

## **PA State Board of Vocational Rehabilitation**

Virtual Meeting via AT&T Conference Line

### **Minutes of Quarterly Meeting**

September 17, 2020

9 am – 1 pm

#### **State Board Members Present**

Mary Brougher

Joe Drenth

Michael Kiel

Jennifer Christman

Liza Conyers

David Mann

Theo Braddy

Peg Monaghan

Donald Rhoten

#### **OVR Staff Present**

Shannon Austin

Shelbi Smith

Cheryl Novak

Lee Ann Stewart

Jeremiah Underhill

Rod Alcidonis

Stephanie Perry

Melissa Hawkins

Ryan Hyde

Jill Moriconi

Ralph Roach

Kim Robinson

Jeff Seabury

John Miller

Donna Washington

#### **Others Present**

Matt Seeley

Steve Pennington

Passle Helminski

Christine Durhamer

Heather Snyder

Jeff Iseman

Beth Harris

### ***Public Agenda***

#### **Welcome & Opening Remarks – Shannon Austin**

- Sec. Oleksiak was not able to be at the meeting today. OVR Executive Director, Shannon Austin covered for him.
- Ms. Austin did Board Member roll call and asked two new members to do a brief introduction.
  - David Mann and Theo Braddy introduced themselves.
  - Ms. Brougher, Mr. Kiel, Ms. Monaghan and Ms. Conyers welcomed them.
- Ms. Austin read comments from John Tague, who is leaving the Board.
  - Several members spoke kindly of Mr. Tague and Mr. Bartelmay (deceased).

#### ***Action Items***

##### **Approval of Agenda**

- MOTION to approve agenda
- Ms. Brougher moved; Mr. Kiel seconded
- All in favor, none opposed
- Motion carried

##### **Approval of Meeting Minutes – June 2020**

- MOTION to approve minutes

Final Minutes, September 17, 2020

Approved December 3, 2020

- Ms. Conyers moved; Ms. Christman seconded
- All in favor, none opposed
- Motion carried

## ***Public Agenda***

### **Executive Director's Remarks – Shannon Austin**

- Introduced new OVR Executive staff members
  - Jeremiah Underhill, Deputy Director
    - Spent the last four years in WV as Legal Director for P&A, managing their federal programs.
    - Originally from Central PA.
    - Cherishes the opportunity to focus his skills and talents completely on helping individuals with disabilities.
  - Rod Alcidonis, BBVS Bureau Director
    - Worked on Governor's Advisory Committee for People with Disabilities.
    - Former Executive Director of Self-Determination Housing.
    - Looking forward to streamlining BBVS programming to help reduce the unemployment rate within the blind and visually impaired community.
  - Stephanie Perry, BVRS Bureau Director
    - Started with OVR in 2013.
    - Previously worked as a clinical behavioral health supervisor and administrator.
  - Several Board members welcomed and congratulated new staff members
- OVR recently applied for and received \$22M in reallocation funds from RSA. Unable to receive funds for ILOB but did receive \$79K for Supported Employment.
- Released about 2100 customers from wait list. Planning to put in recommendation for another group of people to come off wait list on 10/1/2020.
- COVID Taskforce and other workgroups working through the end of September to support OVR staff during telework.
- OVR has received the RSA draft monitoring report and now has 21 days to submit clarifying/corrective information in response. Then will wait to hear if RSA accepts or rejects requests made by OVR and will receive final report and corrective action plan.
- Successful closures across OVR were heavily impacted by pandemic.
- October is National Disability Employment Month (NDEAM). This year also marks 30 years for the ADA and 100 years for the Federal VR Program. PA is one of the oldest VR programs in the nation. Developing a week-long statewide job fair from October 19-23. It will start with a kickoff event with keynote speakers to engage with employers.
- OVR will also be launching a quarterly OVR newsletter in mid-October. Will highlight bureaus, offices, customer success stories, collaborations with agencies and employers, etc.
- OVR leadership recently held key meetings with Ellen Strom, the Chief Internal Accessibility Officer for the Governor, about increasing accessibility across the commonwealth.
  - Mr. Braddy thanked OVR for keeping accessibility at the top of the agenda.
  - Ms. Conyers highlighted the success of the Social Security reimbursements.
  - Mr. Mann commended OVR for requesting extra reallocation funds from RSA.

- Ms. Brougher asked if staff are meeting with customers via virtual platforms. Ms. Austin said yes, mostly on Skype. Some agencies outside the commonwealth are using Zoom, and OVR is requesting access to Zoom. Pandemic aside, OVR is looking to expand its model beyond just face-to-face interactions.
- Ms. Brougher asked if accessibility of virtual platforms has been investigated. Ms. Austin confirmed it has.
- Ms. Brougher asked if job fair participants will be educated on ways to engage prior to the start of the fair. Ms. Austin said there will be prep sessions for participants to prepare them to engage with employers.

## ***Stakeholder Reports***

### **SILC – Matt Seeley**

- State Plan process update
  - There was much concern about why the SSP was not funded again this year. Every three years, SILC holds public forums to gather input on what priorities should be. Anything that goes into the State Plan must have been mentioned at the forums, and SSP simply wasn't mentioned during the public comment this year, so it couldn't be written into the plan.
    - Mr. Braddy said it is unfortunate that the people that SSP would benefit were unaware of the fact that it needed to be mentioned during the forums.
    - Mr. Kiel asked how this can be avoided in the future. Ms. Austin said this is going to be on the list of priorities.
    - Mr. Braddy said he's not sure if it should fall entirely on OVR, but SSP is so essential that it can't just be pulled away from people and he would love to be part of the group working on this.
    - Mr. Drenth said the fact that anything in the State Plan has to be mentioned during the forums was not clearly communicated to the public, so that should be improved upon. Ms. Austin agreed.

### **PaRC – Passle Helminski**

- Two PaRC meetings have been held since last Board meeting. Passle was again elected as Chair, Juliet Marsala Vice-Chair, and Cindy Duch remains Member at Large.
- All remaining goals and budgets were approved.
- Minor revisions to required State Plan Description A, adding 2019 public meetings as part of input from public, as requested by RSA.
- Recruiting new members for several openings. Currently out of compliance with the required number of members, which could affect OVR funding in the future.
- Reviving social media presence.

### **ODHH – Melissa Hawkins**

- ODHH supports SSP.
- Collaboration with Department of Health on how to effectively communicate while wearing face coverings.

- Working with Department of Corrections to assist with reasonable accommodations for inmates with regard to disability policy.
- Mr. Braddy asked what kind of grade Ms. Hawkins would give Pennsylvania for the use of sign language interpreters to communicate information about COVID. She said she would give PA an A+ for the use of interpreters and captioning.

### **CAP – Steve Pennington**

- Welcomed all new Board members.
- CAP's recommendation is that SSP continue however it can.
- Transition of customers from school to work has been in CAP's focus for years. Development of transition workgroup is a positive.
- Recommended that all customers be referred to their local CIL and informed of the PAIR program before case closure.
- L&I is currently in the process of establishing workforce policy on setting performance goals and assessing performance for primary indicators of performance under WIOA. CAP recommends that OVR undertake a similar policy process.

### **Topics for Discussion**

#### **Order of Selection (OOS) – Stephanie Perry, Ryan Hyde**

- Originally anticipated reconvening the OOS workgroup in August, but more feedback is necessary before resuming.
- 5S Lean project was implemented by Ryan Hyde. This has become a practice in local district offices to help support viable caseload management.
- Decrease in referrals and employment availability is the result of COVID.
- Currently have 4374 individuals on wait list, with 2338 having recently received permission to move off wait list.
- 7596 have been taken off wait list YTD, with 5226 proceeding to plan.

#### **Job Retention – Ralph Roach**

- Developed job retention language to be included in a procedures manual and added to the current *Essential Procedures* memo.
- Rolled out training to all staff in June, covering what the services are and what procedures accompany them.
- Monthly office hours are held so that staff/management can ask questions about the new process.
- Developed FAQ for all staff.
- Rolling out job retention brochure for stakeholders, employers, customers.
- Mr. Drenth said when it comes to blindness, a customer often needs long-term adjustment to blindness training. Is that considered and allowed under the policy? Mr. Roach said yes, that would be allowed. Ms. Austin said that OVR does have some level of flexibility when it comes to providing these services and waivers can be completed where necessary and appropriate.
- Ms. Brougher asked how OVR defines "functional limitations." Mr. Roach said it often boils down to either speed or quality of work. Ms. Brougher recommended that the definition of functional limitations be provided within the documents for clarity purposes.

- Ms. Brougher said employers have an obligation to provide reasonable accommodations to staff, but she knows many employers would not want to attest to the fact that an individual who works for them is at immediate risk of job loss because they're not being accommodated, as this could then be considered documentation that the employer is not complying with the ADA. Mr. Roach said the goal is not to monitor from an enforcement perspective, but rather an intervention perspective. Mr. Pennington said it is the employee's responsibility to request the accommodation, and the law requires at that point the employer and employee enter into an interactive process to determine what accommodations are needed. That is when OVR can become involved. Mr. Underhill agreed with Mr. Pennington. Ms. Austin said that OVR is trying to bridge the gap between employer and employee.
- Mr. Roach clarified that anyone not eligible under the job retention policy is welcome to apply for VR services to receive assistance.
- Ms. Brougher said her concern is for the individuals who do not wish to involve their employer in the job retention discussion. Mr. Roach said RSA's feedback indicates that it should be a three-way conversation, with employer buy-in. Ms. Brougher said she feels this policy causes a disparate impact on individuals who do not wish to disclose their disability to their employer. Ms. Austin said that job jeopardy consists of three things – the employee has a disability, they are employed, and they are in immediate danger of dismissal from their job due to disability-related issues. The intent of this policy is to allow people who fit this description to circumvent the wait list. If the individual does not want to disclose disability to their employer but wants OVR's help outside of this policy, they are able to apply for services under regular VR, but will have to go onto the wait list.
- Ms. Brougher asked to amend the *Essential Procedures* memo to include definition of "functional limitations," and Mr. Drenth asked to amend it to include language that long-term training does not include adjustment to blindness training. Ms. Austin said both are acceptable.

### ***Action Item***

#### **Approval of Essential Procedures Policy with amendments**

- MOTION to approve policy
- Ms. Brougher moved; Mr. Drenth seconded
- All in favor, none opposed
- Motion carried

### ***Topics for Discussion***

#### **Update on OVR Memorandums of Understanding (MOU) with Various Agencies**

- BSE – Kimberly Robinson
  - The MOU outlines what will be done, but not necessarily how it will be done. Gives specific details about training and communication responsibilities. Reinforces OVR's responsibility to determine eligibility according to federal time frames. Discusses supported employment services.
  - OVR and BSE have committed to developing and submitting a communication and training plan each year. Looking at ways to cross train OVR and BSE staff and utilize

marketing materials and standard documents. Working on referral decision tree, IEP process, glossary of terms

- MOU is in final approval stages. Received public comments and made revisions based on those comments. Waiting on PDE's legal team to verify the final document, then will move into signature phase.
- OLTL – Ryan Hyde
  - A data-sharing agreement is in very early stages of discussion and may be similar to the way OVR shares data with ODP.
  - Working on developing that functionality over the next 6-12 months.
    - Mr. Braddy asked if Mr. Hyde could push for SSP to be included in the waiver. Mr. Hyde said they have talked about it with them in the past, but he would defer that to Ms. Austin. Ms. Austin said a meeting is scheduled with OLTL's new executive director and this will definitely be a conversation with them.
    - Ms. Gerlach asked for discussions to include home and vehicle modifications.
- BJJS – Kimberly Gerlach
  - COVID has had a huge impact on the services that were being provided.
  - Altoona DO has provided group services. Ms. Gerlach was able to sit in on those and they were fantastic.
  - Due to COVID, trying to keep the kids out of facilities.
  - Working with CWDS team on better ways to capture data.
  - Updated the BJJS transfer document is just about ready to go live.
  - Hoping to hold an employment resource fair in October.

### **Update on Vehicle Modification Policy – Kimberly Gerlach**

- 15 meetings have been held so far.
- OVR has eight policies related to vehicle mods and goal is to make it one policy.
- There is nothing currently in the policy related to driving evaluations and training.
- Final policy will be a vehicle services policy, as opposed to just a vehicle modification policy.
  - Mr. Braddy asked what changes will be made in regard to driving evaluations. Ms. Gerlach said there are no changes because nothing currently exists about it. Mr. Braddy also said the last place he personally went for an evaluation had outdated equipment. Ms. Gerlach said he can reach out to her directly with those concerns.

### ***OVR Bureau Director Reports***

#### **HGAC – Jill Moriconi**

- Staff returned to the center in June; students returned in July.
- Successfully completed Summer term in August.
- Currently have 174 students in building.
- Operating at roughly 50% capacity due to COVID safety guidelines.
- A couple of staff have made almost 500 clear masks for the agency.
- Obtained a few grants to explore various revenue streams outside of OVR. Applying for a few more to help offset additional costs.

Final Minutes, September 17, 2020

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- Looking at what can be done to make more programs virtual/hybrid.

### **BVRS – Stephanie Perry**

- Susan Storm is stepping into Eastern Regional Manager role.
- Staffing – currently 566 filled, with vacancy of 100. Currently on hiring freeze.
- Placed 6617 customers statewide, which is 87% of FY goal.
  - Ms. Conyers asked if students can count on internships in January or not. Ms. Perry said because of the hiring freeze, it's difficult to say, but she and Hattie McCarter are working with HR on exemptions.

### **BBVS – Rod Alcidonis**

- ILOB workgroup will be starting soon.
- He acknowledged the SSP issue and said BBVS will do anything possible to support that.
- Looking at how BBVS can capitalize on incidental benefits of COVID in terms of levelling the playing field for blind and visually impaired individuals as it relates to employment.
- Assessing programs to ensure they are properly aligned to employment goals.
- Drafted and submitted formal guidance to get O&M specialists back in the field.
- Piloting return of instructional staff with students returning to college in fall and spring, individuals who live alone, individuals seeking employment or needing services to maintain employment.
  - Mr. Drenth asked if it would be worthwhile to create a workgroup that involves people from OVR and other departments where there is an overlap of services for the sake of finding sustainable funding and long-term planning of program. Mr. Alcidonis said this is something that will be considered.

### **BCO – Ryan Hyde**

- Recognized all BCO staff for their hard work during the pandemic.
- Recognized Wendy Brubaker and Dakota Unger for their hard work on SSA reimbursements.

### **Public Comment**

- Heather Snyder
  - Speaking as an ally of the deaf-blind community. Hopes that OVR looks at the SSP program as one to be proud of. She thanked OVR for taking this program on.
- Jeff Iseman
  - Asked for OVR's update on how many people with disabilities are getting UC benefits. Ms. Austin said she needs to circle back to UC for that update because they've been so busy working through the pandemic.
  - Asked if BBVS will hold any public stakeholder meetings. Mr. Alcidonis said meetings will take place and he is working on communicating dates.
- Christine Durhamer
  - Spoke about how essential SSP is for the deaf-blind community. Since OVR set up SSP initially and CILs cannot fund them now, can OVR fund the program like they did before and if not, why not? Ms. Austin said that due to tightened funding regulations, OVR was just a fiduciary agency for the funds to flow through. OVR has to be very

cognizant of how funds are used and cannot fund these types of services without it being written in a plan for an employment outcome. This is why OVR will be looking at SSP very comprehensively and looking at the funding to see what can be done. There may need to be some sort of partnerships established to take care of this.

- Another individual named Joe also spoke about the significance of SSP.
- Joe Drenth
  - Asked if the Board is at capacity. Ms. Novak said yes.
  - Ms. Helminski said PaRC has many openings, so if there is someone is interested in serving, they can visit the PaRC website.

### ***Wrap-Up***

#### **Closing Remarks – Shannon Austin**

- Thanked everyone for attending.

#### **Adjournment**

- MOTION to adjourn
- Conyers moved, Brougher seconded.
- All in favor, none opposed.
- Motion carried.
- Meeting adjourned at 1pm.