
VIRGINIA STATE REHABILITATION COUNCIL FOR THE BLIND AND VISION IMPAIRED
(SRC)
Quarterly Meeting

Draft Minutes
May 17, 2024

Held at
The Department for the Blind and Vision Impaired (DBVI)
397 Azalea Avenue, Richmond, VA, 23227
And Via Zoom

SRC Members in Attendance

David Andrews, Hampton, Representative of a Current/Former Recipient of Rehabilitation Services
Christine Appert, Charlottesville, Current/Former Recipient of Rehabilitation Services (virtual due to personal matters)

Susan Bowmaster, Annadale, Representative of a Disability Advocacy Group (virtual due to personal matters)

Rebecca Ceja, Richmond, Representative of the Virginia Department of Education (virtual due personal matters)

LaSonya Jackson, Crozet, Representative of a Vocational Rehabilitation Counselor

Beth Klein, Stafford, Representative of the Virginia Disability Law Center of Virginia (dLCV)

Heidi Lawyer, Henrico, Representative of Parent Training & Information Center (PEATC) (virtual due to illness)

Gerald Meredith, South Chesterfield, Representative of a Disability Advocacy Group

Chanthen Nene, Manassas, Representative of an Applicant or Recipient of Rehabilitation Services

Mark Roane, Richmond, Applicant or Recipient of Rehabilitation Services (virtual due to personal matters)

Rachael Rounds, Midlothian, Representative of Community Rehabilitation Services Program

Beth Sellers, Harrisonburg, Parent/Guardian of a Person with a Disability

Francisco Semiao, Fairfax, Workforce Council Representative (virtual due to childcare)

Milford Stern, Roanoke, Representative of Business, Industry, and Labor

SRC Members Not Able to Attend

Rick Mitchell, Richmond, Commissioner, DBVI, Ex-Officio Member

DBVI Staff Present

Megan Hall, Director of Vocational Rehabilitation and Workforce Services

Maggie Mills, Executive Assistant to Commissioner Mitchell – Recorder of Minutes

Justin Sheets, Assistant Director of Vocational Rehabilitation

Ashley West, Executive Assistant to Deputy Commissioners

Guest

Elizabeth Patacca, Policy & Legislative Affairs, Dept for Aging and Rehabilitative Services (DARS)

ASL Interpreters

Elizabeth Leitch

John Folker

**Public
None**

Call to Order / Welcome and Introductions

Chair Stern called the meeting to order. A roundtable of introductions took place. Quorum was not met.

Adoption of February 9, 2024, Meeting Minutes

***The adoption of the February 9, 2024, Quarterly SRC Meeting Minutes will be an agenda item at the August 9, 2024, SRC Quarterly Meeting since quorum was not met.*

**Public Comment
None**

Commissioner & Deputy Commissioner's Report

Written report provided. Additional comments are as follows.

Ms. Hall reported in Commissioner Mitchell's absence. Ms. Hall reported on the DBVI All-Staff Meeting held May 9 and 10 on the DBVI campus. Two hundred seventy employees from DBVI, Virginia Industries for the Blind (VIB) and Virginia Enterprises for the Blind (VEB) attended. The event included Keynote speakers, teamwork activities and service awards. The two longest serving employees served 50 and 55 years.

Ms. Hall reported that the new state fiscal year starts July 1, so the Agency has been busy developing its budget for 2024-2025.

The second round of interviews for the vacant Deputy Commissioner for Services position is underway. The second interviews for the Policy, Planning & Evaluation Director are also underway. Susan Davis, Senior Policy Analyst, is retiring July 1 with 31 years of service. Her position has already been posted.

In regard to the American Rescue Plan Act (ARPA) – all capital projects have been accepted and the Agency will get working drawings done by December 1, 2024. Projects include the Library Resource Center (LRC) renovation, the VIB Charlottesville plant renovation, and the HVAC project at the VRCBVI dormitory.

VR Program Update

Ms. Hall reported on the Pre-Employment Transition Services (Pre-ETS) event Financial Realities held May 10 which was all virtual. The event had 22 participants. SRC Member Beth Klein assisted with the presentation. Topics such as creating financial goals, creating a spending plan, social security benefits and reporting income were discussed.

The EDGE (Entrepreneurship Development for Gainful Employment) Program is a hybrid program with 24 virtual learning hours and an in-person final presentation in July at James Madison University. Fourteen students have been meeting once a week. Founders Mark has partnered with DBVI to do this training in entrepreneurship.

Cyber Space (formerly Leap into Linux) will be held at DBVI Headquarters June 23-28, 2024, where

students will learn how networks and web servers operate, how to protect from hackers, network, and cyber security. Their final project will be to develop a website of their own. Ms. Hall invited the SRC members to visit that event.

The Launching Point Program will be held at James Madison University (JMU) in Harrisonburg, VA, July 14 – 24, 2024. Students will navigate and explore JMU, meet students and professors from different degree programs, learn from admissions and disability support services, and participate in various self-advocacy programs.

Cyber Warriors Stem Camp is an all-virtual program that is held over six sessions, one week each from July 8 through August 16, 2024. Sessions cover 3D Printing, Splunk, AI, Building Custom Gaming PC, Drone Hacking and Programming, and Robotics.

The L.I.F.E. Program will be held July 7 – August 4, 2024, which is a four-week residential training program for students between the ages of 14-18 years old who are returning to a high school academic program in the fall of 2024. This program provides basic training in the skills of blindness and advocacy skills. The Agency uses work-based learning to pay Mentors for being involved in the L.I.F.E. Program. Confidence building activities include improvisation training, drivers' education experience, grilling, whitewater rafting, ropes course, rock climbing, sailing, bowling, swimming and more.

The Super Summer Camp Program is held at Camp Easterseals July 28-August 3, 2024. Positions are open for Junior Counselors, 16 and 17 years of age are preferred, who are interested in hospitality or outdoor recreation. This is also a work-based learning opportunity.

Careers in Action is scheduled for October 4 – 6, 2024, at the Delta Hotel in Richmond. Students are exposed to hotel careers including Kitchen, IT, Housekeeping, Reservations and more. Parents will be on hand to participate in a special educational track of programs relating to supporting their student as they move through High School and beyond.

The Business Team is scheduled to conduct the Elevate Your Career Reverse Career Fair next week in which participants who have gone through the previous training session surrounding interviews, resume development, disclosure discussions, etc. will have a table of their own and the employers will visit each table. Interviews are expected on the spot.

DBVI has been approached to partner with CVS and Aetna to create a customer service training lab. CVS/AETNA Grant funds will pay for computers and peripherals. DBVI will help with assistive technology, cubicles, and chairs. Conversations are still in progress regarding this lab. This is believed to be a four-week training for up to 6 individuals at a time. The lab is open to anyone in the state. DBVI will provide housing, transportation and meals for the individuals. DBVI hopes to have everything in place to start the first cohort in August 2024.

Mr. Andrews recommended additional DBVI locations throughout the state so that individuals do not have to travel so far for these programs.

*****Ms. Hall will share information about these programs with the SRC members.***

Old and New Business
Elizabeth Patacca – SRC Hearing Officers

Ms. Patacca presented a PowerPoint explaining the Hearing Officer process. She is currently recruiting for Hearing Officers. Members should let her know if they know of anyone interested in these positions.

***The August SRC Meeting Agenda will include a vote to renew Hearing Officers.*

Beth Klein – NCSRC Recap

Ms. Klein shared her experience at the NCSRC Conference. Ms. Hall announced that DBVI will sponsor a SRC Member who is interested in attending the Fall Conference in Seattle Washington.

Annual Report

Chair Stern explained what is required of volunteers in producing the Annual Report. ***He will ask for volunteers at the August SRC Meeting.*

New Member Orientation

Ms. Hall presented an Orientation to the SRC.

Adjourn

Next SRC Quarterly Meeting is August 9, 2024.



DARS

VIRGINIA DEPARTMENT FOR AGING
AND REHABILITATIVE SERVICES

*Supporting Virginians' efforts
to secure independence and employment*



VR Appeals and Hearing Officers



VIRGINIA DEPARTMENT FOR AGING
AND REHABILITATIVE SERVICES

Appeals Process - 34 CFR § 361.57

- Optional informal dispute resolution
- Required formal review procedure
 - Can do optional and formal at same time
 - At no point in this process do VR services stop!
 - No new services implemented until decision is issued



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Optional Dispute Resolution

- Informal Administrative Review (IAR)
 - Conducted by the unit supervisor or district manager
- Mediation
 - Conducted by Supreme Court of Virginia certified mediators



VIRGINIA DEPARTMENT FOR AGING
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Formal Review Procedure

- Impartial due process hearings (34 CFR § 361.57(e)
 - This section lays out required mandates, timeline in which hearing must take place, issuing of decision, and option for appeal of decision.



VIRGINIA DEPARTMENT FOR AGING
AND REHABILITATIVE SERVICES

Selection of impartial hearing officers

34 CFR § 361.57(f) *Selection of impartial hearing officers.* The impartial hearing officer for a particular case must be selected—

- (1) From a list of qualified impartial hearing officers maintained by the State unit. Impartial hearing officers included on the list must be—
 - (ii) Jointly identified by the State unit and the State Rehabilitation Council if the State has a Council

Because both DARS and DBVI have an SRC, both SRCs must approve all hearing officer contracts and renewals.

Hearing Officer Qualifications

- Is not an employee of a public agency
- Is not a member of the DARS State Rehabilitation Council or DBVI State Rehabilitation Council;
- Has not been involved previously in the vocational rehabilitation of the VR client;
- Has knowledge of the delivery of VR services, the State Plan, and the federal and state regulations governing the provision of services;
- Has received training with respect to the performance of official duties; and
- Has no personal, professional, or financial interest that would be in conflict with the objectivity of the hearing officer.
- No requirement to be a lawyer or mediator; must hold a Virginia State Notary Certification to take sworn testimony



DARS/DBVI Hearing Officers

- Are contracted for 1 (one) year with 4 (four) optional 1 (one) year renewals.
- Are trained by:
 - DARS & DBVI
 - Office of the Attorney General (OAG);
 - Client Assistance Program (CAP) at the disAbility Law Center of Virginia (DLCV)



Current Hearing Officers

- Sarah Freeman, Carl Schmidt – last renewal; will expire 9/30/2025
- Rhonda Mitchell – 1st renewal; full contract will expire 9/30/2028
- We will be looking for new hearing officers for contracts beginning 10/1/2025



What now?

- DBVI SRC met on 5/17/24 and voted to renew all contracts.
- DARS SRC will need to decide what they would like to do at this time.





State Rehabilitation Council New Member Orientation

VR/SRC Partnership– Working together
Works!

Let's get to know each other

- ▶ Tell us a little about yourself.
- ▶ Who do you represent on the Council?
- ▶ What are you hoping to learn today?

The Workforce Innovation and Opportunity Act Mandates

- ▶ The Workforce Innovation and Opportunity Act (WIOA) mandates a VR/SRC partnership between state Vocational rehabilitation Agencies (VR) and State Rehabilitation Councils (SRC).
- ▶ WIOA provides the framework for the SRCs work and voice within the Vocational Rehabilitation process.

SRC informed voice

- ▶ In order for the SRC to have an informed voice, SRC members need a working understanding of their role
- ▶ The role of the SRC was first defined in the Rehabilitation Act of 1973
- ▶ Rehabilitation Act of 1973 was amended under WIOA in 2014

SRC Members Should...

- ▶ Feel comfortable and informed when entering into discussions concerning VR policy procedures, long and short-range agency planning

AND

- ▶ Have a basis and legislative reference for WIOA related discussions.

SRC Members Also Need...

- ▶ An understanding of Section 105 of the Rehabilitation Act

AND

- ▶ Sections 361.16 & 361.17 of the implementing regulations (Code of Federal Regulations)
- ▶ These sections provide detailed mandates for the SRC structure and functions

Section 105 of the Rehabilitation Act

- ▶ A state that designates a state agency to administer the part of the State plan under which VR services are provided for individuals who are blind...may establish a separate Council (DARS and DBVI have SRCs)
- ▶ Specific Council Composition and Appointment criteria are outlined

Functions of the SRC

- ▶ Review, analyze and advise the designated state unit (DBVI) regarding the performance of the responsibilities of the unit relating to
 - Eligibility (including Order of Selection)
 - The extent, scope and effectiveness of services provided
 - Functions performed by DBVI that affect or that potentially affect the ability of individuals with disabilities in achieving employment outcomes

Perform Other Functions as:

- ▶ The SRC determines to be appropriate and consistent with the purpose of Title 1

AND

- ▶ Are comparable to other SRC mandated functions

In Partnership with DBVI...

- ▶ Develop, agree to, and review State goals and priorities
- ▶ Evaluate the effectiveness of the VR program and submit reports of progress to the Commissioner (The extent to which a program achieves its planned outcomes)
- ▶ Advise DBVI regarding activities authorized to be carried out and assist in preparation of the State plan and amendments to the plan, applications, reports, needs assessment, and required evaluations

Required Evaluations (to the extent feasible)

- ▶ Consumer Satisfaction (The extent to which a program's customers feel positive about their experience with the program)
- ▶ Provision of VR services
- ▶ Employment outcomes achieved by eligible individuals receiving services (including fringe benefits)
- ▶ Annual report submitted to Governor by December 31st each year
- ▶ Coordination of efforts with the Statewide Independent Living Council

Additional evaluations as feasible

- ▶ Plan for the provision of resources including staff and other personnel to sufficiently carry out the functions of the Council (this should rely on the use of resources in existence during the period of plan implementation)
- ▶ Resolution of disagreements between the SRC and DBVI shall be carried out and resolved by the Governor

Conflict of Interest

- ▶ No member of the 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

Meeting Requirements

- ▶ The SRC will meet four (4) times annually
- ▶ SRC members may attend one meeting virtually with the permission of the Chair
- ▶ One quarterly meeting may be designated as an “all virtual” meeting
- ▶ The meetings shall be publicly announced, and shall be open and accessible to the general public unless there is a valid reason for an executive session

Compensation and Expenses

- ▶ Reimbursement of reasonable and necessary expenses of attending Council meetings and performing Council duties
 - Attending meetings
 - Performing SRC duties
 - Childcare
 - Personal Assistance Services
 - Meeting accommodations

- ▶ Completed W9 form, Travel reimbursement form, direct billed hotel, direct billed transportation

- ▶ Out of State Travel requires RSA “prior approval”

Other SRC mandates

- ▶ SRC members cannot serve as an impartial hearing officers
- ▶ Every three (3) years, the VR program and the SRC must jointly conduct a comprehensive needs assessment describing the rehabilitation needs of individuals with disabilities residing within the state
 - Particularly individuals with the most significant disabilities, minorities, unserved or underserved populations, individuals served under other Workforce Title partners, youth and students with disabilities

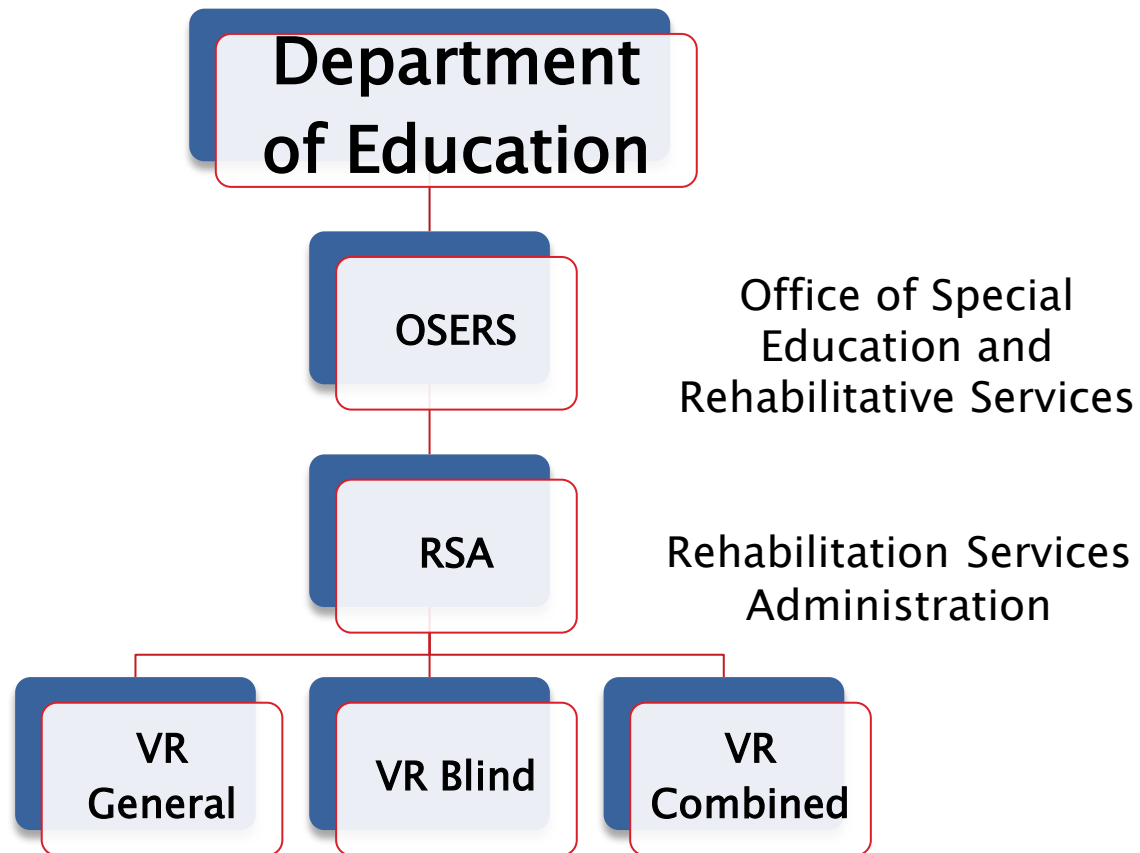
Report Requirements

- ▶ VR and SRC must submit an annual joint report to the commissioner on the effectiveness of the VR program, the progress made with improvements year over year and the extent to which goals were achieved.
- ▶ Assessment of performance related to the Common Performance Measures

SRC and VR Partnership

- ▶ Work together to develop and implement written policies and procedures to enable each applicant to exercise informed choice throughout the VR process
- ▶ Key Obligation: Review, analyze and advise DBVI based upon access to comprehensive data and information provided in a timely fashion

Where is VR in the Federal and State Structure?



Workforce System: Where is Rehab?

- ▶ Title 1: Adult, Dislocated and Youth Services
- ▶ Title 2: Adult Education and Family Literacy
- ▶ Title 3: Wagner–Peyser*
- ▶ Title 4: Vocational Rehabilitation
- ▶ Title 5: General Provisions

*Wagner–Peyser: Established a Nationwide System of public employment offices

WIOA Agency Partners

- ▶ US Department of Labor
- ▶ US Department of Education
- ▶ US Department of Health and Human Services



Philosophy of the Rehab Act: Policy Mandates

- ▶ Respect for the individual dignity, personal responsibility, self-determination, and pursuit of meaningful careers based on informed choice
- ▶ Respect for individual privacy, rights and equal access
- ▶ Inclusion, integration and full participation
- ▶ Authorized representative as needed
- ▶ Advocacy and Community Involvement

Policy must also...

- ▶ Empower individuals to maximize employment, economic self-sufficiency, independence, inclusion and integration into society
- ▶ Maximize opportunities for competitive, integrated employment
- ▶ Fulfill aspirations for meaningful and gainful employment
- ▶ Increase employment opportunities and employment outcomes
- ▶ Ensure transition opportunities

What does the Rehab Act Include?

- ▶ Title I: VR Services (SRC partnership)
- ▶ Title II: Research and Training
- ▶ Title III: Professional Development: Special Projects and Demonstration
- ▶ Title IV: National Council on Disability
- ▶ Title V: Rights and Advocacy (503 / 504)
- ▶ Title VI: Employment Opportunities
- ▶ Title VII: Independent Living Services

What is included in Sec. 105 Title 1?

- ▶ VR must have an SRC to be eligible for Federal funds
- ▶ Members are appointed by the Governor after recommendations from organizations
- ▶ Minority representative must be considered
- ▶ SRC must have a minimum of 15 members
- ▶ Majority made up of persons who are blind

SRC Member Terms

- ▶ Three-year terms
- ▶ Maximum of 2 Consecutive Full terms
- ▶ Client Assistance Programs and 121 (Native American) projects have no term limits

How can the SRC be of the most assistance to the VR Director?

- ▶ Broad advocacy for the VR program
- ▶ Education of partners, consumers and legislators (as permitted)
- ▶ Provide open and respectful input
- ▶ Participate in public meetings and forums

What does the SRC need?

- ▶ An annual plan with targeted goals, action steps, timelines and persons responsible to accomplish their mandated functions
- ▶ Member commitment to the time and work necessary to achieve the desired outcomes

Resources to learn more:

- ▶ Visit the RSA website for additional SRC resources and information

<https://www2.ed.gov/about/offices/list/osers/rsa/index.html>

OR

- ▶ Contact Megan Hall
DBVI Director of Vocational Rehabilitation
and Workforce Services

megan.hall@dbvi.virginia.gov

804-371-3344

We are glad you are here!

Thank you for your commitment to ensuring
that DBVI's Vocational Rehabilitation Program
continues to thrive!