

**NORTH DAKOTA STATE REHABILITATION COUNCIL**  
**QUARTERLY MEETING**  
**PRAIRIE HILLS PLAZA**  
April 27, 2017

**MEETING MINUTES**

**Members Present**

Russ Cusack, Joseph Hall (left at 10:20 am on the 28<sup>th</sup>), Genie Lang, Rodney Gillund, Darcy Severson, Gillian Plenty Chief, Kirsten Dvorak, Jason Sutheimer, Julie Magnus (only on the 27<sup>th</sup>), Deborah Jendro, Vickay Gross, Marshall Longie (9:55 a.m. on the 28<sup>th</sup>).

**Members Absent**

Bruce Klootwyk, Kevin McDonough, Donna Thomas, Becki Hoff, Jamie Hall, Marshall, Darren Moos, Susan Sisk, Julie Magnus (only on the 28<sup>th</sup>).

Chairperson Darcy Severson called the meeting to order at 1:02 p.m. Roll call was taken and a quorum was present.

**Agenda**

**Action: A motion was made by Rodney Gillund and seconded by Kirsten Dvorak to accept agenda. Motion carried.**

**Approval of January 12 & 13, 2017 Minutes**

**Action: A motion was made by Kirsten Dvorak and seconded by Jason Sutheimer to accept the SRC quarterly minutes from its last meeting on January 12-13, 2017. Motion carried.**

**DVR Budget Report – Russ Cusack**

We are on track to meet the state match and we are spending federal grant funds. The federal grant is \$10,393,000, the required state match is 23% or \$2,813,000. The total yearly budget is about \$13,000,000. The vocational rehabilitation expenditures for FY 17 are projected at \$13,000,000.

The program continues to look for efficiencies and methods to utilize comparable benefits to decrease vocational rehabilitation expenditures. The largest vocational rehabilitation expenditure is to support the staff working in the divisions eight regional offices. regional offices and staff. The second largest expenditure is for case service. The third largest expenditure if for contracts: benefits planning, pre-employment transition, and expanded supported employment.

Testimony VR provided to the Senate during the 2017 legislative assembly is posted on the DHS web page. In that testimony, vocational rehabilitation indicated the House reduction of \$15,000 would result in the loss of \$55,000 in federal funds. The budget is

not yet finalized as of this date. Vocational rehabilitation budget testimony to the Senate included the loss of one FTE from DDS.

### **HB 1135 – Transition Plan – Russ Cusack**

There was discussion related to legislative action to move the functions of the Committee on Employment of People with Disabilities to the State Rehabilitation Council (SRC). The SRC chair has met with VR staff to discuss this transition. The SRC will form a sub-committee to address issues related to integrated employment that include the division implementation of competitive integrated employment as the first choice for adults. VR staff met with staff from the Governor's Office related to this change. The Governor has appointed Tina Bay, Director of DHS' Developmental Disabilities Division and Bruce Murry, Executive Director for the Community Provider Association to the SRC. These appointments were specifically mentioned in the legislation approved by the legislative assembly and signed into law by the Governor. Mr. Murry will continue his role as a liaison between the SRC's sub-committee and the State Workforce Board.

### **SRC Bylaws Changes – Russ Cusack**

There were several minor changes that were proposed to update the bylaws: changes to the bylaws included the incorporation of the duties of the Committee per HB 1135 into the functions of the SRC; modification of the application for the SRC to state a majority of council members shall be individuals with disabilities per CFR 361.5; removed language allowing voting on council business by mail as this is not allowed per the Attorney General.

**Action: A motion was made by Jason Sutheimer and seconded by Gillian Plenty Chief to approve changes to the bylaws as presented. Motion passed**

### **State Administration Code – Russ Cusack:**

Changes to the regulations to the Rehabilitation Act issued in September of 2015 require changes in State Administrative Code. These changes are for state administrative rules to comply with federal regulation. Department of Human Services legal unit will facilitate public comment on the changes made to state administrative code.

**Action:** Delete homemaker in the definition of an integrated employment outcome.

**Action:** Add language that eligibility for the VR program includes factors hindering an individual with a disability from advancing toward a career goal.

**Action:** Include language in the definition that "competitive work" means employment that is at or above the federal minimum wage.

**Action:** Delete reference to transitional employment as a strategy to assist individuals with chronic mental illness to gain employment.

**Action:** Replace definition of "integrated work setting" with new definition from federal regulations of September 2016. The new definition is:

Integrated setting means – a setting typically found in the community in which applicants or eligible individuals interact with non-disabled individuals other than

non-disabled individuals who are providing services to those applicants or eligible individuals.

**Action:** Remove reference to 18 month time limit for supported employment and replace with 24 months in each section.

**Action:** Add definition of a Student with a Disability to include

**Action:** Add definition of a Youth with a Disability to include

**Action:** Add definition of pre-employment transition service to include

**Action:** Delete this reference as extended evaluation removed from federal regulations.

### **Transition Updates – Barb Burghart**

They are currently meeting our reserve of the federal VR grant to provide pre-employment transition services. This is a federal rule. Half of the 15% reserve is allocated to the time VR counselling staff spend providing pre-employment services to students. VR staff has been able to increase their time providing these services and thus VR has decreased the amount of federal funds for contracts to local school districts. They had an overall reduction of 21% over the last year. VR is currently reviewing proposals from local school districts with the priority to fund rural districts proposals. They have a unique proposal in Griggs, Steele, and Trail County which is a rural area that includes 8 schools. Students can visit with elderly individual to assist them. The students can do household tasks, shopping, full-service gas station, recreation and leisure, computer technology, etc. They want to make this a model program and take this data to other rural areas throughout the state.

### **VR and IEP Meeting Communication – Kirsten Dvorak**

It was discussed that there should be positive communication during IEP meetings. Russ Cusack and Robyn Throlson will follow up with this matter.

### **Business Awards – Russ Cusack**

Need to select 5 members in the community. Patty Wanner will continue to be the liaison for this working committee. “You Make a Difference Award” recognizing employers for their work with transition students. We will review the format and make recommendations for improvement. On the committee they will review and independently score the regional nominations which will result in a statewide winner. They will prepare and present the awards at the DVR Annual Training – Awards luncheon on October 25, 2017. The timeline is as follows:

May 26	Finalize nomination forms
June 5	Send nomination form to regions
July 14	Nomination due to Patty Wanner
July 28	Nominations to SRC Ad – Hoc Business Awards Committee for review and scoring.
August 18	Committee returns scoring to Patty Wanner
October 25	Awards presented at DVR Annual Awards Luncheon

Members of the ad-hoc committee are Jason Sutheimer, Vickay Gross, Kirsten Dvorak, Darcy Severson, and Deborah Jendro.

### **Expanded Supported Employment Project – Cheryl Anderson**

This is a 3 year grant program in which they get technical assistance. They are halfway through the grant process to date. They will help them find a job to reach their goals. There are 4 service providers which are Hit, Pride, Kalix, and CLS. They are using the Discovery process to find out what their abilities are, what they like, and what they want to do. This project has identified 33 individuals enrolled in the grant within the 4 service providers. There are 26 individuals that are open with vocational rehabilitation and 13 individuals employed in the community. Hourly wages for individuals employed in the community range from \$8.00 - \$10.00 an hour. Through Workforce Innovation and Opportunity Act (WIOA) and customized employment there will be a module for training. For the online module it will be interactive. We can evaluate how they are doing as an agency.

### **Vocational Rehabilitation Performance Updates FFY 17 - Russ Cusack**

There were 935 new applicants as of March 31, 2017, with an annual goal of 1035. As of March 31, 2016 there were 865 applicants resulting in 70 more applicants. As of March 31, 2017 there were 314 individuals employed with an annual goal of 576. As of March 31, 2017 584 new rehabilitation plans were initiated with an annual goal of 890. There were 588 older blind cases served as of March 31, 2017 with an annual goal of 745. Please note that as of March 31, 2017 we are 50% of the way through the FFY.

### **Section 511 Update – Cheryl Anderson**

In ND there are 19 employers that are paying individuals lower than minimum wage. For the interview process they are currently 88% of the way complete with 1 employer left to meet with. They have interviewed 809 people and 12% were interested in vocational rehabilitation. Of the 809 individuals, 8.9% were youth. There were 102 referrals to vocational rehabilitation. We have until July 21, 2017 to finish conducting all the interviews. Providers are doing a good job. We learned from this process to do individual or group interviews depending on the person.

### **Appeals Report – LouAnn Nider**

The division has received 2 requests for appeals relating to:

- Services
- Case closure

Since we implemented the new operational policy, we have had one case request for an informal review and it was resolved at that level.

### **CAP Report – Vickay Gross**

Contract year is July 1-June 30. There were referrals to 12 individuals. 1 case has gone through the appeals process. The CAP has provided 8 educational activities, tried to reach out to all VR offices, independent living centers, distributed 1,300 - 1,400 brochures. They contracted with disability rights of Kansas to develop a transition app. They found out that they will need to make adjustments to the website under

accommodations. They are trying to get the students more engaged and feel better about the transition process.

### **Region 3 Update – David Kvasager, Regional Administrator from Devils Lake**

The regional administrator retired at the end of December so David has been covering Devils Lake and Grand Forks. Currently, cases are taking about 2 years to close. They have had vacant positions. One left in December and they have had 3 new interviews.

### **Region 4 Update – David Kvasager, Regional Administrator from Grand Forks**

Grand Forks serves 4 counties. There has been an increase in applications and an increase of successful closures. There is a vacancy due to a retirement last month and they will be conducting interviews for that position. They will be restructuring that position to include helping them apply, resumes, and fuller share with interfacing with employers. School district had a pre-employment training contract which is going well. They are reaching out to rural schools. They are going to have them work in the cafeteria in the schools.

### **Tribal Updates**

#### *Gillian Plenty Chief, Standing Rock Vocational Rehabilitation Project*

The Tribal VR is working on upping the shared cases with the state. A challenge in administering the program is the timely collection of medical records. The Tribal program has sponsored recreational and leisure activities with students. One Tribal VR counselor case load includes 70 students of transition age. It was discussed to look into getting a relationship with the hospitals and the electronic medical records. They had a collaboration meeting with state vocational rehabilitation that went very well at Job Service.

#### *Marshall Longie, Spirit Lake Vocational Rehabilitation Project*

The Spirit Lake Tribal program is on track to meet performance standards for the number of individuals employed. They have 25 youth and 17 transition students. They are doing very good at this time. They have 13 individuals currently employed.

### **Committee Chair Reports**

#### *Membership/Public Relations Committee – Joseph Hall, Chair*

The new sub-committee will be created as a result of passage of HB 1135. Members of the sub-committee are identified as Tina, Bruce, and Vickay. There were not sufficient members present for quorum thus the vote on the sub-committee was tabled. Two new applications for membership were received and approved for Matthew McCleary and Sheryl June Scioscia-Beard. The applications will be forwarded to the Governor's Office for final approval.

Clarification provided on the definition of disability in relationship to member's self-identification.

VR is attempting to secure a nomination to the SRC from the parent training center.

***Planning/Evaluation Committee – Kirsten Dvorak, Chair***

There were changes to the policy for transition services which clearly defines the scope of transition services it entails. Statistics for the Market Decisions survey of VR client satisfaction were great at 91% satisfied. This is a random sample and a comprehensive survey. The data we are getting is substantially more complex. Transition students that are open and eligible for vocational rehabilitation services are part of the survey.

***Resource Committee – Jason Sutheimer, Chair***

They reviewed and modified the VR employee satisfaction survey. The survey will be sent to VR staff in May with results calculated by July. There were modifications to a couple of from the last employee survey.

Next meeting July 27-28, 2017 starting at 1 p.m. in the Prairie Rose Room at the Prairie Hills Plaza.

**A motion was made by Kirsten Dvorak and seconded by Jason, Sutheimer to adjourn the meeting. Meeting adjourned at 11:09 a.m.**