



Description of graphic: RI State Seal an anchor in gold behind a blue wheelchair logo. Just below is a blue banner with the state motto "Hope". All are in the center of a ring of 8 blue stars, in groups of 2 separated by the logos for Braille, hearing aids, low vision and amplified phone.

Governor's Commission on Disabilities Executive Committee

Thursday August 5, 2010 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

(website) www.disabilities.ri.gov

 Attendees:	Timothy Flynn (Chair.); Bill Inlow; Ronald McMinn; Patricia Ryherd & Linda Ward
Absent:	Kate McCarthy-Barnett (Vice Chair); Judi Drew; Rosemary Carmody; Paul Harden;
Staff:	Bob Cooper

	Agenda Topics	Moderator/Leader	Time
 <small>Clock graphic</small>	Call to Order and Acceptance of the Minutes	Timothy Flynn, Chairperson	4:00
Chair calls the meeting to order at 4:07 PM Introductions of Commissioners and guests			
MOTION: To accept the minutes of the previous meeting as presented RMcM/PR passed unanimously			

Action Items:			
 <small>Ramp graphic</small>	Adoption of the Accessibility Renovation Capital Budget Request FY 2012 - 2016	Kate McCarthy-Barnett, Chair. Accessibility Committee	4:05
Purpose/Goal: To adopt a prioritizing of accessibility renovations at state owned facilities for FY 2012 – 2016 and capital budget request			
<p style="text-align: center;"><i>FY 2012 - FY 2016</i></p> <p style="text-align: center;"><i>Capital Improvement Plan Request System</i></p> <p style="text-align: center;"><i>Project Request - Narrative and Justification</i></p> <p>Agency 022 GOVERNOR'S COMMISSION ON DISABILITIES</p> <p>Project ID/Name: FR1 Handicapped Accessibility - Facility Renovations</p> <p>Project Description: Facility Renovations, to remove structural barriers at state owned facilities that prevent persons with disabilities from participating in the services, activities or benefits offered at those state facilities or being employed by the state agencies occupying those facilities.</p> <p>Project Justification: With advances in medical treatments and as the community become more physically accessible the state should anticipate a greater participation by persons with severe impairments as</p>			

Agenda Topics	Moderator/Leader	Time
<p>employees, users of state services, and students at state operated schools and colleges. Access renovations at state owned long-term care facilities coupled with improvements in medical treatment will allow residents to become more independent, reducing their reliance on employees, as structural barriers to the independence are removed.</p> <p>Access renovations at state owned schools and colleges expands career opportunities for students with disabilities, who upon graduation will become productive employed citizens. Access renovations at workstations expand employment opportunities in state government for persons with disabilities as well as retention of existing state employees who become disabled, rather than retiring with a disability pension and/or collecting Supplemental Security Income/Social Security Disability Income benefits.</p> <p>Access renovations at state owned recreational facilities, expands opportunities to Rhode Islanders and tourists with disabilities to enjoy the benefits and services provided by the State of Rhode Island.</p> <p>Compliance with federal and state disability rights laws.</p>		
<p>Project Status:</p>		
<p>Since 1980 the State has been eliminating barriers at state owned facilities (colleges, office buildings, state parks and beaches).</p>		
<p>1) State services primarily on people with disabilities that do not meet the minimum federal standard of accessible to and useable by persons with disabilities:</p>		
<ul style="list-style-type: none"> • DCYF: Groden Center for children with behavior disorders (being addressed in the FY 2011 Capital Budget; and • MBHDDH (formerly MHRH): state owned facilities leased by behavioral health (including substance abuse) and developmental disabilities provider agencies. • Reasonable accommodations/modifications are made on a case-by-case basis when requested for: <ul style="list-style-type: none"> o Residents at Eleanor Slater Hospital (both campuses) and in Correctional Facilities; o Individual state employees with disabilities' workstation & common facilities; and o Students with disabilities enrolled in state operated schools and colleges. 		
<p>2) The State House access renovations include:</p>		
<ul style="list-style-type: none"> • Upgrading the lower level entrance; • Replacement of all the doorknobs with level hardware; and • Creating accessible visitors parking. 		
<p>3) Higher Education facility renovations include:</p>		
<ul style="list-style-type: none"> • URI: 29 facilities at its Kingston, Narragansett Bay and Alton Jones Campuses with barriers to students and employees, that the University estimates would cost \$7,452,200 if completed in FY 2011 - 2012. • RIC: walkways, sidewalks and replacement of door knobs with level hardware through out the campus, with a projected cost of \$275,000; 		
<p>4) DEM: 10 recreation facilities that do not comply with the federal access code, renovations would to cost of \$881,250, if completed in FY 2011 - 2012. Federal matching funds may be available to renovate some of these projects.</p>		
<p>5) DOC: Women's Correctional Facilities, no cost estimate available.</p>		
<p>6) Pastore Center: Administrative buildings, no cost estimate available.</p>		
<p>Strategic Criteria</p>		
<p>Safety Concerns ----- Major</p>		
<p>Safety Narrative</p>		
<p>State employees, students at state operated schools and colleges, and residents at state operated facilities, who have mobility impairments do not have a 2nd accessible means of egress (or area of refuge) in fires, in a small number of state owned facilities.</p>		
<p>Code Violations ----- Major</p>		
<p>Code Narrative</p>		
<p>Accessibility standards of the Americans with Disabilities Act and Section 504 of the Rehabilitation Act of 1973, as amended, and RIGL 42-87 Civil Rights of People with Disabilities, all require independent access to all programs, activities, and employment opportunities for</p>		

Agenda Topics	Moderator/Leader	Time
<p>people with disabilities. There are still structural barriers to programs at the state owned (DCYF & MHRH) residential treatment facilities and community based services operated by private service providers, the State House, state colleges, DEM facilities, Women’s correctional facilities; Pastore Center facilities and the training facility at the Johnston computer center.</p>		
<p>Energy Impact ----- None</p>		
<p>Energy Narrative</p>		
<p>Customer Service ----- Major</p>		
<p>Customer Narrative</p>		
<p>Residents of RI are unable to fully enjoy services provided by the state, are unable to attend state operated schools and colleges, or receive services at state owned (DCYF & MHRH) treatment facilities, and fully utilize DEM’s recreation facilities. There are still physical barriers at the State House (almost all of the hearing and committee rooms lack appropriate door hardware that can be opened with a closed fist.</p>		
<p>Geographic Significance ----- Statewide</p>		
<p>Geographic Narrative</p>		
<p>MBHDDH (formerly MHRH) Residential Substance Abuse Facilities, across the state;</p>		
<p>State House, Providence;</p>		
<p>URI campuses in Kingston, Narragansett, and West Greenwich;</p>		
<p>RIC campus, Providence;</p>		
<p>DEM facilities at:</p>		
<p>Chopmist Hill Forest Management, Scituate;</p>		
<p>Colt State Park rest room # 3, Bristol;</p>		
<p>Echo Lake boat ramp, Gloucester</p>		
<p>Fort Adams, Newport;</p>		
<p>Great Swamp Management Area, West Kingston</p>		
<p>Lafayette Fish Hatchery, North Kingstown,</p>		
<p>DEM: North Kingstown Boat Ramp,</p>		
<p>Slatersville Reservoir boat ramp, North Smithfield, and</p>		
<p>Shore Fishing Stations</p>		
<p>Pastore Center, Cranston; and</p>		
<p>Johnston Computer Center's training facility</p>		
<p>Agency Mission ----- High</p>		
<p>Agency Narrative</p>		
<p>Commission’s Objective is:</p>		
<p>To ensure that all people with disabilities are afforded the opportunities to exercise all the rights and responsibilities accorded to citizens of this state and each person with a disability is able to reach his/her maximum potential in independence, human development, productivity and self-sufficiency.</p>		
<p>Commission’s Goals are:</p>		
<p>To ensure full participation in all aspects of society for people with disabilities and</p>		
<p>To expand economic opportunities for people with disabilities.</p>		
<p>The Commission's mission is to remove all barriers to equal access to state programs, benefits, services and employment opportunities.</p>		
<p>User Financing ----- 0</p>		
<p>User Narrative</p>		
<p>Asset Management ----- Rehabilitation</p>		
<p>Asset Narrative</p>		
<p>Appropriately, constructed accessibility extends the legal use of existing non-accessible facilities, allowing the state to make more productive use of state owned facilities especially vacant facilities at the Pastore Center.</p>		
<p>The Commission will be conducting an architectural and engineering study of the facilities at the Pastore Center, both currently in use and vacant, to provide a detailed listing of barriers and solutions so policy makers will be in a position to make informed decisions regarding future use of those facilities.</p>		
<p>Operating ----- None</p>		

	Agenda Topics	Moderator/Leader	Time																																																																																										
	<p>Operating Narrative Historic Preservation ----- Yes Historic Narrative Budgeted ----- No Critical Life Safety Narrative State employees, students at state operated schools and colleges, and residents at state operated facilities, who have mobility impairments do not have a 2nd accessible means of egress (or area of refuge) in fires, in a small number of state owned facilities. Critical Legal Liability ----- Yes Critical Legal Liability Narrative Accessibility standards of the Americans with Disabilities Act and Section 504 of the Rehabilitation Act of 1973, as amended, and RIGL 42-87 Civil Rights of People with Disabilities, all require independent access to all programs, activities, and employment opportunities for people with disabilities. There are still structural barriers to programs at the state owned (DCYF & MHRH) residential treatment facilities and community based services operated by private service providers, the State House, state colleges, DEM facilities, Women’s correctional facilities; Pastore Center facilities and the training facility at the Johnston computer center. Prior Binding Commitment ----- No Prior Binding Commitment Narrative</p>																																																																																												
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¹ General Obligation Bond funding for the Groden Center, to be carried forward.

	Agenda Topics	Moderator/Leader	Time
	RICAP funding needs to be to reflect FY 2010 Encumbered \$48,474.44 being carried forward. Instead of \$273,474 in FY 11 the table should be revised to read \$298,474		
<input checked="" type="checkbox"/> <small>voting check off graphic</small>	MOTION: To ratify the Accessibility Renovation Capital Budget Request FY 2012 – 2016, as revised in the RICAP Request row, FY 11 column by deleting \$273,474 and inserting therein \$298,474 and adjusting the Pre FY 11 column by deleting \$816,799 and inserting therein \$791,526		
<input checked="" type="checkbox"/> <small>voting check off graphic</small>	MOTION: To propose a \$15 million Accessibility Renovation General Obligation Bond Referendum for the 2012 General Election, utilizing the priorities above with updated cost estimates RMcM/LW - Unanimously Motion to move the question BI/LW passed unanimously MOTION: To propose a \$15 million Accessibility Renovation General Obligation Bond Referendum for the 2012 General Election, utilizing the priorities above with updated cost estimates RMcM/LW - Unanimously		

 <small>capitol graphic</small>	Commission Response to the Governor's Vetoes:	Linda Ward, Chair. Legislation Committee	4:15
	10 H 7044 & S 2055 ACTS RELATING TO STATE AFFAIRS AND GOVERNMENT-STATE POLICE These acts would make the definitions of disability, sexual orientation, gender identity and expression the same as set forth in Rhode Island general laws section 11-24-2.1. This act would take effect upon passage.		
	The Legislation Committee recommends the Commission urge the General Assembly to override the Governor's Vetoes of H 7044 & S 2055.		

1-1 SECTION 1. Section 42-28-46 of the General Laws in Chapter 42-28 entitled "State
 1-2 Police" is hereby amended to read as follows:
 1-3 **42-28-46. Development of system monitoring crimes motivated by bigotry and bias. -**
 1-4 **= (a)** For the purposes of this section, the following words shall have the following meanings:
 1-5 (1) "Police department" -- means all state, municipal and campus police departments
 1-6 within the state of Rhode Island;
 1-7 (2) "Hate crime" -- means any crime motivated by bigotry and bias, including, but not
 1-8 limited to threatened, attempted, or completed acts that appear after investigation to have been
 1-9 motivated by racial, religious, ethnic, sexual orientation, gender, [gender identity or expression](#) or
 1-10 disability prejudice. [For the purposes of this chapter, the definitions of disability, sexual](#)
 1-11 [orientation and gender identity or expression shall be defined as set forth in Rhode Island general](#)
 1-12 [laws section 11-24-2.1;](#)
 1-13 (3) "Hate crime data" -- means information, incident reports, records and statistics
 1-14 relating to hate crimes, collected by the state police unit pursuant to this section;
 1-15 (4) "Incident report" -- means account of any individual occurrence of hate crime
 1-16 received or collected by the crime reporting unit pursuant to this section.
 1-17 (b) The state police shall, by January 1, 1994, develop a system monitoring the
 1-18 occurrence of crimes committed in the state which the evidence of the offense demonstrates was
 1-19 motivated by racial, religious, ethnic bigotry, or bias on any other matter defined as a "hate

2-1 crime" herein. All police departments within the state shall report monthly the occurrence of such
 2-2 crimes to the state police. The state police shall maintain a permanent record of these offenses
 2-3 categorized by community of occurrence, type of offense, target of offense, and such other
 2-4 information as the department deems relevant. The department shall develop a plan for the
 2-5 collection, analysis, and dissemination of the data regarding such crimes and shall promulgate
 2-6 regulations relating to the collection of hate crime data, as defined in this section, which are
 2-7 submitted by law enforcement agencies, individuals, state and local human rights commissions,
 2-8 and anti-discrimination advocacy organizations.
 2-9 (c) The state police shall compile and distribute to each police department a listing of all
 2-10 criminal offenses and penalties for those actions defined as "hate crimes" herein. Notice of the
 2-11 provision of these sections shall be primarily posted at each police station.
 2-12 SECTION 2. This act shall take effect upon passage.

 **Discussion:** To be prepared if the General Assembly reconvenes for an override session.
MOTION: To request the General Assembly override the Governor's Vetoes of H7044/2055 ACTS RELATING TO STATE AFFAIRS AND GOVERNMENT-STATE POLICE BI/PR passed unanimously

10 S 2425 Sub A / 10 H 7331 As Amended ACTS RELATING TO HEALTH AND SAFETY -- LICENSING OF HEALTH CARE FACILITIES
 These acts would implement a moratorium on new initial licenses for hospice providers, home nursing care providers, and home care providers until July 1, 2012. This act would take effect upon passage.
 The Substitute would implement a moratorium on the issuance of new initial licenses for hospice providers, home nursing care providers, and home care providers for one year beginning on January 1, 2011. Applications submitted on or before December 31, 2010 would not be subject to the moratorium.

1-1 SECTION 1. Chapter 23-17 of the General Laws entitled "Licensing of Health Care
 1-2 Facilities" is hereby amended by adding thereto the following section:
 1-3 **23-17-44.1. Moratorium on new initial licenses for hospice providers – Home**
 1-4 **nursing providers and home care providers. – (a) For one year beginning January 1, 2011, the**
 1-5 **licensing agency shall not issue any new initial licenses for hospice providers, home nursing**
 1-6 **providers, or home care providers; provided, however, that any application for a new license**
 1-7 **submitted to the licensing agency on or before December 31, 2010 shall not be subject to this**
 1-8 **section.**
 1-9 **(b) The moratorium contained herein shall not foreclose the issuance of a license for**
 1-10 **hospice providers, home nursing care providers, or home care providers as a result of a change in**
 1-11 **effective control of the ownership of any currently licensed hospice provider, home nursing care**
 1-12 **provider, or home care provider.**
 1-13 SECTION 2. This act shall take effect upon passage.

 The Legislation Committee recommends the Commission urge the General Assembly to sustain the Governor's Vetoes of S 2425 & H 7331.
MOTION: To request the General Assembly sustain the Governor's Vetoes of 10 S 2425/H 7331 As Amended Sub A AN ACT RELATING TO HEALTH AND SAFETY -- LICENSING OF HEALTH CARE FACILITIES, PR/LW passed unanimously

 Balancing Budget graphic	Commission Budget & Operations	Tim Flynn, Chair	4:30
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Purpose/Goal: To adjust the Commission's FY 2011 Budget in line with the FY 2011 Enacted Budget.

The FY 2011 Budget as Enacted's General Revenues is 96.6% of the Governor's Recommendation, "based on fewer retirements than previous years and reduces the [Commission's] FY 2011 budget by \$803 to reflect these savings"². The federal funds authorization is 99% of the Governor's Recommendation. The Donations and Access Renovations are the same as the Governor's Recommendation.

The Chart below shows the status of FY 2010 Budget and The FY 2011 Budget as Enacted.

Account	FY 10 Budget	FY 10 Paid	FY 10 Balance	%	FY 11 Budget
General Operations	\$313,781	\$314,187	(\$406)	-0.1%	\$336,150
Fellowships	\$10,350	\$10,350	\$0	0%	\$10,350
Disability Business	\$19,011	\$18,906	\$105	0.6%	\$20,729
General Revenue					\$367,229
NE ADA Center Grant	\$46,003	\$46,262	\$259	0.6%	\$30,771
HAVA Grant	\$152,326	\$39,515	\$112,811	74.1%	\$162,827
Federal Funds					\$193,598
Donations	\$13,559	\$7,931	\$5,628	41.5%	\$13,626
Access Renovations	\$190,151	\$141,677	\$48,474.44	25.5%	\$298,474
Grand Total	\$745,181	\$578,828	\$166,353	22.3%	\$872,927



voting check off graphic

**MOTION: To allocate the Commission's FY 2011 Budget as follows
LW/BI passed unanimously**

Account	Original Request	Reallocation ³
General Operations	\$348,387	\$336,150
Fellowships	\$10,350	\$10,350
Disability Business	\$21,059	\$20,729
NE ADA Center Grant	\$31,424	\$30,771
HAVA Grant	\$163,514	\$162,827
Donations	\$13,626	\$13,626
Access Renovations-RICAP ⁴	\$475,000	\$298,474
Access Renovations-GO Bonds ⁵	\$0	\$34,968
Grand Total	\$1,063,360	\$907,895

Sunshine Fund only has \$61 – A donation on behalf of the Commission in Terry Carr-Hopkins memory needs to be to one of the following:

² Source: House Finance Committee's FY 2011 Changes to Governor" briefing paper

³ Change reflects the Budget Office's distribution of the "retirement savings".

⁴ RICAP FY 2010 Encumbered funding of \$48,474.44 needs to be carried forward.

⁵ General Obligation Bond funding of \$34,968 for Groden Center needs to be carried forward.

Arthritis Foundation, Rhode Island Office, 2348 Post Road, Suite 104, Warwick, RI 02886

Rhode Island Home & Hospice, 1085 North Main Street, Providence 02904 or
Insight, 43 Jefferson Boulevard, Warwick, RI 02888 \$50 each

Purpose/Goal: To decide whether the Commission should submit a grant application for the US Department of Labor's *Add Us In Initiative*.

The Office of Disability Employment Policy announced the availability of approximately \$2.3 million to fund up to four cooperative agreements ranging from \$500,000 to \$625,000 in support of the Add Us In initiative. Add Us In is designed to increase the ability of businesses owned, operated and controlled by African Americans; Asian Americans; Latino or Hispanic Americans; members of federally recognized Tribes and Native Americans; Lesbian, Gay, Bisexual and Transgender individuals; and women to employ adults and youth with disabilities. Grant recipients will develop and evaluate replicable models, strategies and policies to ensure that youth and adults with disabilities from diverse communities have access to a broader range of employment and mentoring opportunities. In addition, grantees will form and strengthen connections among targeted businesses, diversity-serving, youth-serving and disability-serving organizations thereby building a national and local network of experts skilled in serving individuals with disabilities from diverse communities. There will be an initial 24-month period of performance, with an additional three option years of funding available at the discretion of the Department depending on the availability of funds and satisfactory performance.

In order to meet eligibility requirements, consortia applying for the cooperative agreement must have representation from each of the following four organization types: 1) An association of targeted businesses, a business association located in a target population community, targeted business entities, association of targeted businesses, association of targeted business owners or other similar entity; 2) A disability-serving organization; 3) A Local Workforce Investment Board (LWIB) or other organization with demonstrated experience in providing employment and training services and employment-related support services (e.g., One-Stop center); 4) and Youth-serving organization.

Applications must be received by September 01, 2010, at 5:00 PM Eastern Time.



voting check off graphic

The Commission should support the formation of consortia to be in place to respond to similar RFP in the future.



Candidate graphic

Candidate Awareness of the Disability Community

Bob Cooper, Executive Secretary

4:40

A. The FY 2011 HAVA Grant Budget

* Cable TV production of using the Automark voting system and federal and

general office candidates

** Subject to Division of Motor Vehicles completing the installation of new computer system prior to 2nd week in September

Potential activities		
RIde Van transportation to polling places on primary and general election	up to	\$10,000
Stipends for polling place surveyors on primary and general election	up to	\$10,000
Newspaper Advertisement on voter rights	up to	\$20,000
Mini-grants to disability advocates and provider organizations on the voting process	up to	\$10,000



voting check off graphic

MOTION: To revise the FY 11 HAVA Grant budget to

1) Replace Division of Motor Vehicle's Disability Parking Permit - Voter Outreach Mailing \$50,000 with the following:

- o RIde Van transportation to polling places on primary and general election up to \$10,000
- o Stipends for polling place surveyors on primary and general election up to \$10,000
- o Newspaper Advertisement on voter rights up to \$20,000
- o Mini-grants to disability advocates and provider organizations on the voting process up to \$10,000 LW/RMcM passed unanimously

B. Already mailed/mailed to all candidates for Congressional and State General Officers the:

1. "Will Your Campaign Be Accessible To Voters With Disabilities" Packet that includes:
 - a. Accessible Communications
 - b. Physical Accessibility
 - c. Hear the concerns of people with disabilities and their families
 - d. Chapter 235 2007 -- S 1016 Enacted 07/03/07 A N A C T RELATING TO ELECTIONS -- MATCHING PUBLIC FUNDS
 - e. Chapter 277 2009 -- H 5570 Enacted 11/13/09 A N A C T RELATING TO ELECTIONS
 - f. GUIDELINES FOR REPORTING, WRITING & SPEAKING ABOUT PEOPLE WITH DISABILITIES
 - g. CHECK LIST FOR ENVIRONMENTAL AND COMMUNICATIONS ACCESSIBILITY
 - h. WEB ACCESSIBILITY QUICKTIPS
 - i. GOVERNOR'S COMMISSION ON DISABILITIES (Overview)
2. Commission's "Promoting Independence" Report (both attached).

B. Potential next steps:

1. Offer gubernatorial candidates "cable air-time" to address the disability community via Access RI - video tape and caption a 1/2 hour program for airing in September/October

2. Assist in the development of a Congressional and State General Officers candidates "meet & greet" night to education them on the breath and range of the disability community, advocates and providers in September/October
 3. Mail/Email to the candidates for the General Assembly the same material, listed in A 1 & 2 above
 4. Create a webpage and email listserve for organizations to post their candidates forums
- Discussion: Members spoke about the need to involve as many people and organizations as possible.



voting check off graphic

MOTION: To authorize a Candidate Awareness of the Disability Community program as

1. Offer gubernatorial candidates "cable air-time" to address the disability community via Access RI - video tape and caption a ½ hour program for airing in September/October
2. Assist in the development of a Congressional and State General Officers candidates "meet & greet" night to education them on the breath and range of the disability community, advocates and providers in September/October
3. Mail/Email to the candidates for the General Assembly the same material, listed in A 1 & 2 above
4. Create a webpage and email listserve for organizations to post their candidates forums LW/BI passed unanimously



people graphic

Appointment / Reappointment of Commissioners

Tim Flynn

5:15

Purpose/Goal: To fill the last 2 vacancies on the Commission

Discussion: BI reaching out to International Institute for Hispanic, Asian, Liberian, & Nigerian



Announcer graphic

Announcements

Tim Flynn

5:20



calendar graphic

Agenda and Scheduling the Next Meeting

Tim Flynn

5:25

Items to be placed on the next meeting's agenda:

1. Planning for the Annual Meeting
 - a. Adoption of the Commission's Fiscal Years Budget Requests and Operational Plan

- b. Elect the Vice Chairperson
 - c. Give advice and consent to the Chairperson's appointments of committee chairpersons and members and liaisons to other boards
2. Communication facilitator procedures

Next meeting will be on: Tuesday August 31st 2:30 – 5:00 PM

 <p>alarm clock graphic</p>	<p>Adjournment</p>	<p>Tim Flynn</p>	<p>5:30</p>
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 <p>voting check off graphic</p>	<p>MOTION: To adjourn at 6 PM BI/PR passed unanimously</p>
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