



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 28, 2017

New England Institute of Technology
Hall of Fame Room
2500 Post Rd, Warwick, RI 02886
4:00 P.M. – 6:00 PM.

Present: Christina Battista, Rocco Bruno, Christine Botts, Peggy Benz, Cynthia Cote, Linda Deschenes (ORS), Dr. Judith Drew, Joan Fino, Kathleen Grygiel (ORS), Maryellen T. Hagerty, Gail Lawson PhD, Diana Marcotte (ORS), Lori Norris, Dan Pieroni, Ronald Racine (ORS), Jack Ringland, Catherine Sansonetti, Jane Slade, Willa Truelove, John Valentine (ORS), Christine Yankee

Guest: Sergio Lopez-Ruiz, Anne Fartura

Absent: Lea Colardo, Elizabeth Graves, Diana Kriner and Vincent Rossi,

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

*** Agenda Review/Additions or Deletions - Approved**

*** Acceptance of Minutes from October 3, 2017**

***Motion**—Judi Drew made a motion seconded by Jack Ringland and unanimously approved to accept the October 3, 2017 Minutes. (Vote Approved - Christina Battista, Rocco Bruno, Christine Botts, Peggy Benz, Cynthia Cote, Dr. Judith Drew, Joan Fino, Maryellen T. Hagerty, Gail Lawson PhD, Diana Marcotte, Lori Norris, Dan Pieroni, Jack Ringland, Catherine Sansonetti, Jane Slade, Willa Truelove, Christine Yankee)*

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

*** Annual Report** – is completed and will be sent to RSA before the end of the year.

*** Waitlist and Funding Cuts** - Within the last week information about the possibility of a waitlist as well as funding cuts that could eliminate the national VR program have come up. We will discuss this further with ORS' report.

*** Membership Recruitment** – It is critical the Council moves quickly on this, as we will hit a cliff next year of many members leaving at the end of their terms. We have added Christine Yankee from Goodwill Industries this year, and now add Anne Fartura from RIPIN to replace Diana Kriner, and Sergio Lopez-Ruiz, who we all know from his work on the Council for the past year. The Council welcomes you and appreciates your hard work.

Maryellen Hagerty made a recruitment flyer to go out to membership. Maryellen also posted the flyer at the Providence Center and to the Sherlock Center email list. We need to further outreach to Latino organizations. We need membership to continue to offer suggestion for outreach.

3. Officer Vote – Jack Ringland

*** The Secretary, Jack Ringland** motioned for Dr. Judith Drew for Chair. Having no other names Jack Ringland made a motion to close the nomination for Chair; Cynthia Cote seconded it. Jack Ringland cast the vote of Dr. Judith Drew for Chair.

*** The Secretary, Jack Ringland** motioned for Margaret 'Peggy' Benz for Vice-chair. Having no other names Jack Ringland made a motion to close the nomination for Vice-chair; Jane Slade seconded it. Jack Ringland cast the vote for Margaret 'Peggy' Benz for Vice-chair.

*** The Secretary, Jack Ringland** motioned for Jack Ringland for Secretary. Having no other names Jack Ringland made a motion to close the nomination for Secretary; Jane Slade seconded it. Jack Ringland cast the vote for Secretary.

4. By-Laws Discussion – Dr. Drew

Membership had received draft changes 30 days before the meeting for their review. Changes and additions are in red.

*ARTICLE IV OFFICERS SECTION 6 LIABILITY EXEMPTION

In accordance with RIGL §9-1-31.1, State Rehabilitation Council members are exempt from liability except for limitations of liability set forth in RIGL § 9-1-31(b)(1)-(3). The provisions hereof shall not be deemed to exclude any other rights or privileges to which such member may be entitled as a matter of law or otherwise. The Council shall reimburse each member against any and all attorney fees necessarily incurred in connection with the defense or reasonable settlement of any legal or administrative proceedings to which said member is made a party by reason of being or having been a member of the Council, except in relation to matters as to which said member is finally adjudged liable for negligence or misconduct in the performance of this or her official duties as a Council member.

Discussion: Council needs further clarification from VR specifically on the wording “The Council shall reimburse each member against any and all attorney fees necessarily incurred in connection . . . except in relation to matters as to which said member is finally adjudged liable for negligence or misconduct in the performance of this or her official duties as a Council member.”

The wording is clear, the Council is liable for expenses, since the Council does not retain legal representation nor have finances for such an event, this working needs further refinement or legal clarification in writing from State.

Changes - Conflict of Interest Statement

*ARTICLE VI PROCEDURES SECTION 12 CONFLICT OF INTEREST

No member of the State Rehabilitation Council shall cast a vote on any matter that would provide direct financial benefit to the member or otherwise give the appearance of a conflict of interest under State law. **Each member of the Council will be required to complete and sign a Conflict of Interest Statement on a yearly basis at the Annual Meeting.**

Discussion ended with several questions needing to be addressed before moving on with a vote. Who on the Council will determine if a conflict of interest has accrued? How will this be monitored within the body of the Council? What form should be used? Is it necessary to do every year or only when one initially joins the Council, or if their position or employment changes? Since ethic regulations do not technically bond the SRC, is it necessary for form? Should the onus be on individuals or on the Council body to determine conflicts?

N. Baker added links for membership to reference.

Link to [financial disclosure](#)

Link to [recusal code](#)

Link to [Statement of Conflict of Interest](#) pursuant to R.I. Gen. Laws § 36-14-6

*ARTICLE VIII RESOURCES SECTION 2 RESOURCE PLAN

The Chairperson of the State Rehabilitation Council, will in consultation with the Administrator or the Office of Rehabilitation Services, draft the Resource Plan for presentation annually to the State Rehabilitation Council for its adoption.

Addendum 11/2017 - RESOURCE PLAN

ORS will continue to fund the SRC utilizing existing resources to the maximum extent possible. Yearly funding will include annual expenses of a staff assistant to work at the sole discretion of the SRC, out of state travel, for office supplies, and the annual breakfast. Also, ORS will fund interpreter services or other council expenses on an as needed basis. All expenditures are subjected to the requirements listed in 2 CFR 200, State Travel Policy, State purchasing procedures, and any other applicable state and federal regulations.

Not changing wording in the By-laws just adding addendum as needed.

* Dr. Drew will review CFR 200 for exact wording on the Resource Plan.

Motion - Jack Ringland made a motion to table the discussion on By-laws changes, seconded by Willa Truelove and unanimously approved. (Vote Approved - Christina Battista, Rocco Bruno, Christine Botts, Peggy Benz, Cynthia Cote, Dr. Judith Drew, Joan Fino, Maryellen T. Hagerty, Gail Lawson PhD, Diana Marcotte, Lori Norris, Dan Pieroni, Jack Ringland, Catherine Sansonetti, Jane Slade, Willa Truelove, and Christine Yankee)

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

* PayGo – The Tax Cut proposed by Congress may force PayGo; a budget rule requiring that new legislation affecting revenues and spending on entitlement programs, taken as a whole, does not increase projected budget deficits RSA says there may be reductions in the VR program of 6 – 8.5 percent. However, National VR services could be cut completely.

* Initiating [Order of Selection](#) for Category I - Over the past several years, VR in Rhode Island has relied on re-allotment monies averaging 3.6 million a year primarily to fund the consent decree. This year there was the hurricane in Texas that took all the re-allotment money away and next year Puerto Rico will most likely be getting the brunt of re-allotment funds. In addition to those losses, VR was informed that 300 thousand from the Title 6 Supported Employment money was not allotted. The combination of these cuts means ORS cannot adequately service those clients that are already getting our help unless we enforce a wait list for new clients. RSA required ORS to re-open our State Plan to make amendments for order of selection.

ORS just sent out formal, procedural guidance to our staff regarding Order of Selection, which we can send to the Council. It will be important that ORS Counselors are able to articulate the upcoming changes. ORS wants to be transparent and will put guidance and update information on our webpages.

Discussion brought up concerns about the effects of the waitlist, keeping people informed, and preventing confusion. Having a waitlist for people with developmental disabilities will have a negative impact on those individuals, especially affecting youths at transition age. ORS is required to use 15% of their budget on transition services and they are electing to use that 15% on pre-employment services only. As a result, many youths will be forced to exit school and would have to forgo employment services. If individuals end up at home for an extended period without services, then all of the effort and funding put towards pre-employment would be wasted. Prior to December 1, 2017, an individual who received pre-employment services could easily transition to employment services. That in turn made it easier to find and retain employment.

In addition, ORS is bound by the [consent decree](#) with the federal government to provide employment services to transition age youths. The proposed waitlist would put ORS in non-compliance with the consent decree if implemented.

Working to set up a continuous line of communication and setting up a way to update everyone to evaluate services so consumers, ORS staff, and advocates can plan what to do next. ORS plans to give people on the waitlist updates every six months to see if they are still interested in getting services and let them know where they are on the list. ORS will link information on the web pages.

The Council advised, in addition to a link on the webpage, it is important that ORS educate consumers and partners on the distinction between the wait list for traditional VR services and pre-employment services (Pre-ETS). (Services provided to high school youths with disabilities that can be access regardless of someone's application with ORS). There are five services with nine different programs with our partners in collaboration with schools. The 2014 Workforce Innovation and Opportunities Act (WIOA) affords ORS the opportunity to provide students with disabilities who have IEPs or 504 plans, regardless of application status, with Pre-Employment Transition Services (Pre-ETS). These Pre-ETS Services are authorized on a fee-for-service basis, with ORS approved vendors, to students with disabilities. The Pre-ETS services are quite prescriptive and limited to these five focus areas: (1) Job Exploration Counseling, (2) Work Based Learning, (3) Counseling on Opportunities for Enrollment in Comprehensive Transition or Post-Secondary Educational Programs, (4) Workplace Readiness Training, and (5) Self-Advocacy. If ORS posts something on their website describing these services, it may help with eliminating some confusion for clients and parents. It will be important that ORS Counselors are able to articulate the upcoming changes.

The Council needs to be an active advocate attending meetings, testifying at finance hearings, preparing written testimony and letters to be preemptive as much as possible to help support ORS moving into this time of limited funding. The Council may wish to consider an ad hoc committee to work on advocacy. ([Meeting recording for more detailed discussion.](#))

5. Retirement of Kathleen Grygiel, Administrator of Vocational Rehabilitation (VR)

The Council thanked Kat for her dedication and professionalism working with the Council to help the membership do a better job and have a better understanding of the VR program in RI. Kat has been a committed member on the SRC for over 10 years, and has worked directly with the State Plan, Policy & Quality Assurance Committee, the Consumer Satisfaction Survey ad hoc committee, as well as working to train membership on ORS policies all to optimize the partnership of the Council and ORS. Her continuing efforts to educate the Council membership are and will be one of her finest legacies. The State Rehabilitation Council will dearly miss her but wishes Kat all the best in her new adventures.

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

Motion--*Jack Ringland* made a motion seconded by *Christine Botts* and unanimously approved to adjourn the meeting. (*Vote Approved - Christina Battista, Rocco Bruno, Christine Botts, Peggy Benz, Cynthia Cote, Dr. Judith Dren, Joan Fino, Maryellen T. Hagerty, Gail Lawson PhD, Diana Marcotte, Lori Norris, Dan Pieroni, Jack Ringland, Catherine Sansonetti, Jane Slade, Willa Truelove, Christine Yankee*)

Respectfully Submitted,

Nancy L. Baker

Nancy L. Baker, Staff
RI State Rehabilitation Council