**Opportunities for Ohioans with Disabilities Council**

**April 10, 2019**

**Meeting Minutes**

Council Members in Attendance: Kevin Miller, Carolyn Peters, Th.D., Chair, jw Smith, Ph. D., Vice-Chair, Kim Monachino, Karis Spence, Shauna Dowdy, Jane Gerhardt, John Moore, Jeremy Morris, Matthew Sauer, Ph. D., Michael Kirkman, Carlo LoParo, Margie Hegg

OOD Staff: Bureau of Services for the Visually Impaired Program Manager Christy Hauck, Employer and Innovation Services Deputy Director Kristen Ballinger; Assistant Director Erik Williamson; OOD Council Liaison Shirley Marchi, Assistant Chief Legal Counsel Emily Blair,

Guests: Jeff Davis, Dale Vitale, Ohio Attorney General’s Office, Allison Kay, Coordinator, Disability Rights Ohio, Emily Turner, Ohio Association Food Industry; Jane Allinder, interpreter; Eric Muller, OOD Division of Information Technology

**Welcome and Introductions**

OOD Council Chair Dr. Carolyn Peters welcomed everyone to the meeting and congratulated OOD Director Kevin Miller on his reappointment. Attendees introduced themselves.

**Approval of Minutes**

Council member John Moore motioned to approve the January 9, 2019 minutes, seconded by Council member Michael Kirkman. Motion carried.

**Due Process Hearing Decisions**

Assistant Chief Legal Counsel Emily Blair stated appeal rights are provided to consumers. Vocational Rehabilitation Counselors are provided training on how and when to provide appeal rights during the vocational rehabilitation process, which is consistent with federal regulations. Information regarding appeal rights is provided at the time the individual applies for services; at the time an individual is assigned a category in the order of selection should Ohio be operating under one at the time; at the time the individualized plan for employment is developed; or whenever vocational rehabilitation services for an individual are reduced, suspended or terminated.

OOD provides an appeal process overview on its website. The process explains an individual’s’ appeal rights and how they can appeal with OOD. The appeal form is provided to the individual to assist them in making their appeal.

OOD reports its data to the Rehabilitation Services Administration (RSA) on a federal fiscal year (FFY) cycle (October 1 through September 30). For FFY 2018, OOD received 48 new requests for a formal hearing. OOD carried over 13 unresolved requests for formal hearings from FFY 2017, which totaled 61 requests for impartial hearings for FFY 2018. In addition, 46 of the 61 requests were resolved prior to proceeding to an impartial hearing. Of the 61 requests in 2018, 53 were resolved. There are eight requests pending and will be carried over to FFY 2019 at the time the report is filed with RSA.

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In addition, 33 of the 61 requests received for FFY 2018 were for a formal hearing over the termination of services or case closure. Seventeen of those requests were for the cost of services, and seven of the 61 requests were for a formal hearing for the nature, scope, and content of the Individualized Plan for Employment. Also, two requests were for the delivery of quality of other VR services, one request for the quality of the counseling services, and one request for eligibility of services. There was one pending civil case regarding a VR appeal, which was resolved in 2018.

Council member Michael Kirkman asked about requests for mediation. Ms. Blair responded there was one request for mediation. When the agency declines to mediate, it moves forward to a formal hearing.

Council member Matthew Sauer asked if a consumer who had difficulty filling out the forms for an appeal, is it the obligation of OOD to provide the accommodation or is the obligation on the consumer to find the accommodation. Ms. Blair responded, the consumer would be referred to the Client Assistance Program to receive assistance. Mr. Kirkman stated the Client Assistance Program would be happy to assist. But the obligation is on behalf of the agency to provide accommodations and to effectively communicate with the recipient or applicant. It is in law. The agency does not need to fill out the form for the individual, but the agency needs to make the form accessible. In addition, Mr. Kirkman stated his observation over the years, is that the appeal process for OOD is far more complex and burdensome than is done in other states. The Attorney General represents OOD. It is a very cumbersome process for consumers. Other states do not have such a formal process and it is not required by the Rehabilitation Act. This is something the Council might want to take a look at and make recommendations.

Council member Matthew Sauer asked if there are new elements to the appeals process. Ms. Blair responded the appeals process was updated to make sure OOD makes it clear to our counselors they are obligated to provide appeal rights to consumers. The OOD appeals process is available on OOD’s website.

Council member Kim Monachino stated she would like to see this information as a standing item to be reported out annually to continue to keep up on the data. Ms. Blair stated it is on the Division of Legal’s schedule.

**Employer and Innovation Services Update**

Deputy Director Kristen Ballinger reported OOD has a talent sourcing coordinator at The Ohio State University. In addition, OOD has a talent sourcing coordinator at Giant Eagle stores in Northeast Ohio. The National Employment Team’s director of business relations invited OOD to share Ohio’s innovative approaches so other states may be interested in replicating OOD’s model. We were very excited to share our partnerships with business. OOD was approached by five states following the presentation to replicate OOD’s model. In January, 2019, OOD launched an initiative with Giant Eagle’s corporate office to embed a vocational rehabilitation talent sourcing coordinator

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who works with the human resources department for all Giant Eagle stores in northeast Ohio. The talent sourcing coordinator networks with hiring managers at the stores and human resources staff at corporate offices. Since January, OOD has assisted 21 participants to obtain employment. Within three months, OOD placed 21 individuals in the northeast Giant Eagle stores. In addition, OOD has assisted 12 Giant Eagle team members who were experiencing work-related issues because of their disability, but were not current OOD participants, to apply for services. In addition, OOD also provided retention support for 15 Giant Eagle team members who have open OOD cases. The goal for this partnership is to place 24 people continuously employed for at least six months. OOD is also supporting Giant Eagle with recruitment with different community partners. We are working with the developmental disability system and schools in northeast Ohio to place transition students as they are exiting school. OOD is also working with human resources staff to support team members who have disabilities by providing education and information.

Ms. Ballinger stated Disability:IN Ohio employer networking event took place at Huntington Bank Gateway Center in Columbus. There were approximately 30 employers in attendance from all over central Ohio. Those members received information about OOD’s services to business, and table top discussions that included worksite accessibility and reasonable accommodations, STABLE Accounts and other inclusive hiring activities.

In addition, Ms. Ballinger reported In-Demand Jobs week is May 6-10, 2019. It’s a statewide celebration of in-demand jobs. It is state law that In-Demand Jobs week is held the first full week of May. OOD is hosting several different partnerships across the state.

Ms. Ballinger stated one of the directives from Governor Mike DeWine is that all state of Ohio employees would participate in regular disability etiquette and awareness training. OOD is developing that training. We will have an e-learning component through the My Ohio Administrative System and all state employees will be required to participate. We wanted to have the actual voice of people with disabilities talking about disability etiquette, disability awareness, best practices and how to interact in a respectful manner. There will also be several different people with different types of disabilities sharing their own experiences. We invited Dr. Smith to participate in the training and he accepted. Council member jw Smith stated the script was good, and it was a very good experience. The second component of training includes instructor-led in-person modules of Windmills, a disability awareness training, to be conducted for supervisors.

Council member Matthew Sauer asked if there is a breakdown of the different types of positions at Giant Eagle (e.g., management track or supervisory track). Ms. Ballinger responded OOD is tracking those positions. For the first three months, most of the positions are clerks and cashiers. There is also a distribution center in northeast Ohio and we are making sure to place individuals into logistics and warehousing positions.

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Ms. Ballinger stated there is also a partnership with The Ohio State University, which we are in the third year of that agreement. OOD has placed people into instructor positions, lab assistant positions, advertising and sales for WOSU.

Council member Michael Kirkman stated if there are problems with the union for people at Kroger and Giant Eagle, feel free to refer those individuals to Disability Rights Ohio.

Council member Carlo LoParo asked what is the average pay? Ms. Ballinger, said about $12.83.

Council member Kim Monachino stated at a future meeting could the Council hear more about the OOD talent sourcing coordinator. What their role is and how they support the clients that are employed.

Director Kevin Miller stated there is quite a bit of an investment in individuals with disabilities with the budget. With the investment that is coming, we are looking at being able to do new patterns in service that we have never been able to do before.

Deputy Director Ballinger provided a brief overview of some of the budget initiatives that have been proposed. There’s an eight percent increase proposed each year for OOD. These dollars would be invested in several new patterns of service to serve populations that maybe we have not been able to service and expand services to those individuals who we know need our services. RecoveryOhio is one initiative where OOD will be replicating a model that we currently have with Butler County, the mental health and addiction rehab services board and Judge Keith Spaeth’s drug court in Butler County. Through this model, OOD will be identifying certified drug courts throughout Ohio where we can embed vocational rehabilitation counselors to be part of the team to help individuals with substance use disorder who are involved in the certified drug court to obtain employment as a path to their recovery. In addition, OOD will be expanding its Ohio Transition Support Partnership with the Ohio Department of Education. This will allow us to serve more students with disabilities in our high schools and career technical planning districts throughout the state. OOD will also serve college students with disabilities by embedding counselors within public 2- and 4-year colleges and universities. Also, there is an initiative to create an internship program in state government.

**Vocational Rehabilitation Program Update**

*Vocational Rehabilitation Update*

Ms. Ballinger stated regarding performance, OOD has been doing a lot of outreach with our community partners and potential referral sources. Based on the outreach, applications and eligibilities have both increased over this time from last year. A three percent increase for eligibility decisions; a seven percent increase for plans written. A large outreach campaign was held in the fall with the community colleges and public universities to serve more students with disabilities. In addition several outreach efforts have been held for individuals who are deaf and visually impaired. Wages have also ncreased to $11.83 compared to $11.18 at this time last year. OOD has been working

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closely with our provider community to hold listening sessions in partnership with our provider community for the VR Fee Schedule and rates. We are proposing a 6.5 percent increase across the board for vocational rehabilitation services. In addition job development and supported employment will have an eight percent increase. Group rates are being adjusted for the summer youth work experience. There is also a proposal for a shift differential so that individuals who need on the job supports outside of the normal eight to five working hours will have a shift differential. The draft went to stakeholders yesterday and feedback is due in two weeks. We will submit the final VR Fee Schedule to the Common Sense Initiative.

Ms. Ballinger stated all VR policies and procedures are available on our public website at ood.ohio.gov. There is a public comment process for VR policies and procedures that was implemented in July. This process is continuing to be improved. Rather than just listening to general feedback about policy, you will be able to see the changes. As council members, you are all encouraged to participate in that public comment process.

OOD improved the process for conducting the VR satisfaction surveys. The reports are being developed and the results will be provided at the next Council meeting.

All council members are welcome to attend the VR Participant Focus groups. There are two scheduled on April 17 - one in Norwalk and one in Zanesville. Another Focus group is schedule on April 30 in Akron. Ms. Ballinger referred council members to the Participant Focus Group handout.

Council member Margie Hegg asked what is the living wage? Council member Mathew Sauer responded it varies by city and region.

*Services for the Visually Impaired*

Christy Hauck, Program Manager, stated she is proving the report today because Deputy Director Greg Dormer is also at the CSAVR Conference. Ms. Hauck reported that applications continue to trend upward. Through the end of March, OOD is about 10 percent higher than this time last year. BSVI leadership met recently with Assistive Technology (AT) Ohio for a tour of their offices at The Ohio State University to discuss AT Ohio becoming a provider of rehabilitation technology and how OOD can partner together around technology for individuals served. We are asking and receiving feedback from staff on how to improve services, etc. The leadership team is taking opportunities to attend regional meetings to promote the Business Enterprise (BE) Program. There are six new Business Enterprise Operator licensees since last October.

In addition, Ms. Hauck stated BlindSquare was recently installed at Franklin University and scheduled to be installed at the Ohio State School for the Blind at the end of April. BlindSquare is a beacon service where using GPS or Google, a person with a visual impairment can find a building.

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Also, OOD is placing orientation and mobility rehabilitation technology ad activities of daily living services back on the Vocational Rehabilitation Providers schedule. BSVI requested cost information from the providers of these services and developed cost-informed rates based on the state. Rates from other Ohio agencies and other states were looked at to make sure OOD’s rates were competitive. The goal is to increase the pool of providers of these services to maximize statewide coverage.

Vice-chair jw Smith asked about the morale in the BE Program. Ms. Hauck responded we have an aging workforce. We are expanding on Ohio State’s campus next year. We are putting people to work more quickly than we had before in the past. Our priority locations are federal and state grantors in buildings. We have to be honest - are the licensees willing to travel or move for a job opportunity. We are working with the Ohio Vendors Representative Committee to update the rules. Rules are updated every five years. With the Randolph Sheppard Act, there is a big push to get more women involved. BE is working with counselors and the Communications team to recruit more women by social media and looking at mentorships and internships to have this as a career opportunity and be present to kids at an earlier age.

**National Coalition of State Rehabilitation Councils Conference**

Vice-chair jw Smith reported this was one of the most productive educational training opportunities and experiences he attended in a long time. He thanked Director Miller for making this possible. He stated the OOD Council does not have to reinvent the wheel. We can learn from others. The relationship with OOD is important. This is a collaborative effort. We have a great relationship with the OOD Director. If we are going to be a serious contribution to this, there is going to be some expenses involved. OOD has to give us the tools to be successful. Maybe we bring in a motivational speaker. Let’s not lose our appreciation for what OOD does. We need to be an advocate, and a leader. He explained that if you spell the word REAL, the R stands for roles and resources and relationships – the council needs to have that discussion about what we want our role to be collectively and individually. The E stands for educate and enrich. Council members need to be committed. We need to discuss expenses – do we need a budget. The letter A stands for advising, administration and appreciation. How do we get our business accomplished? Should we bring in a motivational speaker or a speaker who has been a Director of an agency and also a council member to share both sides of the aisle? The L stands for leadership, learning and link. The council should provide leadership. Not just one person but as a council, we need to be out front. We will need to decide how many meetings and the length of those meetings we want to have going forward.

Chair Dr. Carolyn Peters stated the NCSRC was designed and developed for making a framework for all state rehabilitation councils. There was an opportunity to interact with 21 different states. She encouraged council members with one year terms to reapply. The council is an advisory body. We need to know and understand the policies and procedures. We may need to rely on committees to do this. We need to be involved in the state plan and state survey processes. The NCSRC is preparing a state rehabilitation council guide. It is a guidebook to give the council advice to keep on track

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and keep things moving. We want to continue a positive atmosphere and work environment with the OOD Staff, Director Miller and Governor DeWine.

**Letter to Governor Mike DeWine**

Dr. Peters thanked Council member Matthew Sauer, Dale Vitale and Shirley Marchi for drafting the letter. Vice-chair jw Smith moved to approve the letter to Governor DeWine, seconded by Council member Carlo LoParo. Motioned carried.

**By-Laws/Operating Procedures**

Assistant Attorney General Dale Vitale stated voting on the bylaws today does not cast it in stone forever. He reviewed minor changes to the bylaws and stated the Governor is the only person who can remove a member. He recommended that after a couple more meetings, Shirley and Dale should look at who has been attending and missing the meetings and the circumstances around that. At that time, the Council can discuss whether the removal provision might become necessary in the bylaws.

Council member Matthew Sauer moved to accept the OOD Council By-laws as presented today, seconded by Council member John Moore. Motion carried.

**New Business**

Council members stated continuing with DirectorPoint was a good idea because as the Council accumulates more documents and materials, there is value in having a central place where all materials are stored.

Council member John Moore commented that deaf people oftentimes are very underrepresented at national conferences, and local and statewide conferences.

**Public Comment**

None

**Adjourn**

Council Member John Moore moved to adjourn the meeting, seconded by Council member Michael Kirkman. Motion carried.