



State of Rhode Island and Providence Plantations
Department of Human Services
Office of Rehabilitation Services
STATE REHABILITATION COUNCIL



To work with the ORS assuring that all Rhode Islanders with disabilities are able to obtain and keep meaningful and satisfying employment.

SRC Meeting November 15, 2016
New England Institute of Technology Warwick, RI
4:00 P.M. – 6:00 PM.

Present: Christina Battista, Peggy Benz, Rocco Bruno, Cynthia Cote, Lea Colardo, Linda Deschenes (ORS), Dr. Judith Drew, Elizabeth Graves, Maryellen T. Hagerty, Diana Kriner, Kathleen Grygiel (ORS), Gail Lawson PhD, Diana Marcotte (ORS), Joe Murphy (ORS), Lori Norris, Dan Pieroni, Ronald Racine (ORS), Vincent Rossi, Catherine Sansonetti, Willa Truelove, John Valentine (ORS), and Christine Yankee

Absent: Christine Botts, Dr. Mona Dorsinville-Phanor, Joan Fino, Jack Ringland, Jane Slade

Guests: Shiana Ashworth, Sergio Lopez-Ruiz

1. Establish Quorum/Introductions Guests, ORS, SRC - Dr. Gail Lawson

Agenda Review/Additions or Deletions

Acceptance of Minutes from October 11, 2016

Motion

Lori Norris made a motion seconded by Cynthia Cote, and approved with one abstention from Dr. Judith Drew to accept the October 11, 2016 Minutes

(Vote Approved - Christina Battista, Peggy Benz, Rocco Bruno, Cynthia Cote, Lea Colardo, Elizabeth Graves, Diana Kriner, Gail Lawson PhD, Lori Norris, Dan Pieroni, Vincent Rossi, Catherine Sansonetti, Willa Truelove and Christine Yankee)

2. State Rehabilitation Council Chair's Report – Dr. Gail Lawson

Status of Annual Report – Reminded that the following documents need to be sent to N. Baker, member bios, committee reports, and any additional calendar information including certain dates meaningful to the rehabilitation community. Thanked W. Truelove and N. Baker for a comprehensive list for the calendar. Artwork for the cover will be determined in the next few weeks. W. Truelove talked about the art group [Flying Shuttles](#); and that the artists from this group have agreed to let us use their work. G. Lawson, N. Baker, P. Benz and W. Truelove will go to their art show at the Providence City Hall on December 2, 2017 to meet with the director of Flying Shuttles, Toni Carroll, and many of the artists.

G. Lawson acknowledged Jeff Machado for all his work on the Council over his six year tenor, and hopes he will attend the SRC May breakfast Meeting. An invitation will go out to him. He is still active with the SRC chairing the Resource Plan ad-hoc committee.

3. Vote on the Slate of Officers – The Chair asked if there were any additional nominations from the floor; there were none.

The membership voted to send the following Slate of Officers to the Governor's Office. The officers will hold their seat for one year.

- Gail Lawson PhD - Chairperson. *(Approved unanimously with G. Lawson abstaining)*
- Dr. Judith Drew - Vice-Chairperson *(Approved unanimously with Dr. Judith Drew abstaining)*
- Lea Colardo and Jack Ringland - Co-Secretaries *(Approved unanimously with Lea Colardo abstaining. Jack Ringland was not present)*

4. Subcommittee Reports

* Membership Training – Lea Colardo: The committee identified two training timeframes, June 22nd, and a day in the third week of July. The membership preferred the June choice. The committee will work to finalize the date. At the national conference, in San Diego, the Rehabilitation Services Administration (RSA) informed the SRC Representatives that there will be new training modules

coming soon for the SRC. Membership Training Committee report for the annual report is almost done and we will send it over to N. Baker ASAP.

* Policy Committee – Catherine Sansonetti: The committee has drafted our report for the Annual Report and sent it to N. Baker today. We received a policy change on Supportive Employment 115.14. ORS is asking for a return date of one month. Proposed that the Committee members look at the changes and get back to C. Sansonetti before the deadline.

5. Report on National Coalition of State Rehabilitation Council (NCSRC) - Lea Colardo: Consumer Satisfaction Surveys of many states were highlighted for their methods to increase returns. Some states gave prizes to people for returning the surveys or sent something out in the survey like a gift certificate. On Saturday the group was asked to evaluate the responsibilities of the SRC and Vocational Rehabilitation (VR) Agency, listing most important responsibilities to least important. The Council discussed the history of the NCSRC, VR finances and Rehabilitation Services Administration (RSA) updates. A full report will go out to the membership before the next full Council meeting.

6. Office of Rehabilitation Services (ORS) Director's Report – Ronald Racine

* At the national meeting in San Diego much of the discussion was around the technical aspects of recording for the Workforce Innovation and Opportunity Act (WIOA). States are now required to allocate fifteen percent of their budget on pre-employment transition services; with only certain items allowable. Many states were concerned about clients working with VR services before their cases were opened. The problem occurs because some clients need reasonable accommodations while they are getting to the exploration sites, but they cannot get the accommodation until their cases are opened.

* Subminimum Wage was another topic; many states are still using this in workshops and are struggling to get clients into competitive employment. Rhode Island has had to put a lot of emphasis on non-sheltered employment, due to the Department of Justice (DoJ) Consent Decree, with no new admissions into the workshops, so RI is a little ahead of the curve on this. Enclaves are also being used in some states but they are not allowed in WIOA and RI is not using enclaves also due to the DoJ Consent Decree.

* The RSA placed emphasis on the SRC requirements of membership representing business, industry and labor. There needs to be at least four members meeting this requirement. The RSA is going to look closer at this requirement to make sure State Rehabilitation Councils are in compliance. The RISRC does have four members meeting this requirement, but the Council might want to have an employer engagement committee or even to try and enlarge outreach in business, industry and labor.

* Liability Insurance – Rhode Island is already supplying insurance covering people doing business for the State. Theoretically this should cover the SRC. R. Racine will work with risk management and see if any additional coverage is needed. If so, insurance will have to be supplied for the other councils as well.

7. [DOJ Consent Decree](#) - Joe Murphy, ORS' Assistant Administrator for Supported Employment: Presented a Power Point about the Consent Decree. (*Members have this hard copy*) He highlighted the investigation, the findings, and the ten year remedy, which lead to the statewide agreement involving the RI Department of Education (RIDE), the Department of Human Services (DHS), and the Department of Behavioral Healthcare, Developmental Disabilities and Hospitals (BHDDH), to permanently stop providing funding or placements for new entrants into sheltered workshops and concentrate on Supported Employment (SE) instead. This will be accomplished with Career Development Plan (CDP); Vendor Development with focus groups; Salve Regina/focused technical assistance and training; and SE Pilot/ Performance Based SE Services should run six months to a year. Some of the agencies involved: ProAbility, Looking Upwards, Gateways to Change, RHD, Perspectives, ReFocus, and Action Based Enterprises.

Question: Given that the Olmstead Act has been around for a long time, why was there not more oversight in these sheltered environments from the different agencies and Councils?

Answer: ORS did not find out until the investigation was six months underway. When ORS learned of the investigation, because we had not been involved with any of these schools, ORS did not think the Agency was going to be involved. The DoJ disagreed and felt that ORS should have been going into those schools at the very least making referrals.

ORS' involvement and history in the investigation; despite the findings of the Consent Decree, ORS has had a long history and protocol regarding what constitutes employment. For over fifteen years, ORS had not recognized any of the following as "real" employment: Sheltered Workshops, Enclaves, Segregated Employment Settings, Sub-minimum Wages, and Segregated Work Crews. ORS has an internal standard that a successful VR placement has to preclude employer paid wages at least at minimum wages, in an integrated, community setting, for at least ten hours per week, in a work setting where the individual has all opportunities and benefits due a worker without a disability. This aligns with the Consent Decree.

The overall summary of ORS' efforts: To meet demands of the Adult population covered by the Consent Decree, ORS created and hired an Assistant Administrator for Supported Employment and four VR Counselors dedicated to those individuals. To meet demands of the Transition population covered by the Consent Decree, ORS has an Assistant Administrator for Transition and VR Counselors providing transition services to every high school in the State. This has been in place for about sixteen years. As of 11/14/16, ORS serves: 1138 clients identified as intellectual developmental disability (IDD) in System 7 and 2462 clients identified as developmental disability (DD) in system 7. From 2012 to 2016, 343 persons categorized as DD (147 identified as IDD) have reached employment status with ORS and been closed Status #26; and 149 individuals in the youth exit population (born after 1/1/92) categorized as DD (66 identified as IDD) have been either placed successfully or closed successfully. ORS, RIDE, and BHDDH have an MOU and Data Sharing Agreement.

Comment on Supported Employment Pilot Projects – J. Drew, with the help of a Salve Regina Graduate Student, did focus groups of the organizations working on Supported Employment; one development coming out of the focus groups concluded that part of the problem in increasing the hours of employment, to the WIOA mandated twenty per week, was that the Job Coaches felt they could not leave the clients alone on the jobs. The Coaches felt strongly that if they left the clients alone, the working sites would not be successful. This is leading to a sense of sheltered employment inside a competitive environment. More work needs to be done by ORS to turn this belief around with Job Coaches and families.

Statewide the Consent Decree has cost ORS four million in re- allotment money. It is directing ORS to put un-proportionate efforts into these two populations at the expense of the other clients. As ORS moves forward, if the Agency cannot get the Re-allotment money, ORS would have to go to Order of Selection and would be stressed to meet the Consent Decree.

- [For updates on Consent Decree](http://olmstead-ddnews.org/); <http://olmstead-ddnews.org/>

8. New Business – D. Pieroni spoke about a conference sponsored by National Grid. National Grid wants to bring their mentorship program of integrating people with disabilities into RI. The contact information will be sent out to members if they want more information on this program.

W. Truelove – Will send N. Baker the PDF on the Public Comment on The Governor's Commission on Disabilities to talk about the themes. Perhaps the Council could discuss the forums, to look for themes in the testimony, at our March meeting. Noted to bring before the executive leadership.

L. Graves – At the [Governor's Advisory Council for the Blind](#) the Council abandoned the agenda and talked about the severe cutbacks for the Services for the Blind and Visually Impaired. They had five counselors cutback to one. We need more support for the services for blind. Clients are very severely affected by the staff cuts. Additionally, the DHS' new computer system is not working for the blind. We are seeking support from all sectors.

R. Racine - Three out of the five Counselors removed from Services for the Blind and Visually Impaired because of the reorganization of the DHS, have been loaned back to ORS. Services are still being provided but there is definitely a setback in the continuity of operations.

7. Correspondence – None

8. Public Comment – None

9. Adjournment – Council adjourned at 6:00 P.M.

Motion

Diana Kriner made a motion seconded by Maryellen T. Hagerty and unanimously approved to adjourn (Vote Approved - Christina Battista, Peggy Benz, Rocco Bruno, Cynthia Cote, Lea Colardo, Dr. Judith Drew, Elizabeth Graves, Maryellen T. Hagerty, Diana Kriner, Gail Lawson PhD, Lori Norris, Dan Pieroni, Vincent Rossi, Catherine Sansonetti, Willa Truelove and Christine Yankee)

Respectfully Submitted,



Nancy L. Baker, Facilitator
RI State Rehabilitation Council