

**RHODE ISLAND**

**STATE REHABILITATION COUNCIL**

**RI Department of Labor and Training**

**October 4, 2004**

**MINUTES**

**Present from State Rehabilitation Council: William Anderson, Janice Belasco, Raymond Carroll (Ex-Officio), Robin Dolan, Domenic Di Orio, Craig Enos, Joseph Ferreira, Steven Florio, Margaret Hoye, Catherine Sansonetti, Rosemary Scribner, J. David Sienko, Michaela Stannard**

**Present from Agency: Gary Wier**

**1. CALL TO ORDER AND INTRODUCTIONS - The Chair, W. Anderson, called meeting to order at 4:05 PM.**

**2. OLD BUSINESS – W. Anderson**

**1. Acceptance of Minutes**

**Motion**

**D. Di Orio made a motion seconded by J. Ferreira to accept the minutes from September 13, 2004.**

### **3. NEW BUSINESS - W. Anderson**

#### **1. State Administrators of Vocational Rehabilitation (CSAVR) Meeting Highlights**

**(Memo to Council distributed with notes from the meeting)**

#### **Remarks from SRC Chair:**

**\* Rhode Island: due to the support of the former Chair and the Rhodes to Independence Coalition, Rhode Island now has a Medicare Buy-In Program.**

**\* Through the efforts of the Vice-chair of the SRC, D. Sienko and ORS Deputy Administrator S. Brunero, collaborated in their respective roles on the Transition Grant in order to afford individuals leaving the high schools to access services with minimal roadblocks.**

**\* The Agency recently completed a Customer Satisfaction Survey with very positive results.**

**\* The ORS Administrator, R. Carroll, has been successful in hiring VR Counselors, including former members of the SRC.**

**\* The Regional Administrator, Joseph Stoltz, from the US Department**

**of Labor gave a report and noted a labor gap within the next fifteen (15) years, resulting in a lack of workers to replace the retirees. This will mean the social security system will be under-funded in fifteen (15) years. There will be a gap in employment. Women's income increased. The Department of Labor is considering the creation of a Personal Reemployment Account through the Unemployment Insurance Program.**

**Speaking with the Regional Commissioner of Rehabilitation Services, Allen Kropp, Esq., B. Anderson asked if the Statute requires the SRC to affirm or approve the State Plan. He responded, 'No'. There is no statutory requirement for the Council to approve the State Plan. We need to have a response to the State Plan but it does not mean we need to attach it to ORS's Plan before they submit it. It is necessary for the Council to have the opportunity to discuss the Plan and make comments on the Plan. Our responsibility is to respond to the Plan and assist in the development of it with the help of ORS. However, ORS has no obligation to get the response from us. It is actually our obligation to do this for ORS.**

**D. Di Orio: asked why did we have to wait for so long for ORS to get this to us and then they waited so long for our approval; why did we cause that delay? There should be a rapid response.**

**B. Anderson: that is one of the things we need to address with ORS. We want to make sure that we really have the opportunity to make a**

**written comment to the Plan.**

**R. Dolan: the Plan can be submitted without any response from us but ORS wants us to add comments and get back to them as quickly as possible with that response. It is just a matter of giving them a pointed position of the Council in regards to ORS's Plan.**

**R. Carroll: in essence as B. Anderson noted, the Council does not approve the Plan, the Federal Office of the Rehabilitation Administration does. However, in the functions of the Council, one of the essential things is to assist us in the development of the Plan. There is a specific narrative attachment whereby the members of the Council weigh in on the Plan and the State Agency has to respond to either accepting or not, whatever is being recommended. The Council is to work in full partnership with the State Agency. Customer satisfaction, strategic planning, Policy reform, and Policy review and development, all of these things are very important responsibilities and functions, in law of the Council.**

**Because there is some misunderstanding around the country as to the responsibilities of the SRC's, the Rehabilitation Services Administration will proscribe training for all SRC's. The training will provide a common understanding and a baseline of information about what their role and responsibilities should be.**

**D. Di Orio: I recall at the June non-meeting we could not vote on**

**approval, and this caused concerns that led to an emergency meeting so ORS could have our approval before submitting the Plan.**

**R. Carroll: it would not be prudent for ORS as a State Agency to reject out of hand a customer-centered point of view in the development and design of our program. We welcome this participation. The SRC is the voice of the citizens trying to assist us to enhance our program.**

**S. Florio: that was a great clarification, thank you. It would be a good idea to put in our SRC manual, that we do not have authority to approve the State Plan, since they changed it in 1998.**

**R. Carroll: what they put in a positive statement was that the SRC advises and assists in the development of the State Plan.**

**S. Florio: asked if it is clarified in writing, so there is no misunderstanding.**

**R. Carroll: in the preamble to the law, when it was re-authorized in 1998, Congress wanted to enhance the role and responsibility of the SRCs and removed the word advisory, but did not go as far as with the Independent Living Program. Presently, the State Wide Independent Living Council actually co-signs the Plan. However, the trend is in that direction for the SRCs.**

**B. Anderson: noted that in the statute I could never find any language that ever specified that the Council had to affirm or approve the Plan.**

**S. Florio: re-emphasize the need for clarification in writing for the future. Perhaps put something in our manual for new members, something with the roles and responsibilities of the Council.**

**R. Carroll: remarked on the relevance of this subject and how it paralleled his work on a national planning committee, which will have an in-depth two day training meeting of SRC chairs and members, State Agency Directors and staff, and liaison. Some of the topics of the meeting will be the history and philosophy of Public Vocational Rehabilitation Program, the SRC role and responsibilities, successful operational practices, VR Agency and SRC collaborative activities, annual goals, priorities, needs assessment, evaluation of effectiveness, State Plans, annual reports, public forums, and building an effective partnership. In the past, we have tried to do training ourselves but the reality is there has been great drift in the country as to how SRCs operate. This training will give us a baseline of information.**

**J. Ferreira: asked how does the fact ORS does not need our approval affect the Policy Committee.**

**B. Anderson: remarked it would affect both the Policy and By-Laws Committees. Under the statute, ORS needs to present the Plan to the**

**public. In the past, they presented it to the State Plan and Policy Committee before the public hearing. The Policy Committee then tried to develop a response and get it to the Full Council for approval before the public hearing. That was always the challenge; we have been so compressed for time.**

**J. Ferreira: so realistically after all the work we do, ORS could simply reject our remarks.**

**B. Anderson: realistically yes, however as R. Carroll said, it is not in their best interest to do that.**

**J. Ferreira: asked if this would diminish the SRC's role.**

**B. Anderson: explained that it is important for everyone to understand that this past spring we rushed to meet because people believed the SRC needed to vote to affirm and approve the Plan. Before we go through that situation again, we need to understand that it does not make any difference and what we present at the open meeting is our response to the Plan. If we (SRC) believe there are specific things we wish to speak on, we need to present it at that public hearing. ORS must address the comments due to their statutory obligation. We do not need to meet again to affirm the Plan.**

**J. Ferreira: so the open meeting is the final chapter.**

**R. Carroll: it is in many ways a running discussion. It does not diminish the role of the SRC or its Committees. To use a quick example, we are trying to institute a new policy for college training because costs have escalated. We drafted a Policy and it went to the Policy Committee and we have gotten superb recommendations. This is a critical role of the SRC as a citizen's group.**

## **2. Presentation of an article from the Northern Rhode Island Chamber of Commerce**

**B. Anderson: D. Di Orio has his name in the paper again. He was mentioned in the Northern Rhode Island Chamber of Commerce Paper because of the project the Council supported.**

**D. Di Orio: that was the official acknowledgment by the Rhode Island Foundation. I will be leaving on November 3rd and returning December 3rd.**

## **3. Alignment of Council Work with State Plan**

**B. Anderson: I had asked the Sub-Committee chairs to align their Committee's work with the State Plan, and review their schedules for 2005. This is a necessary portion of what we do as a Council. The Sub-Committees are critical to getting the work done. And we need**

to meet the open meeting requirements set forth by the Attorney General's Office. The Council and individual Sub-Committees must put together a list of meeting dates. It must be posted on the Secretary of State's website and in printed form, posted at the parent organization. All Sub-Committee chairs need to get dates by November 15, to N. Baker. That way we have a preliminary schedule in place. If a Sub-Committee determines a change of meeting date, N. Baker can be notified at least 48 hours in advance and she can post a cancellation notice. The onus for posting meeting announcements or the cancellation of them falls on the Council members. The other reason for doing this is to allow Council members who may not be on a particular Sub-Committee to attend meetings if they want to. I would like all Sub-Committee meetings to be more open to the entire Council. It has actually been the requirement, and I requested this from all the Sub-Committee chairs back in January but have not yet received any schedules.

**Break**

**Meeting called back to order at 5:15 PM**

#### **4. Annual Report**

**B. Anderson: discussed the SRC Annual Report. The Sub-Committees should report their activities this year to the Chair no later than December 5, 2004.**

## **5. Public Forums on the concerns of People with Disabilities**

**B. Anderson attended the North Kingston meeting, D. Di Orio, M. Hoyer and S. Florio attended the one in Warwick, C. Sansonetti attended the one in Pawtucket, A. Bourbonniere and G. Wier attended the one in Newport.**

### **Concerns listed by Council members**

**Poverty, housing, literacy, transportation, medical coverage and advocacy for person's needed representation and referrals to ORS, were all discussed as leading concerns.**

**C. Sansonetti: stated there were many questions regarding how people get supportive services.**

**D. Di Orio: remarked that one person's son has MS and it is costing her about one (1) million dollars a year, and she does not have it. Just the rental of equipment is costing well over a three (300) hundred dollars a month, when it could be bought for around one hundred (100) dollars. The Government rules are inadequate to meet these types of needs.**

**B. Anderson: a number of people from agencies that represented the**

mentally ill spoke about the services the clients did or did receive. One father of a young man who is from Cranston was being forced to take the city and school department to a hearing because they were not providing services for his child. Unfortunately this was like so many things I have heard for years about that school district. I suggested he go to the Disability Law Center and I understand he has. But this type of situation is unfortunately still going on.

D. Di Orio: asked how we get this information distributed throughout the State.

R. Carroll: said there is a working draft of those meetings and the main themes are being addressed. They are inviting individuals to participate in an in-depth working Committee. A number of our staff will be working on this and it is valuable.

D. Di Orio: felt the Council needs to speak as a voice and to do this we need to see the entire picture.

R. Carroll: said there will be a final report and we can distribute it to the Council.

R. Dolan. it seems that this person B. Anderson mentioned, as an example, is bringing this to a public forum to increase visibility. He may have exhausted all other options. So it seems it was a perfect forum for this person and we are doing our job by extending this

venue.

**J. Ferreira: recalled when he graduated from school, I needed to make some money over the summer for college. For an interview with a bank I sent a resume. You know me and can imagine my resume and my person are two different things. My resume was excellent, showing a person who would be a perfect match for this job. But as soon as I showed up for the interview the interviewer was leery, taking on an 'how do I deal with this person', type of attitude. Simply because I was a person with a disability, there was an obviously different response than there would have been if I was not disabled. Since that first time, I have been trying to develop things for the better. I would like to see some agency, which would specifically deal with employment for persons with a disability. I do not mean rehabilitation I am referring to hiring people with disabilities, or headhunting for them. ORS must have a lot of companies they deal with. Why can't we have clients utilizing this kind of agency to work for them for a time and then go out into the private sector? Give the disabled a chance first. Why can't we do this?**

**R. Carroll: agreed that this was a good point and was one of the things ORS is talking about; the public education of VR. How can we promote the employer community to be more involved. An example of efforts in this direction is the Employer Honor Roll, profiling people with disabilities and those that employ them. We have a new Workforce Development supervisor, Monica Dzialo has met with a**

host of employers asking them what their needs are and how can ORS work with the companies to fill slots.

ORS is one of the agencies working to promote this. The Council is a voice for what you have just mentioned. How can we muster the alumni of this program to go to the general assemble to have a voice.

G. Wier: responded to J. Ferreira when he talked about the past problems he had with interviewing. It is our hope that those days have left us and that things are better. In terms of the ways we approach situations now, we have mechanism in place that were not there in the past. On the Job Training is used more now, it is a way to give someone who may not have all the skills needed for a job to learn them in a teaching, work-site environment. Work Experience and Job Shadowing are also used. These are some of the models we use now so that people can get comfortable and can get some work experience before they take a job. Some of the reaction to the public forums we are going to be using, along with input from the SRC. The testimony was poignant. And access to services came up often. People got lost in the system, not knowing how or where to access services. This kind of testimony helps us better our services.

D. Di Orio: I would like to suggest that ORS be invited to meet with human resource personnel or businesses throughout the state.

R. Carroll: many of our staff are members of the local chambers and

**this is one key way we get the word out.**

**R. Dolan: I think Medicaid Buy-In will have a good impact in this State. This loss of health insurance after returning to employment has been a huge barrier for people with disabilities.**

**R. Carroll: added the Council's Annual Report can be hand delivered to the Senate. As a citizen's advisory group you can affect public policy in many ways we at ORS cannot.**

## **6. ORS Administrators Report – R. Carroll**

**\* The State Plan - we are in the new Federal Fiscal Year, 2005. We still do not have the written approval of the update however we know the Plan is approvable.**

**\* Alton Jones Retreat - we talked about last year and plans for this year. Reviewing, ORS had a great year, passing our goals. We are building our staff for the current year of 2005. We have incorporated a lot of the Council's thinking and plans in our work this past year. We have strategic themes, and learning improvement continues using the values we talk about all the time at these meetings. The Council has very much impacted our thinking. I will be starting my forty third (43) year in this field. I was tentative when I started working in this field. But I am attracted by the values and the legacy we are leaving behind. We have caring sensitive people working.**

**\* Eighth Annual Honor Roll – the Governor will be coming and doing a ceremonial signing of the Medicaid Buy-In. There is an excellent turnout expected. This is to honor those who promote the knowledge, skill and availability of those persons with disabilities.**

**\* Assistive Technology Access Partnership (ATAP) Act - there is key indication that this Act will be reauthorized and signed by the President. It has passed by the Senate, and it is the exact same bill in the House. It will be a permanent part of our program and entirely federally funded. Even in this time of constraints and budget cuts, if we stay on track and keep our message out there, we can get things done. It will be a Formula Grant. It was due to sunset but they may have realized that a lot of systems change activities really take a long time to affect positive change.**

## **7. Sub-Committee Reports**

### **By-Laws – C. Enos**

**The Committee met last week for the purpose of analyzing the issue of time frame from the nomination of officers to the vote.**

**The findings for the Council's consideration: Robert's Rule of Order, Chapter 14, Section 86, under the Section titled Report of the Nominating Committee, states the following. "The time at which the nominating Committees report is made is a matter to be determined**

**by rule or established custom of the particular organization."**

**In our By-Laws Article IV, Section 2 - election and term of office as you are aware from the last meeting it says, "Nominations for the slate of officers shall be offered to the full Council at the meeting prior to the November meeting." The question is what is the practice of the Council. The Council addressed this issue last year on October 6, 2003. The Chair at that time pointed out to the Council that there was not going to be thirty (30) days from the slate of officers being presented to the Annual Meeting already set for November 3rd. A motion was made by B. Cooper and the Council voted to postpone the Annual Meeting, changing the date to allow for the thirty (30) days.**

**Therefore the custom has been to have thirty (30) days between these two events. It is important and a good practice to have the thirty (30) days because it gives the Nominating Committee time to talk to the candidates and find out if they want to be an officer. It is important that thirty (30) days go by to give the Nominating & Leadership Development Committee time to talk to the candidates.**

**The By-Laws Committee would like to make an amendment to the By-laws:**

**We recommend the removal of the following:**

**Under Article IV, Section 2 Election and Term of Office, remove the**

**line that states "Nominations for the slate of officers shall be offered to the full Council at the meeting prior to the November meeting."**

**In its place, add in the following language: "The Nominating Committee will present their slate of nominations for officers to the full Council at a regular meeting no later than 30 days prior to the annual meeting in November."**

### **Motion**

**D. Di Orio made a motion seconded by R. Dolan to approve the language of the proposal of the By-Laws Committee.**

**The Chair opened the floor for discussion.**

### **Motion**

**S. Florio made a motion seconded by J. Belasco to close the discussion.**

**The Chair opened the floor for discussion, there was none.**

**The motion passed unanimously to approve the language of the proposal of the By-Laws Committee.**

**D. Sienko: asked if the By-Laws change takes effect immediately.**

**B. Anderson: that is why I bring up the following. The practice of our**

**Council has been at least thirty (30) days between the Nominating Committee presenting its recommendations prior to the Annual Meeting. So we are violating this practice right now.**

**S. Florio: asked, for an amendment to the By-Laws don't we have to notify for any changes thirty (30) days before.**

**B. Anderson: yes for By-Laws changes but we voted on a motion to change the language of the By-Laws. This will now go to the annual meeting for a vote either to approve or not the change of the By-Laws. This is accepting the motion as it has been written.**

**S. Florio: we follow the By-Laws.**

**B. Anderson: we follow the current practice. Absent anything, we follow our practice.**

**D. Di Orio: asked how this affects the Nominating Committee.**

**B. Anderson: as long as we all understand that what is going to occur is a change in the practice. It could be a problem if someone challenges the vote at the annual meeting because it is a change of practice, which is in essence a violation of Robert's Rules. Last year was one of the only times the SRC had every other month meetings, so this came up. All the years before this, we had quarterly meetings with multiple months between nominations and the vote. At any time**

**if it was not done this way, with the thirty (30) days, it is a violation and could have been contested.**

**S. Florio: I understand but it is not what the By-Laws say. For next year we will have a better practice. For this year, it is about one month.**

**B. Anderson: I understand that point. But about one month is not thirty (30) days.**

**C. Enos: the question is, do we go by what is in the By-Laws or the Parliamentary Authority, which is what we follow under, Robert's Rules, which state that we follow the established practice or custom.**

**R. Dolan: then we should just change the November date.**

**B. Anderson: and that is the problem.**

**R. Dolan: why is that the problem.**

**B. Anderson: because some people had a problem with changing the date at the last meeting.**

**D. Sienko: I think some people did not necessarily have a problem with it. Not all the information was provided before we entertained a motion. The interpretation by those present at the time was the**

**By-Laws did not address this. So we chose to keep the meeting where it was. But obviously additional information has come in that we did not have the benefit of having at that time.**

**R. Dolan: it also appears that by reading the minutes that A. Bourbonniere was one of those people that had a concern but were there others that opposed a meeting change? Could we establish a quorum if we changed the meeting date?**

### **Motion**

**C. Sansonetti made a motion seconded by M. Stannard to change the date of the Annual meeting to November 8, 2004.**

**The Chair opened the floor for discussion.**

**B. Anderson: I understand that some people could not make it on the 8th. Are more people available on the 15th?**

### **Motion**

**C. Sansonetti withdrew the original motion of the 8th and made a new motion seconded by M. Hoyer to change the Annual Meeting to November 15, 2004.**

**The Chair opened the floor for discussion, there was none and the motion was approved with two (2) abstentions by D. Sienko and S. Florio.**

**Nominating & Leadership Development – J. Belasco presented the Committee's recommendation for the nomination of officers and reappointments to the Council. (Sub-Committee meeting minutes disseminated to Council)**

**Chairperson – W. Anderson**

**Vice Chair - J. D. Sienko**

**Secretary – R. Scribner**

**Reappointment recommendation**

**Reappointment for first three (3) year term**

**Domenic Di Orio - Community Rehabilitation Service Provider**

**M. Kathleen Ellis - Recipient of Vocational Rehabilitation Services**

**Steven Florio - Representing Individuals with Disabilities**

**Scott Greco - Labor**

**Reappointment for second three (3) year term**

**Joseph Ferreira - Representing Individuals with Disabilities**

**Elizabeth Graves – Representing The Statewide Independent Living Council & The Governor's Advisory Council for the Blind**

**Legislative/Advocacy – no report**

**Employment – no report**

**Quality Assurance – R. Dolan will be working on a schedule for the upcoming months.**

**State Plan & Policy - J. Ferreira's Committee will be meeting next week to review a policy and will be working on a schedule for next year.**

**The Chair asked if there was any other business.**

**M. Hoyer: requests the Council place on the agenda for the next meeting a discussion regarding public transportation and then send letters to RITA and State Legislators based on our findings.**

**8. Adjournment – the meeting was adjourned at 6:20 PM.**

**Respectfully Submitted,**

**Nancy L. Baker, Staff**

**State Rehabilitation Council**