

**Department for the Blind and Vision Impaired (DBVI)**  
**State Rehabilitation Council**  
**Draft- Meeting Minutes**  
**8 June 2013**

**10:00 a.m.-Welcome and Call to Order – John Bailey**

**Introductions & Designations**

**Members Present:** Raymond Hopkins- Richmond, VA-(Director of the designated State Unit **DBVI**, ex-officio, non-voting member), John Bailey-Fairfax, VA-(Vice Chair/Business, Labor, and Industries), Debbie Pfeiffer-Yorktown, VA-(Virginia Department of Education), Rebecca Bridges-Arlington, VA-(Business, Labor, and Industries), James Taylor-Richmond, VA-(former recipient of Vocational Rehabilitation Services), Valerie Walker-New Port News, VA-(Business, Labor, and Industries), Rick Gonzalez-Springfield, VA-(Virginia Workforce Council), Richard Holley-Hallwood, VA-(Disability Advocacy Groups), and Ken Jessup-Virginia Beach, VA-(Statewide Independent Living Council/SILC).

**Members Absent:** Michael G. Davis-Chesapeake, VA-(Chair/former recipient of Vocational Rehabilitation Services), Melanie Brunson; Vienna, VA-(Past Chair/Disability Advocacy Groups), Marguerite Bardone-King George, VA-(Business, Labor, and Industries), Celia Yette-Petersburg, VA-(Client Assistance Program), Claudie Grant, Jr.-Prince George, VA-(former recipient of Vocational Rehabilitation Services), Angie Matney-Fredericksburg, VA-(former recipient of Vocational Rehabilitation Services), and Nicole Jeffords-Norfolk, VA-(Vocational Rehabilitation Counselor, ex-officio).

**Guests Present:** Faye Adams-Virginia Beach, VA, Mattison Payne-Chesterfield, VA.

**DBVI Staff Present:** Dr. Rick L. Mitchell- (Deputy Commissioner of Services), Susan Davis Payne-(Vocational Rehabilitation Director), and Marcus L. Byrd, II-(Administrative Support Staff).

**Adoption of 8 June 2013 Agenda-Action Item**

John Bailey entertained a motion to approve the 8 June 2013 agenda. Rebecca Bridges moved for approval and was seconded by Ken Jessup. The motion was passed by unanimous voice vote.

**Adoption of 9 March 2013 Meeting Minutes-Action Item**

John Bailey entertained a motion to approve the 9 March 2013 draft meeting minutes. Rebecca Bridges moved that the meeting minutes be accepted as distributed and was seconded by Rick Holley. The motion was passed by unanimous voice vote.

**Comments from the Public**

Faye Adams announced that per direction from the General Assembly, Governor McDonnell intends to redesignate the Virginia Office of Protection and Advocacy (VOPA) System and Client Assistance Program as the disAbility Law Center of Virginia, a profit nonprofit entity, to serve as Virginia's P&A System and CAP, beginning on or about 1 October 2013.

### **Commissioner's Report-Raymond E. Hopkins**

Commissioner Hopkins explained a correction to the SRC Agency Report that was circulated prior to the meeting. The report indicated that the Virginia Department of Education (DOE) granted an additional \$300,000 to DBVI for production of Braille textbooks, when in fact it was actually \$450,000 for the remainder of the federal fiscal year.

Commissioner Hopkins intends to request assistance from the State Rehabilitation Council to DBVI with legislative issues, specifically funding for the next General Assembly. Due to the increase in support for Braille production and the decrease in funding provided to the Commonwealth under the Individuals with Disabilities Act (IDEA), support from the Virginia Department of Education will not be available in 2014. Currently DBVI will have the ability to manage educational services in 2014 with existing funds; however moving beyond may present challenges. Additionally, DBVI will seek appropriation to increase the state's funding for educational services and possibly secure aid regarding Braille textbook production. Commissioner Hopkins referenced the fact that DBVI received a greater amount of allocated general funds in 1991 than it does today. DBVI is in the process of creating a proposal to submit to Governor McDonnell and the SRC will be asked for their support.

Commissioner Hopkins explained that DBVI is undertaking some alterations to its Business Enterprise Vending Facility Program (BEP). The changes may be discomfoting for some participants in the program; however they're needed to help the entity grow moving forward. The Randolph Sheppard Act was enacted in 1936, amended in 1954, and again in 1974. In addition, he expounded on the fact that one of the key components of BEP is business and that very few business conduct practices in the same manner in which they did 40 years ago. The goal of DBVI is to change the custodial and or paternalistic nature of the program into a model in which participants oversee all business ownership operations. The change will inevitably afford participants in the program an opportunity for greater input and allow them to a put stamp on their business. The process to alter the program began with a study conducted by Mississippi State University, gathering stakeholder input, discussion with managers of the program, and a series of meetings with the Vending Facility Vendors Council. Discussions with the Vending Facility Vendors Council were conducted to craft a strategic plan to improve the program which may take 18 months to 24 years to fully reach the goals in which DBVI intends for BEP to achieve. The Randolph Sheppard Vending Facility Program has been the single most successful program in terms of providing jobs and income for blind individuals. In order for the program to be viable, it has to adapt to the needs and wants of customers, and also attract younger prospects. The average age of participants in the state of Virginia is 50 years of age, with the oldest being 80.

Ken Jessup inquired about a dining facility bid at Naval Air Station Oceana Dam Neck Annex. Commissioner Hopkins explained that the Navy has attempted to ignore the Randolph Sheppard Act which is federal law that mandates a priority to blind persons to operate vending facilities on Federal property, this also includes dining facilities. In addition, the Navy attempted to put the new dining facility on the procurement list under AbilityOne. DBVI engaged the U.S. AbilityOne Commission and ultimately the bid for the dining facility was submitted in May 2013. The remaining issue is that the Navy will require the business owner and organization to attain and maintain a security clearance; and they're unwilling to provide a clearance to a public entity. Furthermore, DBVI has submitted a proposal to the Navy which details what the Randolph Sheppard Act mandates and if they contend that awarding the dining facility contract might cause a breach in security then the appropriate steps under the law need to be taken through the Secretary of Education.

Commissioner Hopkins announced that DBVI is destroying all Eye Reports in accordance with the Virginia Records Retention schedules.

**Deputy Commissioner's Report-Rick L. Mitchell**

Dr. Mitchell announced once the Fairfax Regional Office fills their vacant Orientation and Mobility Specialist position that they will be fully staffed.

Dr. Mitchell also explained a new initiative named Excellence in Vocational Rehabilitation (VR) Taskforce. This is a newly formed taskforce comprised of six VR Counselors and the VR Director. They have been charged to define what excellence is in VR and develop strategies that will bring DBVI's VR program to a level of excellence. In addition, the goal of the taskforce is also predicated on raising the number of closures for the agency to at least 250 closures per year within the next 3 to 5 years. Within the next year or two, Dr. Mitchell will assemble a taskforce for each program within the agency, specifically Rehabilitation Teaching, Education Services, and Orientation and Mobility with the goal of excellence the priority.

The case solutions workgroup was recently established and is comprised of one representative from Rehabilitation Teaching, Education Services, Orientation and Mobility, and Vocational Rehabilitation. This workgroup will serve as a secondary evaluator of a case once all options have been exhausted.

Susan Payne explained that her role within the taskforce is to help facilitate and mentor the group as needed. One of her suggestions was to conduct a literature review which determines how private business defines leadership.

**VR Program Update- Susan Davis Payne**

Susan Payne called for a vote on an action item to move forward with the State Plan draft that was submitted to the counsel prior to the meeting or to make recommendations beyond the ones made by the SRC state plan writing team.

**Action Item:** A motion was made by Jim Taylor to change the attachment hourly wage recommended commensurate with the cost of living index, in which goals and priorities for 2014 most recent rate would be added. Rebecca Bridges moved that the state plan be accepted with the recommendations by Jim Taylor and was seconded by Debbie Pfeiffer.

Susan Payne expounded on the fact that in 2014, DBVI will be monitored by the Rehabilitation Services Administration (RSA) with the focus centered on organizational unit requirements, fiscal integrity, and transition services, as well as affording flexibility to address state agency- specific issues. Susan would like for the council to have the aforementioned on their radar, information regarding transition will be forwarded to the Executive committee to help evaluate how the SRC will be involved in the process. The monitoring team will consist of three individuals who will basically follow-up on information initially collected prior to the team's arrival on site.

Susan Payne and John Bailey are scheduled to attend the National State Rehabilitation Council Forum in Arlington, VA in June, in which transition will be a primary focus.

Susan Payne explained that certain DBVI State Rehabilitation Council seats have been difficult to fill, specifically the representative of a parent training and information center, representative of community rehabilitation services program, and representative of an individual who is blind, has multiple disabilities, and has difficulty representing him or herself or is unable due to disabilities to represent him or herself. Additionally, she requested the assistance of the council to help and identify individuals who might be interested in becoming a member of the council. Currently, council members eligible for reappointment for a second term are Michael Davis, Valerie Walker, John Bailey, and Jim Taylor. Mr. Taylor has indicated to the council that he is not interested in being reappointed. Marguerite Bardone and Angie Matney have served two consecutive terms which will conclude in September 2013. The Secretary of the Commonwealth's Office will allow council

members who are eligible for reappointment to continue serving in their current capacity until they receive notification of reappointment provided the SRC agrees. Susan Payne explained to the council that she is willing to submit resumes on behalf of members interested in being reappointed, and provide contact information to members for follow-up purposes.

#### **DBVI/DRS Liaison Report-Jim Taylor**

Jim Taylor announced to the council that Tony Lineberry will attend the National State Rehabilitation Council Forum on behalf the State Rehabilitation Council for DARS.

Jim Taylor inquired about any potential changes in funding the Governor might pursue in the future. Commissioner Hopkins indicated that as of June 2013 that he was not made aware of any changes.

Jim Taylor inquired about the implementation of Governor McDonnell's Executive Order 55 and the effects it may have on individuals who are blind or visually impaired. Commissioner Hopkins expounded on the fact that it was signed in November 2012; and the initiative focused on enhancing internship and mentoring opportunities for individuals with disabilities in state agencies and involving the Virginia Workforce Council in order to encourage a greater number of private employers.

The Virginia Department for Aging and Rehabilitative Services (DARS) is currently in the process of concluding their agency's Needs Assessment Survey; and developing a new Satisfaction Survey which will include making contact with consumers during the VR process and after closure. The next DARS SRC meeting will convene on 10 June 2013 at the Richmond Marriott West and Jim Taylor will attend on behalf of the council.

#### **NCSRC, CSAVR, & NCSAB Updates:**

**Action Item:** Rebecca Bridges entertained a motion to suspend discussion on NCSRC, CSAVR, & NCSAB Updates until the next DBVI SRC meeting on 14 September 2013, and was seconded by Richard Gonzalez. The motion was passed by unanimous voice vote.

#### **Workgroup Reports:**

The council is not required by federal law to have bylaws; however they provide structure and guidance to assist the council with conducting its business. Richard Gonzalez expressed his support for the creation of bylaws for the council and noted that it should be top priority moving forward.

**Action Item:** Rebecca Bridges entertained a motion to suspend discussion pertaining to workgroup reports until the next DBVI SRC meeting on 14 September 2013, and seconded by Ken Jessup. The motion was passed by unanimous voice vote.

#### **Development of SRC Bylaws:**

**Action Item:** Ken Jessup entertained a motion for the council to develop a strategic plan to create bylaws and was seconded by Rebecca Bridges.

**Action Item:** Rebecca Bridges entertained a friendly amendment to the previous motion by Ken Jessup to develop and establish a workgroup that will create an initial draft of bylaws for the SRC, which will be presented to the council by the next SRC meeting on 14 September 2013. The motion was seconded by Valerie Walker and passed by unanimous voice vote.

Following Robert's Rules of Order, John Bailey appointed an ad hoc committee to develop an initial draft of bylaws for the SRC. Rick Gonzalez and Melanie Brunson will serve on the committee.

**Old Business and New Business**

**Action Item:** Rebecca Bridges entertained a motion to send the chair elect John Bailey to the National Coalition of State Rehabilitation Councils (NCSRC), Council of State Administrators of Vocational Rehabilitation (CSAVR) and National Council of State Agencies for the Blind conferences fall session in October 2013, and was seconded by Ken Jessup. The motion was passed by unanimous voice vote.

**Action Items:** The DBVI State Rehabilitation Council entertained the following motions for discussion:

- Send workgroup assignments to SRC members
- Submit reminders to the standing committee each quarter to develop a meeting report which will include activities and questions or request action items in which the committees would like the SRC to act upon
- Actions the SRC should take following the quarterly meeting and for the council to have an agenda item for September 2013 in which the council will develop priorities derived from the state plan regarding goals to be reasonably achieved in 2013 & 2014. Susan Payne will assume responsibility of reviewing the current state plan, identify the SRC’s responsibilities, and submit those to the council prior to the next meeting
- The council would facilitate an additional session prior to the next SRC meeting scheduled for 14 September 2013
- An agenda item for the next SRC meeting to discuss the reconstruction of the workgroup committees. A suggestion was made to have two standing committees similar to DARS as opposed to several
- To conduct workgroup meetings during the course of the year within various state offices

The council decided to withdraw the aforementioned motions until the next meeting on 14 September 2013 and extend its meeting time from 9:00 a.m. to 3:00 p.m. to be afforded ample time. The council will conduct facilitated discussion regarding priorities, workgroup planning and structure, and ongoing agenda items.

**The following workgroups are current as of March 2012:**

<u>Annual Report</u>	<u>State Plan</u>	<u>Transition Committee</u>	<u>Legislative</u>
Marguerite Bardone	Marguerite Bardone	Michael Davis	Melanie Brunson
Doug Powell	Michael Davis	Rick Holley	Ken Jessup
Rick Holley	Jim Taylor	Debbie Pfeiffer	John Bailey
Debbie Pfeiffer	Melanie Brunson		
	John Bailey		

**CSNA Consumer/Satisfaction Surveys**

Doug Powell  
 Valarie Walker  
 Melanie Brunson

**Marketing & Public Relations**

Michael Davis  
 Marguerite Bardone  
 Melanie Brunson

Debbie Pfeiffer announced that she has officially resigned from her position with the Virginia Department of Education effective August 2013. Currently she serves as a specialist for students who are blind and visually impaired, deaf/blind or hard of hearing; and also traumatic brain injuries.

Debbie Pfeiffer explained that the Governor’s amended budget provides \$4.9 million in fiscal year 2014 to fund the state’s share of the Board of Education’s recommended staffing standard for students who are blind or

visually impaired. The General Assembly did not enact a caseload mandate in the Code, but provided additional state funding for VI staffing. The funding is based on the case load standard that the Board previously recommended. Change would be required to the Code or Board regulations in order for it to be a staffing mandate, but school divisions have to provide sufficient staffing to meet the IEP requirements for students with vision impairments. The Superintendent's Memo#050-13 dated February 28, 2013 can be found on the Virginia Department of Education website.

**Date for Next Meeting/Adjournment**

**The meeting adjourned at 1:00 p.m., the next State Rehabilitation Council Meeting will convene on 14 September 2013, 401Azalea Avenue, Richmond VA 23227 @ 9:00 a.m. - 3:00 p.m.**