



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 Meeting Agenda Monday October 25, 2010 4:00 - 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

	<p>Attendees: R. Timothy Flynn, Chairperson; Kate McCarthy-Barnett, Ed.D., Vice Chairperson; Rory Carmody; Judi Drew, Ph.D.; William Inlow; Patricia Ryherd; & Theresa Thaelke</p> <p>Absent: Paul Harden; Ronald McMinn; Linda Ward</p> <p>Guests:</p> <p>Staff: Bob Cooper</p>
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	Agenda Topics	Moderator/Leader	Time
	<p>Call to Order and Acceptance of the Minutes</p>	<p>Timothy Flynn, Chairperson</p>	<p>4:00</p>

Chair calls the meeting to order at 4:07 PM

MOTION: To accept the minutes of the previous meeting as presented
PR/KMcC-B passed unanimously

Action Items:

	<p>1. NE ADA Center Grant State Affiliate Contract Ratification</p>	<p>Patricia Ryherd, Chair Employment Committee</p>	<p>4:05</p>
<p>Purpose/Goal: To ratify the NE ADA Center Grant State Affiliate Contract for Federal Fiscal Year 2011.</p>			

**New England ADA Center
&
Rhode Island Governor's Commission on Disability**

State Affiliate Scope of Work & Contract

October 1, 2010-September 30, 2011

This is a sub-contract for services between the *DBTAC-New England ADA Center* and *Rhode Island Governor's Commission on Disabilities*. The Governor's Commission is sub-contracting as the DBTAC's State Affiliate in Rhode Island.

Grant Period: October 1, 2010-September 30, 2011. This contract can be amended by the ADA Center to meet requirements from our funders, the *National Institute on Disability Rehabilitation and Research (NIDRR)*.

ADA Grant Award: \$24,000

The *New England ADA Center* is a leader in providing information, guidance, and training on the Americans with Disabilities Act, tailored to meet the needs of business, government and individuals at the local and regional level.

This is a re-defining year for the ADA. Significant statutory changes have been made to the three major titles of the ADA (Titles I, II and III). The goal is to learn about the new changes and effectively communicate them to the public. There are many opportunities to receive training and education on the new regulations.

Programmatic Requirements

State Affiliate Opportunities for Learning New Regulations:

There will be many opportunities to learn about the new regulations. Federal agencies such as, US EEOC, US DOJ and Access Board provide information and learning opportunities on their websites. In addition, the ADA National Network will offer nation-wide webinars and audio conferences. Also, there will be opportunities for state and regional in-person trainings.

We are requiring that our affiliates participate in trainings on the new Title I, II and III regulations. In turn, state affiliate will be required to train and explain changes in the ADA to the public.

Explain New Regulations in All Core Services:

State Affiliate will learn new ADA regulations and incorporate these into core services:

1. Trainings
2. Technical Assistance
3. Public Awareness
4. Materials Dissemination

Target Audiences for Outreach of Services:

- Employers
- Businesses
- National, state, and local business associations
- Disability related organizations
 - Vocational rehabilitation counselors
 - Disability advocacy organizations
- State and local government
 - ADA coordinators
- Individuals
 - Individuals with disabilities
 - Caregivers and family members of individuals with disabilities
 - General public
- Media
 - State and local
- Key influencers for marketing DBTAC as resource provider

- Elected officeholders, political appointees at Federal, state and local levels
- Key national associations and their leaders
- K-12
 - Special education associations, guidance counselors associations and general education associations
- Higher Education
 - Disability services and career counselor associations (associations)

Participate in New England ADA Center Trainings and Perform Outreach:

State Affiliate will participate in and disseminate ADA trainings. The following is a partial list of ADA Trainings:

1. New on-line ADA National Network courses www.NewEnglandADA.org :
 - *ADA Title I Web Course*
 - *An Overview of Disability Rights*
 - *ADA Title III Web Course*
 - *Universal Design of Workspaces*
1. Monthly ADA Audio Conferences (*third Tuesday of every month at 2 PM*) (www.audio-ada.org)
2. ADA National Network Webinars www.audio-ada.org
3. Annual ADA Symposium May 8-11 Las Vegas, Nevada (<http://www.adasyposium.org/>)
5. Learn about research findings from New England ADA research activities.
6. Help disseminate ‘new’ New England ADA Center products to reflect changes in regulations, coming this year:
 - Updated *Checklist for Existing Facilities*
 - Updated *Title II Action Guide and Supplement on Employment*
 - New *Title III Action Guide*

Participate in New England Regional Advisory Board Meetings:

Affiliate participates in two New England ADA Center Regional Advisory Board Meetings.

Contribute to Access New England On-Line Newsletter:

Affiliate provides the ADA Center with an article & photos for the *Access New England* Newsletter.

Make Clear Attribution to the New England ADA Center and NIDRR

On all grant supported trainings, meetings, website, materials and brochures, please make clear attribution to the New England ADA Center and NIDRR. For example, “*With support from DBTAC- New England ADA Center from the National Institute on Rehabilitation and Research (NIDRR)*”. Provide two-four examples to the ADA Center.

(See Appendix A for further ways to describe ADA services).

Quarterly Reporting and Invoicing Requirements

1. *Affiliate mails quarterly report due: December 31, March 31, June 30 and September 30.* Please submit within 15 days of the due date.

2. **Affiliate mails quarterly invoice on letterhead due: December 31, March 31, June 30, and September 30.** Please submit within 15 days of the due date.
3. **ADA Center will mail a check to Affiliate** within *45 days* of receiving both quarterly invoice and report.

Annual Financial Requirements

CDFA # 84-133-D2

Subcontractors are responsible for:

- Annual financial reporting that confirms the expenditure of money based on the allocations you projected, this must be submitted to receive 4th quarter payment.
- Submission of your most recent annual audit and financial statements - when applicable, arrange for audits and assure audit resolution (those entities receiving less than \$25,000 in federal financial assistance from all sources per year are exempt from the federal audit requirements).
- If you are a State agency, submit your agency's financial report.
- Retain support documents of expenses and labor related to this contract making these documents available to the Center upon request.
- Complete all documentation required by the Center related to fiscal concerns in a timely manner.
- Reply to IHCD's independent Auditors Sandberg, Gonzalez and Creeden Confirmations in a timely manner.

*Subcontractors will not be paid without their most recent audit on file at the Center.

Miscellaneous Provisions

The subcontractor shall comply with all applicable provisions under the Rehabilitation Act of 1973, Sections 502 and 504 as well as the Americans with Disabilities Act of 1990 in carrying out all of the activities specified by this subcontract. Failure to comply may result in the termination of this subcontract.

While the quarterly progress reports are vehicles of communication between the subcontractor and the Center, there will be occasions when the subcontractor must communicate information to the Center instead of waiting for the submission of the next quarterly report. Examples of this are a change in the state budget, or significant barriers to conducting the business of the subcontract.

Lobbying Form

Our funders, the National Institute on Disability Rehabilitation and Research (NIDRR) requests that state affiliates sign a Lobbying Form (*see attached*).

The subcontractor shall report all activities undertaken as part of this agreement to the Center utilizing the quarterly reporting format required by the Center. Failure to submit a quarterly report and comply with the other provisions of this contract will result in loss of funds under this agreement. Sub-Contractors will not be reimbursed for quarters in which the report and invoice is more than 15 days from due date.

Please send a budget: outlining how you will spend the money.

Please sign both copies of this contract. Keep one for your records, and return one to:

Oce Harrison, Ed.D., Project Director

DBTAC: New England ADA Center

200 Portland Street, First Floor

Date

Date

APPENDIX A:

Strategic Communications for Explaining ADA Services

Identity Brand Statement

New England ADA Center, a part of the National Network of ADA Centers is a leader in providing information, guidance, and training on the Americans with Disabilities Act, tailored to meet the needs of business, government and individuals at local, regional and national levels.

The following key sentences describe the ADA centers. These words help to describe what we do:

ADA Center Descriptors:

- Nationally recognized toll free telephone hotline number that provides comprehensive information on all titles of the ADA (1-800-949-4232).
- First organization providing ADA resources of information, training and technical assistance across the nation, doing so since 1991.
- Services are custom tailored to the needs of the individual or business seeking assistance.
- ADA Centers inform, explain and help individuals and businesses expand their knowledge and understanding of the ADA, rather than enforcing compliance, which is the role of the Department of Justice and the EEOC.

	MOTION: To ratify the NE ADA Center Grant State Affiliate Contract for FFY 2011 PR/KMcC-B passed, BI Abstained.		
voting check off graphic			
	2. Polling Place Access Grant Requests and Voter Education Mini-grant Requests	Rory Carmody, Chair Election Assistance Committee	4:20
	The Commission’s staff is surveying all polling places that will be used on Election Day, Tuesday November 2nd. As the staff identifies barriers they are advising local boards of canvassers to submit proposals to make those polling places temporarily accessible.		

	No proposals have arrived to date.		
 voting check off graphic	MOTION: To authorize the GCD staff to award HAVA Polling Place Access Grants to any local board of canvassers for removing voter access barriers at polling places that have been identified by the Commission’s staff. PR/RC passed unanimously		
	The staff requests authorization to conduct spot checks of polling places on Election Day. As it is a “state employee holiday”, they would receive holiday pay (2x). Funding is available in the HAVA grant		
 voting check off graphic	MOTION: To authorize staff to conduct polling place access monitoring on Election Day, at the holiday pay-rate, funded by the HAVA grant. KMcC-B/PR passed unanimously		
	Four voter education mini-grant proposals did not arrive in time for the Election Assistance Committee to approve them at their October 15 th meeting. GCD staff has provisionally notified the applicants to proceed with their proposal’s activities. (Copies of the proposals will be distributed at the meeting)		
 voting check off graphic	MOTION: To ratify the awarding of HAVA Voter Education Mini-grants to: Advocates In Action Northern Rhode Island Collaborative NRI Community Services Community Provider Network KMcC-B/BI passed unanimously		
 Balancing Budget graphic	3. Fiscal Year 2012 Budget Priorities	Bob Cooper	4:45
Purpose/Goal: To develop the Budget Commission FY 2012 Budget Priorities.			
<p style="text-align: center;"><i>State of Rhode Island and Providence Plantations</i> <i>Department of Administration</i> <i>Budget Office Memorandum</i></p> <p>To: Department Directors and Agency Heads Chief Financial Officers</p> <p>From: Thomas A. Mullaney Executive Director/Budget Officer</p> <p>Date: October 20, 2010</p> <p>Subject: Prioritization of FY 2012 Reductions</p> <p>In a September 7, 2010 memo, I informed you that Governor Carcieri had requested that each agency prioritize the reductions to be proposed in their constrained FY 2012 budget into five percent increments. In other words, what reductions would be made under a five percent (5%) constrained budget, under a ten percent (10%) constrained budget, and under a fifteen percent (15%) constrained budget.</p> <p>I asked in that memo that each agency provide a summary of reductions proposed under their constrained budget listing reductions in priority order (i.e. which ones would be implemented first, second, etc. if they were accepted and proposed in the FY 2012 recommended budget). This listing should be sent to the Governor's Policy office as a confidential working document and not included in your FY 2012 Budget request. The listing can be in any format you choose but should, at a minimum, include the priority number, a brief description of the reduction, and the amount of the reduction associated with this item. Funding amounts should be broken down between general revenue and non-general revenue, where applicable (i.e. if a loss of</p>			

general revenue funds would result in a commensurate loss of federal funds, the total reduction should be identified).

The documents you submit to the Governor's Policy Office (to the Attention of Tim Costa) should include the following footnote on each page to identify the fact that it is a confidential work paper:

Confidential Work Papers -RIGL 38-2-2(4)[K]

If you have any questions, please feel free to contact me.

Thank you.

Below is a potential recommendation based on the FY 2012 Budget approved by the Commission at the Annual Meeting September 13th.



RI Governor's Commission on Disabilities Fiscal Years 2012 Budget Priorities

R. Timothy Flynn, Chairperson

Dr. Kate McCarthy-Barnett, Vice Chairperson

Bob Cooper, Executive Secretary

Adopted on September 13, 2010

Copies of this information are also available in Braille, large print, audio cassette, and electronic file on computer disk. Contact the Commission 401-462-0100; fax 462-0106; email: disabilities@gcd.ri.gov or write to: Governor's Commission on Disabilities, John O.Pastore Center, 41 Cherry Dale Court, Cranston, RI 02920-3049 or download from the Commission's website: www.disabilities.ri.gov.

Governor's Commission on Disabilities

Officers

R. Timothy Flynn, of Ashaway 5/1/2006 - 5/1/2012
Chairperson; and State Coordinating Committee on Disability Rights Chairperson,
Liaison to: Department of Elderly Affairs' Home and Community Care Advisory Committee

Kate McCarthy-Barnett, Ed.D., of Coventry 7/18/2002 - 5/1/2011
Vice Chairperson, & Accessibility Committee Chairperson;
Liaison to: National Organization on Disability;
Emergency Management Advisory Committee & Elderly & Disability Working Group

Committee Officers

Rosemary C. Carmody, of Coventry 7/27/1998 - 5/1/2013
Election Assistance Committee, Chairperson
Liaison to: RI Disability Voting Project's Steering Cmte & Managing Directors; &
State Board of Election's Voter Registration Advisory Committee

Judith Drew, Ph.D., of Cumberland 7/19/1999 - 5/1/2011
Hearing Board Chairperson & Liaison to the State Planning Council's Transportation Advisory Committee

William Inlow, of Middletown
Legislation Committee, Vice Chair

Ronald C. McMinn, of Cumberland 6/26/2001 - 5/1/2013
Accessibility Committee, Vice Chairperson

Patricia Ryherd, of Barrington 5/1/1979 - 5/1/2011
Employment Committee, Chairperson

Theresa Thaelke, of Newport 11/9/2009 - 5/1/2013
Disability Business Enterprise Chairperson

Linda N. Ward, of Cranston 5/28/2008 - 5/1/2011
Legislation Committee Chairperson & Liaison: Rhodes to Independence Steering Committee

Commissioners

Cristina Amedeo, of Warwick 5/28/2008 - 5/1/2011	Laura Jones, of Wakefield 8/5/2010 - 5/1/2012
Jeanne Behie, of South Kingstown 10/21/2005 - 5/1/2013	Katherine Lowe, of Warwick 6/23/2008 - 5/1/2011
Sharon Brinkworth, of Barrington 10/14/2005 - 5/1/2013	Lisa C. McKay, of North Kingstown 12/5/2005 - 5/1/2011
Frederick Burke, of North Scituate 10/30/1992 - 5/1/2012	James A. Pitassi, Jr., of Johnston 7/27/1998 - 5/1/2011
Julie DeRosa, of Warwick 8/5/2010 - 5/1/2012	Arthur M. Plitt, of Pawtucket 7/27/1998 - 5/1/2013
Sarah Everhart Skeels of 2/1/2010 - 5/1/2012	Rev. Gerard O. Sabourin, of Exeter 11/28/2003 - 5/1/2012
Rodger Harris, of Woonsocket 8/5/2010 - 5/1/2012	Nancy Thomas, of Cranston 8/22/2007 - 5/1/2010

Staff

Bob Cooper of Scituate, Executive Secretary
Harvey O. Salvias of Cumberland, State ADA Coordinator
Christopher DeGrave of North Smithfield, Assistant ADA Coordinator (Accessibility)
Christine Rancourt of Providence, Assistant ADA Coordinator (Employment)



RHODE ISLAND AND PROVIDENCE PLANTATIONS
Executive Department
GOVERNOR'S COMMISSION ON DISABILITIES

John O. Pastore Center, 41 Cherry Dale Court
Cranston, RI 02920-3049
[voice] (401) 462-0102 [tty] via RI Relay 711 [fax] 462-0106
[e-mail] disabilities@gcd.ri.gov [website] www.disabilities.ri.gov

October __, 2010

His Excellency, Donald L. Carcieri, Governor
c/o Timothy Costa
One Capitol Hill
Providence, RI 02908-5886 Interdept.

Dear Governor Carcieri:

Attached please find the Governor's Commission on Disabilities' FY 2011 Supplemental and FY 2012 Budget Requests. The Commissioners are justifiably concerned about the proposed 15% staff reduction. To meet its budget targets, the Commission took the following steps over the past six fiscal years:

2005

- left vacant the Administrative Clerk of Office Services' position, **-\$73,923**

2006

- left vacant the Communications and Training Coordinator's position, **-\$87,207** and
- eliminated sharing of a Hearing Officer with DEM, **-\$13,650**

2008

- left vacant two Building Code Officials' positions, **-\$203,090** and
- reduced the Disability Business Enterprise contract employee hours 40%, **\$19,923**

2009

- eliminated the Administrative Aide position, **-\$30,883**;
- eliminated janitorial services: once a month the **staff** washes the floors and bathroom fixtures, **-\$5,349**;
- cancelled its weekly Cable TV program, **-\$3,813**; and
- reduced the Disability Business Enterprise contract employee hours another 16%, **-\$4,959**

2010

- eliminated the Disability Business Enterprise contract employee, **-\$25,259**.

A 15% reduction will compromise the Commission's ability to meet its' "maintenance of effort" obligation as well as its contractual activities. This will most likely result in the forfeiture of the federal ADA Technical Assistance Grant. This will cause delays and non-performance issues in the following areas:

- Completing construction design plan reviews of school construction, transportation projects, renovations at the state university and colleges, and other public and private construction projects.
- Resolving disability discrimination complaints filed against small businesses, agencies, and other entities. The Commission resolves complaints by quickly providing technical assistance prior to the filing of formal complaints thus avoiding more costly civil rights litigation.

Finally the proposed 15% staff reduction will also impact the federal HAVA - Election Assistance to Individuals with Disabilities Grant in two significant ways.

- First the reduction will eliminate the current practice of rapidly responding to requests from local boards of canvassers to conduct voter accessibility surveys of potential sites throughout the year.
- Second, it will result in delays for processing of grant applicants requested by municipal boards of canvassers. These applicants request that the Commission provide renovations to polling places to increase access for individuals with disabilities. This increases the potential that mandated renovations will not be complete by Election Day.

Governor, based on the required budget reductions, we are advising you that the Commission is no longer able to meet its statutory responsibilities. The Commission respectfully requests that you propose the repeal of two of those obligations:

- 31-28-7.3(d) Parking and Parking Privileges - Disability Parking Enforcement Program, and
- 42-51-10 Governor's Commission on Disabilities - State Coordinating Committee on Disability Rights.

While repealing these laws will not result in any cost savings, it will free up approximately 50 hours a year. That time can be allocated to inspecting polling places or assisting the respondents to disability rights complaints find low cost but effect solutions to eliminate barriers and increase accessibility to goods and services.

Further reductions will leave federal money on the table. It will cost taxpayers more to deliver fewer services. More importantly, it will result in our inability to meet obligations as advocates as we assist Rhode Islanders' with disabilities to exercise their rights and responsibilities as citizens.

Sincerely,

A handwritten signature in black ink, appearing to read "RTF", is written over a light blue rectangular background.

R. Timothy Flynn,
Chairperson

Priority	Description of Reduction	General Revenue			Federal	
		Operations	Fellows	DBE	ADA	HAVA
		2585101	2585102	2585104	2590101	2590102
5% 1.1	Administrative Support - Operating Supplies and Expenses (cut: printing, staff training)	(\$700)	\$0	\$0	\$0	\$0
5% 1.2	Administrative Support - Salary/Wages and Benefits (increase due to pro-rated health care ^a)	\$152	\$0	\$0	\$0	\$0
5% 2.1	Disability Business Enterprises - Contracted Professional Services (cut Govt. Purchasing Search Engine service)	\$0	\$0	(\$1,495)	\$0	\$0
5% 2.1	Disability Business Enterprises - Salary/Wages and Benefits (cut FTEs from 0.17 to 0.14 [0.03])	\$0	\$0	(\$2,429)	\$0	\$0
5% 2.2	Disability Business Enterprises - Operating Supplies and Expenses (cut printing)	\$0	\$0	(\$63)	\$0	\$0
5% 3.1	Advocating for Rights - Assistance & Grants (15% cut: fellowship stipend)	\$0	(\$1,532)	\$0	\$0	\$0
5% 3.2	Advocating for Rights - Salary/Wages and Benefits (cut FTEs from 0.58 to 0.54 [0.04])	(\$4,381)	\$0	\$0	\$0	\$0
5% 4.1	Protection of Civil Rights - Assistance & Grants (cut: fellowship stipend)	\$0	\$0	\$0	\$0	(\$57)
5% 4.2	Protection of Civil Rights - Operating Supplies and Expenses (cut printing and staff training conferences)	\$0	\$0	\$0	(\$2,030)	\$0
5% 4.3	Protection of Civil Rights - Salary/Wages and Benefits (cut FTEs from 2.75 to 2.68 FTE [0.07] & Federal increase due to pro-rated health care)	(\$9,016)	\$0	\$0	\$2,032	\$57
	5% Constrained Savings Total	(\$13,946)	(\$1,532)	(\$3,987)	\$2	\$1

Impact described on pages 4 - 16

^a Most fringe benefits decrease in proportion to salary decrease. Health care benefits don't, as a result those costs will increase in some accounts are the hours decrease in other accounts.

Priority	Description of Reduction	General Revenue			Federal	
		Operations	Fellows	DBE	ADA	HAVA
		2585101	2585102	2585104	2590101	2590102
10% 1.1	Administrative Support - Operating Supplies and Expenses (cut: printing, staff training)	(\$700)	\$0	\$0	\$0	\$0
10% 1.2	Administrative Support - Salary/Wages and Benefits (increase due to pro-rated health care)	\$458	\$0	\$0	\$0	\$0
10% 2.1	Disability Business Enterprises - Salary/Wages and Benefits (cut FTEs from 0.17 to 0.14 [0.03])	\$0	\$0	(\$2,425)	\$0	\$0
10% 2.2	Disability Business Enterprises - Operating Supplies and Expenses (cut printing)	\$0	\$0	(\$79)	\$0	\$0
10% 2.3	Disability Business Enterprises - Contracted Professional Services (cut Govt. Purchasing Search Engine service)	\$0	\$0	(\$1,495)	\$0	\$0
10% 3.1	Advocating for Rights - Salary/Wages and Benefits (cut FTEs from 0.58 to 0.46 [0.12])	(\$13,883)	\$0	\$0	\$0	\$0
10% 3.2	Advocating for Rights - Assistance & Grants (15% cut: fellowship stipend)	\$0	(\$1,532)	\$0	\$0	\$0
10% 4.1	Protection of Civil Rights - Assistance & Grants (cut: fellowship stipend)	\$0	\$0	\$0	\$0	(\$130)
10% 4.2	Protection of Civil Rights - Operating Supplies and Expenses (cut printing and staff training conferences)	\$0	\$0	\$0	(\$2,144)	\$0
10% 4.3	Protection of Civil Rights - Salary/Wages and Benefits (cut FTEs from 2.75 to 2.68 FTE [0.07] & Federal increase due to pro-rated health care)	(\$19,254)	\$0	\$0	\$2,149	\$130
	10% Constrained Savings Total	(\$33,379)	(\$1,532)	(\$3,998)	\$4	\$0

Impact described on pages 4 - 16

Priority	Description of Reduction	General Revenue			Federal	
		Operations	Fellows	DBE	ADA	HAVA
		2585101	2585102	2585104	2590101	2590102
15% 1.1	Administrative Support - Operating Supplies and Expenses (cut: printing, staff training)	(\$700)	\$0	\$0	\$0	\$0
15% 1.2	Administrative Support - Salary/Wages and Benefits (increase due to pro-rated health care)	\$695	\$0	\$0	\$0	\$0
15% 2.1	Disability Business Enterprises - Salary/Wages and Benefits (cut FTEs from 0.17 to 0.08 [0.09])	\$0	\$0	(\$7,290)	\$0	\$0
15% 2.2	Disability Business Enterprises - Operating Supplies and Expenses (cut printing)	\$0	\$0	(\$212)	\$0	\$0
15% 2.3	Disability Business Enterprises - Contracted Professional Services (cut Govt. Purchasing Search Engine service)	\$0	\$0	(\$1,495)	\$0	\$0
15% 3.1	Advocating for Rights - Assistance & Grants (15% cut: fellowship stipend)	\$0	(\$1,532)	\$0	\$0	\$0
15% 3.2	Advocating for Rights - Salary/Wages and Benefits (cut FTEs from 0.58 to 0.43 [0.15])	(\$18,376)	\$0	\$0	\$0	\$0
15% 4.1	Protection of Civil Rights - Assistance & Grants (cut: fellowship stipend)	\$0	\$0	\$0	\$0	(\$235)
15% 4.2	Protection of Civil Rights - Operating Supplies and Expenses (cut printing and staff training conferences)	\$0	\$0	\$0	(\$2,309)	\$0
15% 4.3	Protection of Civil Rights - Salary/Wages and Benefits (cut FTEs from 2.75 to 2.68 FTE [0.07] & Federal increase due to pro-rated health care)	(\$29,443)	\$0	\$0	\$2,320	\$236
	15% Constrained Savings Total	(\$47,825)	(\$1,532)	(\$8,997)	\$10	\$1

Impact described on pages 4 - 16

Item #: 1 Salary/Wages and Benefits – Administrative Support

Amount	FY 2011		FY 2012			
	Unconstrained	Constrained	Unconstrained	15% Constrained	10% Constrained	5% Constrained
General Revenue	\$57,940	\$57,940	\$61,416	\$62,110	\$61,873	\$61,568
All Funds	\$57,940	\$57,940	\$61,416	\$62,110	\$61,873	\$61,568

Item Description:

Administrative support is responsible for preparing and processing of financial (including budget, purchasing, general ledger transfers, paying invoices, etc.) personnel, and payroll documents. In addition, this service provides staff support for the Commission and Executive Committee including preparing the Annual Report, operational plans, and other Commission documents. The Commission’s objective is to respond quickly to requests for payment, with the goal of paying within 30 days.

Impact on the Processing of Invoices and Bills

This performance indicator measures the length of time (in hours) it takes to process requests for payment (invoices, etc.).

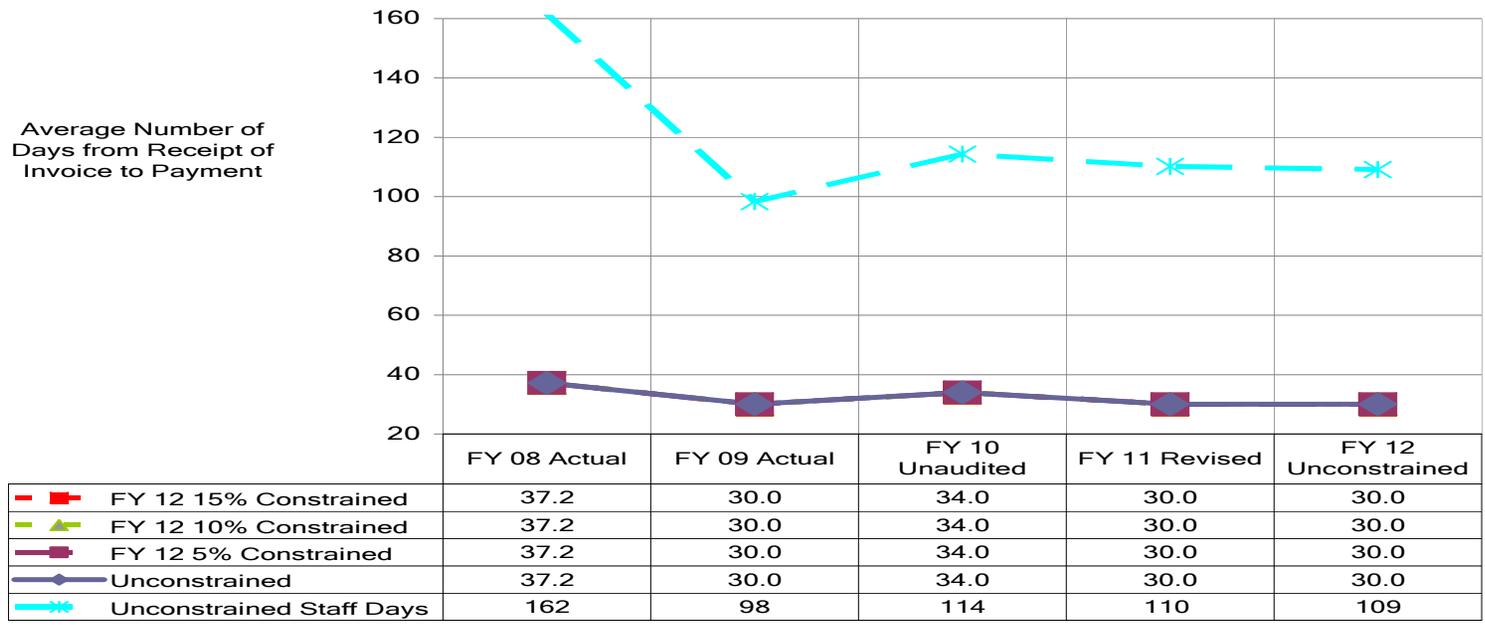


Table 1 Impact on the Processing of Invoices and Bills

As shown in Table 1 the Commission is maintaining the current staffing level in an effort to pay invoices within the 30-day statutory deadline. This involves re-allocating staff time away from other statutory and grant-based obligations.

Interagency Impact:

None

Subprogram FTEs	FY 2011		FY 2012			
	Unconstrained	Constrained	Unconstrained	15% Constrained	10% Constrained	5% Constrained
	0.50	0.50	0.50	0.50	0.50	0.50

Item #: 2 Salary/Wages and Benefits – Disability Business Enterprises

Amount	FY 2011		FY 2012			
	Unconstrained	Constrained	Unconstrained	15% Constrained	10% Constrained	5% Constrained
General Revenue	\$13,204	\$13,204	\$13,791	\$6,501	\$11,366	\$11,362
All Funds	\$13,204	\$13,204	\$13,791	\$6,501	\$11,366	\$11,362

Item Description:

The Disability Business Enterprise (DBE) program certifies rehabilitation facilities, small businesses owned by persons with disabilities, and for-profit businesses (whose workforce is at least 60% individuals with disabilities) for assistance under the state’s small disadvantaged businesses program established by RIGL §37-2-9(b)(14).

Interagency Impact:

The impact is primarily on DBHDDH²'s and DHS/ORS³ funded rehabilitation facility providers:

The DBE program assists rehabilitation facilities in winning government purchasing contracts for janitorial, document shredding, food, and laundry services. These contracts offset some of the administrative and capital overhead that would otherwise be included in their rates for client services.

Impact on DHS/Medicaid and SSI⁴ caseload:

When owners and workers of DBEs are employed, it reduces their need for income support. The Medicaid Sherlock Buy-In has a co-share premium that will reduce the state’s match.

Subprogram FTEs	FY 2011		FY 2012			
	Unconstrained	Constrained	Unconstrained	15% Constrained	10% Constrained	5% Constrained
	0.17	0.17	0.17	0.08	0.14	0.14

² The Department of Behavioral Health, Developmental Disabilities, and Hospitals, formerly the Department of Mental Health, Retardation, and Hospitals

³ The Department of Human Services/Office of Rehabilitation Services

⁴ Supplemental Security Income benefits

State Contracts Awarded to Small Disability Business Enterprises & Rehabilitation Facilities

This performance indicator measures the actual dollar amount paid to disability business enterprises and rehabilitation facilities for contracts awarded through this program. This table does not include contracts for services provided to persons with disabilities under BDHDDH and/or ORS contracts with human service providers. The measure is related to the commission's statutory role in certifying small businesses owned by persons with disabilities and rehabilitation facilities accordance with RIGL 37-2.2-4.

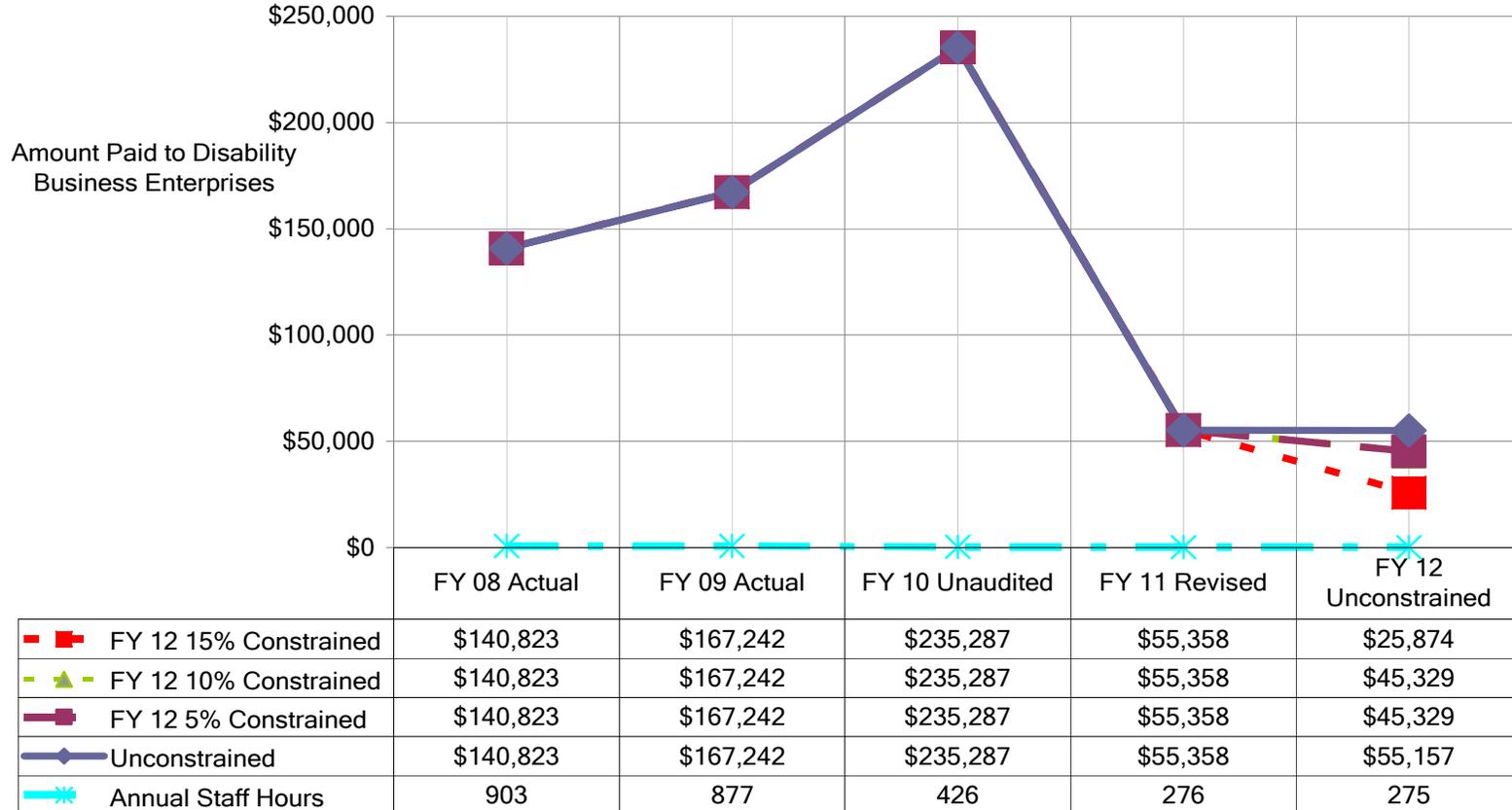


Table 2 State Contracts Awarded to Small Disability Business Enterprises & Rehabilitation Facilities

As shown in Table 2 the dollar amount of contracts was increasing when the Commission was able to adequately staff the Disability Business Enterprise program. Under the FY 2011 Revised Budget, the Commission re-allocated staff to continue this effective program. With the 15% Constrained Budget for FY 2012, the Commission would be unable to maintain the prior level of support and advocacy. Consequently, approximately \$20,000 less in state contracts will be awarded to RI DBE's during FY 2012.

Item #: 3 Salary/Wages and Benefits – Advocating for Rights

Amount	FY 2011		FY 2012			
	Unconstrained	Constrained	Unconstrained	15% Constrained	10% Constrained	5% Constrained
General Revenue	\$66,618	\$66,618	\$70,616	\$52,240	\$56,733	\$66,234
All Funds	\$66,618	\$66,618	\$70,616	\$52,240	\$56,733	\$66,234

Item Description:

The Commission’s second priority is to engage in advocacy. This is accomplished by speaking out and speaking up on the concerns of people with disabilities and their families. In its advocacy role, the Commission educates policy makers on the impact of legislation and rules on people with disabilities and their families. The Commission is the only state agency whose mission is to advocate for **all people with disabilities** and their families; for **their inclusion in all services and opportunities** including affordable education, health care, housing, job training, nutrition, recreation, rehabilitation, social services, transportation, utilities (heating, electricity, telephones, etc.), and voting; and to advocate for **all ages from pre-natal care to hospice care**.

Every year the Commission reviews all bills introduced into the General Assembly to determine their impact on people with disabilities and their families. The Commission issues impact statements on a wide range of legislation. Please see Table 12 below.

Interagency Impact:

Impact on the General Assembly: Over the past five fiscal years the Commission researched the impact of a number bills on people with disabilities and their families ranging from a low of 177 (FY 10) to a high of 363 (FY 09). Its Legislation Committee has representatives of all the state health and human service departments, the Secretariat, consumer organizations, service providers, individuals with disabilities and parents. In an average year the Legislation Committee / Commission provide the bills’ sponsors and appropriate committees, and the Governor’s Office with a brief statement outlining that impact on one-quarter to one-third of the bills reviewed. Those impact statements include amendments to address any negative consequences or to enhance the positive aspects of the bills. The Commission also drafts legislation at the request of members of the General Assembly. In addition, it also works with other interested parties to resolve any differences amongst those parties. Members of the Commission and/or staff also testify when requested.

Impact on the Governor’s Office: The Commission provides the Governor’s Office with impact statements on legislation, as well as issues of public policy, during the developmental stage and later during the public hearing process.

Impact on government policy makers (at federal, state, and local levels): The Commission is available for consultation prior to, during the development of, and during the public hearing phases of public policies that may impact the lives of people with disabilities and their families. The Commission also works with other interested parties, to resolve any differences amongst those parties.

Impact on Advocating Legislation Protecting the Rights of Persons with Disabilities

This performance indicator measures the favorable disposition of state legislation affecting persons with disabilities. The measure includes all legislation on which the Commission takes a position. The measure is related to the commission's stated role of advocating for the concerns of all people with disabilities.

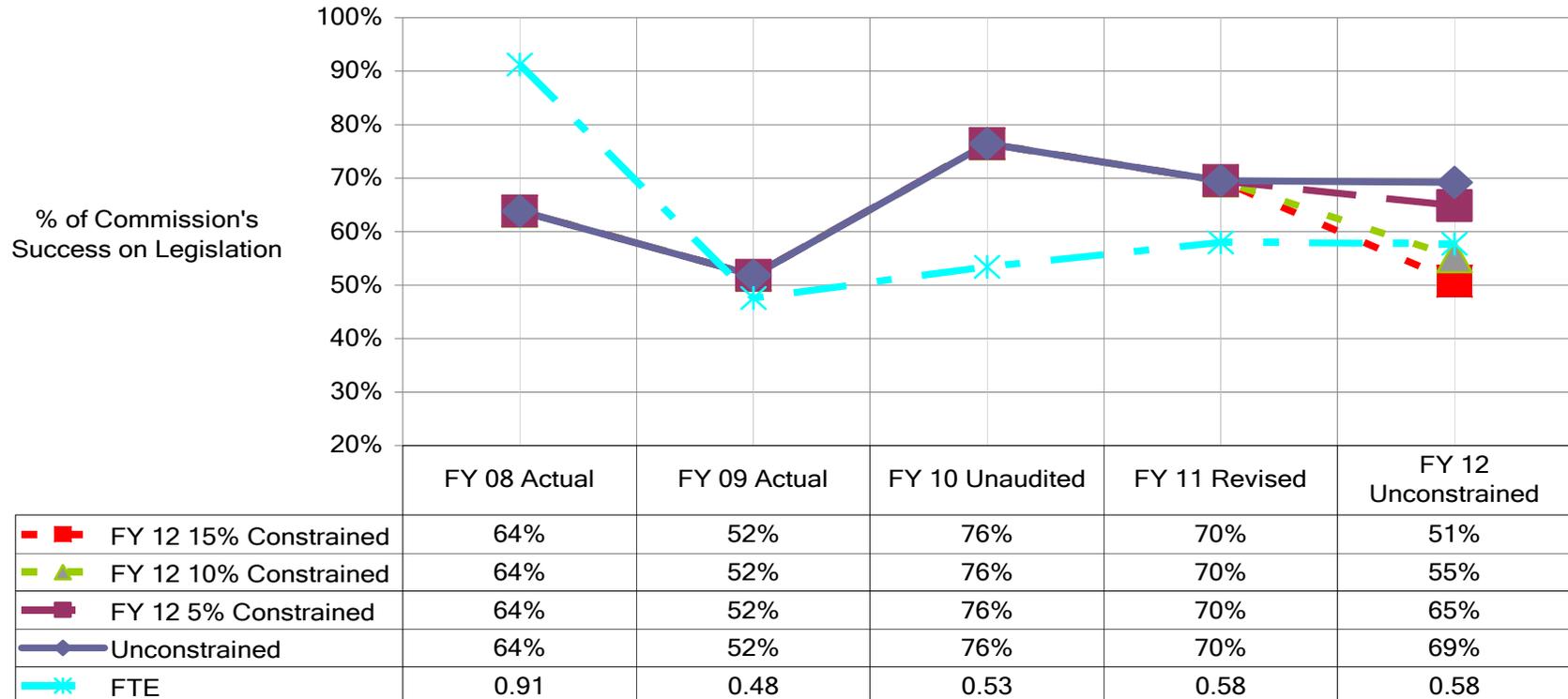


Table 3 Impact on Advocating Legislation Protecting the Rights of People with Disabilities

As shown in Table 3, any further reduction in the budget for FY 2012 will result in the Commission will not be as effective in reviewing and commenting on legislation that affect individuals with disabilities and their families. There would be a 26% decrease in the number of bills the Commission reviews.

Subprogram FTEs	FY 2011		FY 2012			
	Unconstrained	Constrained	Unconstrained	15% Constrained	10% Constrained	5% Constrained
	0.58	0.58	0.58	0.43	0.46	0.54

Item #: 4 Salary/Wages and Benefits – Protection of Civil Rights

Amount	FY 2011		FY 2012			
	Unconstrained	Constrained	Unconstrained	15% Constrained	10% Constrained	5% Constrained
General Revenue	\$203,656	\$203,656	\$216,506	\$187,063	\$197,253	\$207,490
All Funds	\$248,039	\$248,039	\$264,452	\$237,564	\$247,478	\$257,526

Item Description:

The Commission protects the civil rights of individuals with disabilities by providing technical assistance necessary to coordinate the state’s compliance with federal and state disability rights law. When necessary, the Commission also adjudicate complaints filed against governmental entities, businesses and non-profit agencies. The impact to the protection of civil rights for people with disabilities are in the following two areas.

1. The NE ADA Center Grant

The Federal program year 2010 contract for this grant has the following requirements:

- a. To participate in trainings on the new Title I, II and III regulations;
- b. To train and explain changes in the ADA to the public;
- c. To provide technical assistance;
- d. To conduct public awareness activities;
- e. To disseminate materials; and
- f. To meet our maintenance of effort, the grant requires that the state pay for 1,643 hours of staff work providing technical assistance on accessibility and 1,155 hours of staff work providing technical assistance on employment.

2. The HAVA Election Assistance for Individuals with Disabilities Grant

This grant must be used for each of the following activities:

- a. Making polling places, including the path of travel, entrances, exits, and voting areas of each polling facility, accessible to individuals with the full range of disabilities.
- b. Providing the same opportunity for access and participation, including privacy and independence, to individuals with the full range of disabilities as for other voters.
- c. Training election officials, poll workers, and election volunteers on how best to promote the access and participation of individuals with the full range of disabilities in elections for Federal office.
- d. Providing individuals with the full range of disabilities with information about the accessibility of polling places.

The following four tables display the impact on the reduction of the Constrained Budgets on the ability of the Commission to meet its' objectives to quickly respond to requests for assistance and to encourage voluntary compliance with state and federal disability rights laws.

Impact on the Protection of the Rights of People with Disabilities to Equal Access

This performance indicator measures the actual number of on-site access surveys, design plan reviews, telephone and internet consultation and training. Funds for these activities are provided through a grant from the National Institute on Disability and Rehabilitation Research (NIDRR) and the NE ADA Center. This is related to the Commission's statutory responsibility to provide technical assistance in accordance with RIGL §42-51-6(4). Table 8 shows the impact of reduced FTEs on the availability of technical assistance for this grant.

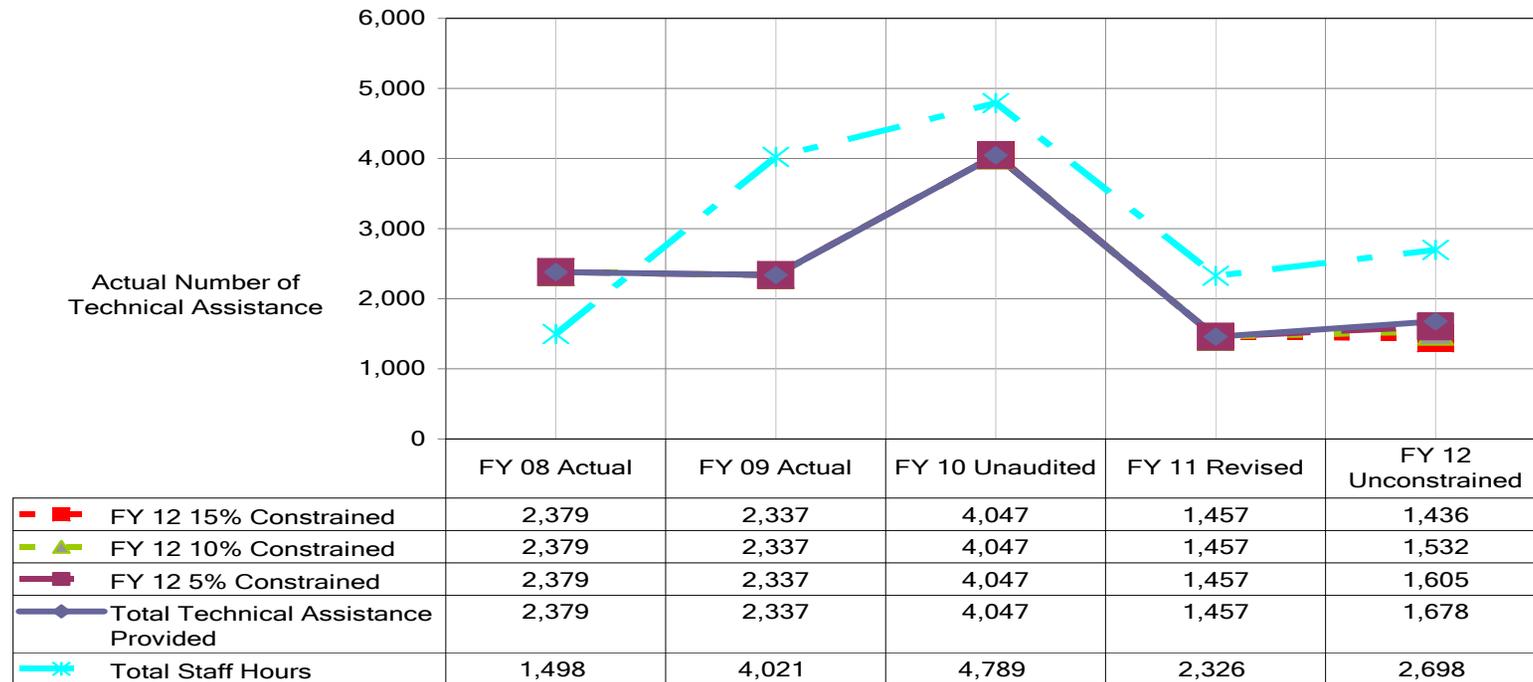


Table 4 Impact on the Protection of the Rights of People with Disabilities to Equal Access

As shown in Table 4, the ability to respond to requests for technical assistance will be reduced by 13% under the FY 2012 15% Constrained Budget. This represents approximately 300 requests for on-site access surveys, design plan reviews, telephone and internet consultation and training that will not be met.

Impact on the Protection of the Rights of People with Disabilities to Employment

This performance indicator measures the actual number of on-site technical assistance, telephone and internet consultation, and training provided through a grant from the NIDRR and the NE ADA Center. This is related to the Commission's statutory responsibility to provide technical assistance in accordance with RIGL §42-51-6(4). Table 9 shows the impact of reduced FTEs on the availability of technical assistance on employment.

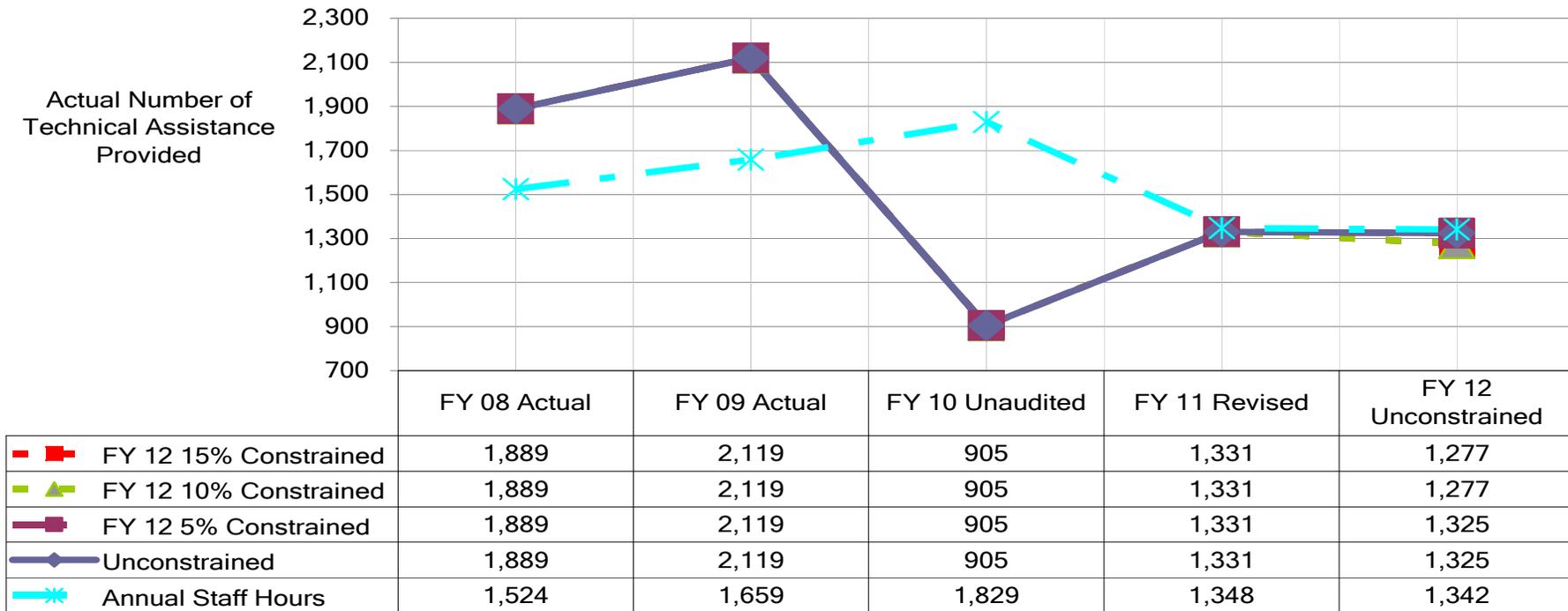


Table 5 Impact on the Protection of the Rights of People with Disabilities to Employment

As shown in Table 5, there is a negligible difference between the number of requests for technical assistance provided in the Unconstrained and Constrained Budget. Any further reduction in FTEs will not meet the maintenance of effort for the grant.

The objective of the Help America Vote Act (HAVA) Grant is to ensure all voters with disabilities are able to vote independently, in secret, in accessible locations.

Impact on the Protection of the Voting Rights of People with Disabilities

This performance indicator measures the percentage of polling places that have been surveyed and made accessible prior to election days. The measure includes all polling places open on either primary and/or general election days. The measure is related to the Commission's obligation to ensure all voters with disabilities are able to vote independently and in secret, under the Help America Vote Act, RIGL 17-19-3.2 Polling place accessibility for voters who are disabled or elderly, and 42-87 Civil Rights of People with Disabilities.

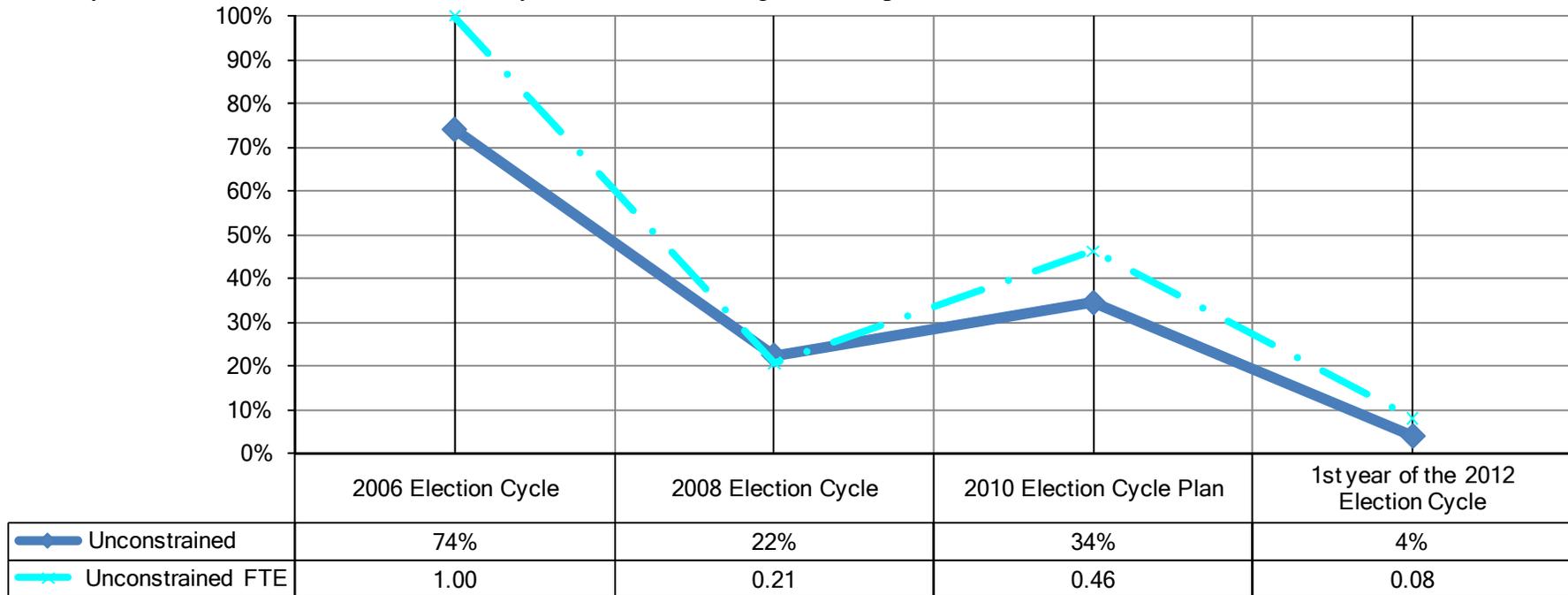


Table 6 Impact on the Protection of the Voting Rights of People with Disabilities

As shown in Table 6, the Commission was not able to certify all polling places were accessible, in accordance with HAVA, prior to the day of elections in 2008. Due to the 50% reduction in access specialists on staff, the Commission was unable to meet the requirements of HAVA in 2008. The Commission will continue to be unable to inspect and certify the accessibility of all polling places for the 2010 and 2012 election cycles even with the Unconstrained Budget.

Impact on Resolving Disability Discrimination Complaints Prior to a Hearing

This performance indicator measures the favorable disposition of discrimination complaints involving physical barriers affecting persons with disabilities. The measure includes complaints (formal and information) filed with the Commission. The measure is related to the Commission’s stated role enforcing RIGL 42-87 Civil Rights of Persons with Disabilities

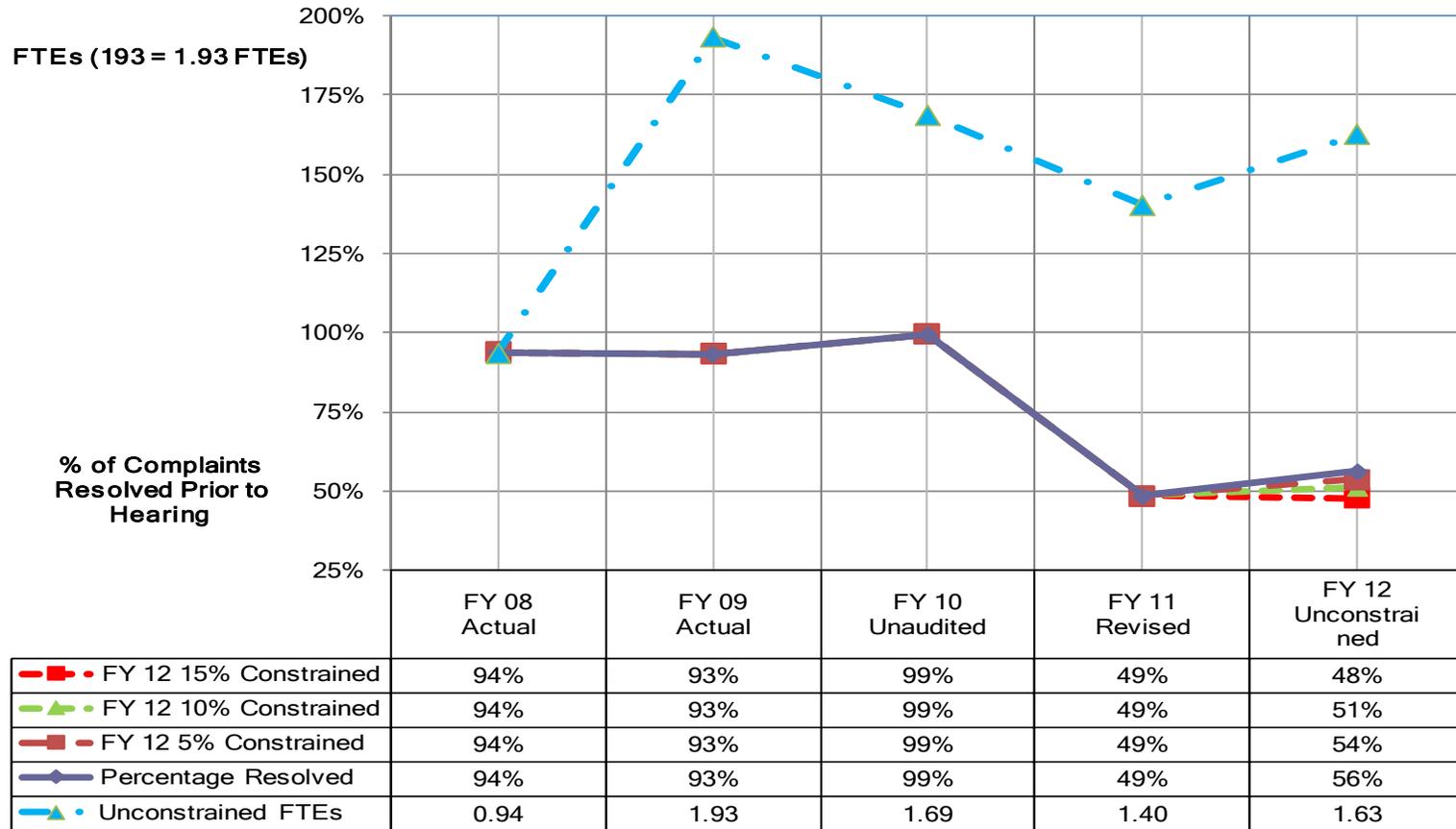


Table 7 Impact on Resolving Disability Discrimination Complaints Prior to a Hearing

As shown in Table 7, the Commission will not have the FTEs necessary to resolve disability discrimination cases prior to hearing. Voluntary resolution requires extensive technical assistance and mediation between the complainant and the charged party. It is very time-consuming process, but the solutions have a much greater rate of success in long-term implementation than those ordered at the end of a hearing, which can be costly for both parties.

Interagency Impact:

Due to the parameters of the Constrained Budget and subsequent reduction in staff hours, the Commissions ability to respond to requests in a timely fashion will be severely limited. This will impact the ability to review and approve all state and federally funded design plans for compliance with the Architectural Barriers Act of 1968, Section 504 of the Rehabilitation Act, Americans with Disabilities Act, and RIGL 42-87, for the following agencies. The impact on the following state and federal agencies is listed below.

1. **Department of Transportation:** Lengthens the design phase for all non-interstate highway projects
2. **Department of Education:** Lengthens the design phase for all school construction and renovation projects
3. **Department of Environmental Management:** Lengthens the design phase for all DEM projects
4. **Housing Resource Commission:** Lengthens the design phase for all affordable housing projects
5. **State Board of Elections/Local Boards of Canvassers:** Increases potential voting rights complaints to the US Department of Justice because the Commission is no longer able to survey every potential polling place prior to each election.
6. **US Department of Agriculture – Rural Development:** Lengthens the design phase for all USDA funded projects, which will delay funding to farmers, and municipal governments.
7. **US Department of Housing and Urban Development:** Lengthens the design phase for all HUD funded projects, which will delay funding to developers of affordable housing.

Subprogram FTEs	FY 2011		FY 2012			
	Unconstrained	Constrained	Unconstrained	15% Constrained	10% Constrained	5% Constrained
	2.75	2.75	2.75	2.47	2.57	2.68

Federal Change Impact:

The reduction in state-funded ADA technical assistance could result in the Commission violating the maintenance of effort obligations of the NE ADA Center grant. This will mean the forfeiture of \$19,073 carried forward from FY 2010, and the loss of the FY 2011 and 2012 awards of \$24,000 each.

The Commission’s inability to certify that all polling places are accessible could cost the state all HAVA funding and increases the potential for a federal voting rights investigation.

 voting check off graphic	<p>MOTION: To submit the revised cover letter, impact statements from the FY 2012 budget request and the chart of reduction priorities (above). PR/JD passed unanimously.</p>		
 Announcer graphic	<p>Announcements</p>	<p>Tim Flynn</p>	<p>5:20</p>
 calendar graphic	<p>Agenda and Scheduling the Next Meeting</p>	<p>Tim Flynn</p>	<p>5:25</p>
<p>Next meeting is scheduled for Tuesday 12/14 interviews for winter fellowship. MOTION: Shift the meeting Wednesday 12/15 at 4 PM. JD/RC passed unanimously.</p>			
 alarm clock graphic	<p>Adjournment Chair adjourned the meeting at 5:10 PM</p>	<p>Tim Flynn</p>	<p>5:30</p>