. If the ~~Assistive Technology Committee~~ Hearing Board grants the waiver, the Committee's staff person shall issue the waiver in writing:

- A) Send the original waiver to public body's presiding officer;
- B) Send a copy to the requesting member; and
- C) Place a copy of the waiver on the public record.

4. D. If the ~~Assistive Technology Committee~~ Hearing Board rejects the waiver request, the Committee shall state its reasons for rejection in writing to the requesting member, within a week of the meeting and place a copy of the waiver rejection on the public record.

MOTION: To direct the staff to revise the Commission's regulations to incorporate the configuration approved above and technical amendments to bring the Commission's Regulations into conformance with changes in RI General Laws relating to the Commission's responsibilities submit for public comment and public hearing (on September 14, 2009). PR/RMcM passed unanimously

**4. FY 2010 Revised Budget Request**

Governor's Commission on Disabilities	Governor Budget Recommendations	Budget Office's 7/8/09 Guidance to conform to Enacted Budget
<b>State General Revenues</b>		
<b>Commission Operations Allocation before statewide reductions</b>	\$335,040	\$335,040
<i>Salary/Wages and other Compensation</i>	\$211,112	
<i>Employee Benefit Programs</i>	\$106,997	
Statewide 5% Salary & Benefits reduction		(\$15,785)
Statewide Pension Increase over Governor's Recommendations		Not Available
Statewide 1/26th of Health Insurance reduction		(\$1,071)
Statewide 2/26th Assessed Fringe Benefits reduction		(\$1,012)
Statewide 2.5% for 1/2 year salary/benefits reduction		(\$3,946)
<b>Contracted Professional Services</b>	\$2,191	
Statewide 10% Consultant reduction		(\$219)
<b>Operating Supplies and Expenses</b>	\$12,859	
Statewide 5% Operating reduction		(\$642)
Statewide 2.5% for 1/2 year Operating		(\$161)
<b>Capital Purchases and Equipment</b>	\$1,881	
<b>Total Commission Operations</b>	<b>\$335,040</b>	<b>\$312,204</b>
<b>Mary Brennan Fellowship Allocation before statewide reductions</b>		\$10,350
Grants: Fellowship Stipends	\$10,350	
Statewide 2.5% for 1/2 year All Operating		
<b>Total Fellowships</b>	<b>\$10,350</b>	<b>\$10,350</b>
<b>Disability Business Enterprises Allocation before statewide reductions</b>		\$21,060
<i>Salary/Wages and other Compensation</i>		
<i>Employee Benefit Programs</i>		
Statewide 5% Salary & Benefits reduction		
Statewide Pension Increase over Governor's Recommendations		

<b>Governor's Commission on Disabilities</b>	<b>Governor Budget Recommendations</b>	<b>Budget Office's 7/8/09 Guidance to conform to Enacted Budget</b>
Statewide 1/26th of Health Insurance reduction		
Statewide 2/26th Assessed Fringe Benefits reduction		
Statewide 2.5% for 1/2 year salary/benefits reduction		
<b>Contracted Professional Services</b>	\$20,602	
10% Consulting [contract employee, Interpreters, real-time captioners]		(\$2,060)
<b>Operating Supplies and Expenses</b>	\$458	
5% Operating		(\$23)
2.5% for 1/2 year All Operating		(\$6)
<b>Total Disability Business Enterprises</b>	<b>\$21,060</b>	<b>\$18,971</b>
<b>Total General Revenue</b>	<b>\$366,450</b>	<b>\$341,525</b>
<b>Budget Target</b>	\$366,450	\$341,526
<b>Federal Grants</b>		
<b>NE ADA Grant Allocation before statewide reductions</b>	\$56,922	\$56,922
<i>Salary/Wages and other Compensation</i>	\$31,014	
<i>Employee Benefit Programs</i>	\$15,719	
Statewide Pension Increase over Governor's Recommendations		Not Available
<i>Contracted Professional Services</i>	\$600	
<i>Operating Supplies and Expenses</i>	\$6,139	
<i>Assistance and Grants</i>	\$3,450	
<b>Total NE ADA Grant</b>	<b>\$56,922</b>	<b>\$56,922</b>
<b>HAVA Grant Allocation before statewide reductions</b>	\$118,027	\$118,027
<i>Salary/Wages and other Compensation</i>	\$11,919	
<i>Employee Benefit Programs</i>	\$6,041	
Statewide Pension Increase over Governor's Recommendations		Not Available
<i>Contracted Professional Services</i>	\$900	
<i>Operating Supplies and Expenses</i>	\$5,717	
<i>Assistance and Grants</i>	\$93,450	
<b>Total HAVA Grant</b>	<b>\$118,027</b>	<b>\$118,027</b>
<b>Total Federal Grants</b>	<b>\$174,949</b>	<b>\$174,949</b>
<b>Restricted Receipts</b>		
<b>Technical Assistance: Restricted Receipts Allocation before reductions</b>	\$10,001	\$10,001
<i>Contracted Professional Services</i>	\$2,123	
<i>Operating Supplies and Expenses</i>	\$7,878	
<b>Total Technical Assistance</b>	<b>\$10,001</b>	<b>\$0</b>
<b>RI Capital Program</b>		
<b>Handicapped Accessibility Facility Renovations Allocation before reductions</b>	\$375,000	\$375,000
Targeted Reduction		(\$200,000)
RICAP Carry Forward		
<i>Contracted Professional Services</i>		
<i>Capital Purchases and Equipment</i>	\$375,000	
<b>Total Handicapped Accessibility Facility Renovations</b>	<b>\$375,000</b>	<b>\$175,000</b>
<b>Grand Total</b>	<b>\$926,400</b>	<b>\$691,474</b>
<b>% Difference</b>		

Governor's Commission on Disabilities	Governor Budget Recommendations	Budget Office's 7/8/09 Guidance to conform to Enacted Budget	
FTE Positions	4		4
Discussion: As of August 6 <sup>th</sup> no instructions have been set out from the Budget Office regarding preparation of the FY 2010 Revised or FY 2011 Budget Requests.			
Tabled until the August 18 <sup>th</sup> meeting.			
<b>5. FY 2011 Budget Request</b>			
Tabled until the August 18 <sup>th</sup> meeting.			
<b>Announcements &amp; Scheduling of Meetings</b>		<b>R. Timothy Flynn</b>	<b>5 min.</b>
Next meeting will be on:	Tuesday August 18, 2009		Starting at: 4 PM
Adjournment:	Chairperson adjourned the meeting at 5:40 PM		
Resource persons:	Bob Cooper, Secretary & Christine Rancourt (GCD)		