**Virginia Board for with Disabilities**

**Board Meeting Minutes**

***Sept. 13, 2017***

The Virginia Board for People with Disabilities held its regular quarterly meeting on Wednesday, September 13, 2017, at the Four Points by Sheraton Hotel, 4700 South Laburnum Avenue, Richmond, Virginia.

**BOARD MEMBERS PRESENT:** Vicky Beatty, Ann Bevan, Randy Burak, Phil Caldwell, Theresa Casselman, Allison Coles-Johnson, John Eisenberg (VDOE), Dennis Findley, Melissa Gibson, Donna Gilles, Traci LaGanke, Donna J. Lockwood, Felicia Hamilton, Ray Hopkins, John Kelly, Jocelyn Kilgore, Richard Kriner, Rachel Loughlin, Mary McAdam, Christopher Nace, Alexis Nichols, Deanna Parker, Ethel Parris Gainer, Matthew Shapiro, Jamie Snead, Atima Omara, Caroline Raker, Cindy Rudy, Angela Sadsad, Summer Sage, , Jamie Snead, Ed Turner, Travis Webb, Angela West, Frederique Vincent.

**BOARD MEMBERS ABSENT:** Curtis Andrews, Ronald Lanier

**LUNCHEON PRESENTATION:** Ericka Jones-Haskins, Department of Behavioral Health and Developmental Services, gave a luncheon presentation on the Individual and Family Support Program. [All interested parties are directed to this webpage](http://www.dbhds.virginia.gov/individuals-and-families/developmental-disabilities/community-support-services).

**CALL TO ORDER, WELCOME AND INTRODUCTIONS:** Board Chair, Mary McAdam, called the meeting to order at 12: 45 pm. Ms. McAdam welcomed the new Board members and asked them to introduce themselves. She also thanked the luncheon speakers and reviewed the housekeeping notes. She thanked the luncheon speaker again and reviewed the Housekeeping notes.

**APPROVAL OF JUNE 7, 2017 MINUTES:** The Chair asked if there were any changes to the Junes Board Meeting minutes. None were noted. Mr. Randy Burak moved to **APPROVE** the minutes and Ms. Cindy Rudy seconded. The Chair called for a **MOTION** to **APPROVE.** The **MOTION** carried unanimously.

**PUBLIC COMMENT:**  The Board received 7 public comments, three in person and 4 by letter. In person commenters included Ms. Allison Thurman, (parent) Ms. Kim Owens (Down Syndrome Association of Greater Richmond, and Ms. Katherine Olson (Arc of Virginia). Public comment letters were read by the Board Secretary, Ms. Rachel Loughlin. They were from Ms. Amanda Raymond (parent), Dr. Ruthie Marie Beckwith (TASH), Drs. Elizabeth Altieri and Darren Minarik (Radford University), and Dr. Ryan Barber, Waynesboro Public Schools. The public comments all focused on the need to improve inclusive education in Virginia. Several commenters praised the Board’s recent Disability Assessment in the area of Education. Ms. Thurman and Ms. Raymond reflected their own families' experiences and struggles attaining an appropriate education in the general education setting and asked VBPD advocate for systems change regarding inclusive education in Virginia. Comments had a similar theme of asking the Board to add a strategy/activity regarding inclusive education to its State Plan Update as follows: We have included proposed wording for strategy/ activity regarding inclusive education: 1.4.5 Advocate within pre-K through 12 system for resources/ technical assistance, alignment of funding streams, and outcome data for meaningful inclusion of students (specifically with low incidence disability categories as well as intellectual disability category) with disabilities in the general education classroom in their neighborhood school. Following the reading of the letters, Board Chair, Mary McAdam thanked the commenters. Ms. Lawyer advised that the letter writers would receive an acknowledgement of the public comment by mail and that all the comments would be referred to the Investment and State Plan Oversight Committee to be considered at the December 6, 2017 Board meeting during which final decisions about the FFY 2018 State Plan Update would be made.

**STANDING COMMITTEE REPORTS**

**EXECUTIVE COMMITTEE REPORT:** Mary McAdamasked if there were questions on the Executive Committee report. There were none. The Board moved on to Standing committee Reports.

**REPORT OF THE INVESTMENT & STATE PLAN OVERSIGHT COMMITTEE:** Committee Chair, Cindy Rudy, reported the following:

**GRANT EXPENDITURE UPDATE:** Mr. Jason Withers, Grants, Contracts & Program Information Manager, discussed grants and contract expenditures for four projects: 1) The Virginia NICU Early Intervention Collaborative through the Virginia Hospital Research & Education Foundation (VHREF). 2) The Development of Adult Curriculum on Critical Decision-Making Points for Students with Disabilities project through the Virginia Department of Education (VDOE). 3) The Improving Transportation Planning in Cities and Counties to Increase Access to Community-Based Healthcare through the disAbility Law Center of Virginia (dLCV) and 4) the Increasing Access to Disability Resources in non-English Languages through The Arc of Northern Virginia. These projects and expenditures were referenced in Attachment ISP 3-2.

**UPDATE ON STAGE II PROPOSALS FOR COMPETITIVE RFPs:** Mr. Withers updated the members, informing them that four full proposals were selected for review by the Grant Review Team (GRT). Of the received applications, the GRT chose two proposals to recommend to the Board for funding, which totaled $382,590. The proposals recommended for funding were referenced in the Supplemental Packet sent to Board members in August 2017.

The Board discussed the Grant Review Team’s (GRT) recommendation to fund a proposal from Virginia Commonwealth University entitled, **“Communication & Health Advocacy Training”** for $199,999. After discussion, Ms. Mary McAdam called for a vote of Approval on this recommendation made by the GRT. The following member(s) recused themselves from voting: Ms. Donna Gilles and Ms. Angela Young-West. The **MOTION** carried unanimously.

The Board also discussed the GRT’s recommendation to fund a proposal from James Madison University entitled, **“Improving Health and Wellness through Empowerment”** for $182,591. After discussion, Ms. Mary McAdam called for a vote of Approval on this recommendation made by the GRT. The **MOTION** carried unanimously.

**2017-2021 STATE PLAN UPDATES AND DISCUSSION:** Ms. Nia Harrison discussed highlights of progress in the 3rd Quarter towards meeting the goals and objectives in the 2017-2021 State Plan. Attachments ISP 4-1 through 4-29 were referenced. Ms. Harrison also discussed a preliminary version of the State Plan Update for FFY 2018, on which the Board will vote in December. Attachments ISP 5-1 through 5-9 were referenced.

**REPORT OF THE POLICY, RESEACH & EVALUATION COMMITTEE:**

In the absence of Committee Chair, Ms. Summer Sage, Mr. John Cimino, Director of Public Policy, reported that:

**CALL TO ORDER:** Summer Sage called the meeting to order at 9:15.

**CONSENT AGENDA ITEMS:** Summer Sage summarized the Executive Committee discussions and introduced Chris Nace, the newest member of the Committee. Deanna Parker made a motion to approve the consent agenda items; Felicia Hamilton Seconded the motion; and the motion passed unanimously without discussion.

**POLICY UPDATE:** John Cimino provided a brief update on recent policy developments and efforts by Board staff to follow up on the Board’s 2017 Employment and Education Assessment recommendations.

**GUEST SPEAKER:** Helen Hardeman from Housing Opportunities Made Equal (HOME) spoke to the committee about HOME’s fair housing work and about fair housing law in general. She completed her presentation with some thoughts on policy areas that the Board may consider for recommendations in its 2018 Housing Assessment.

**ASSESSMENT UPDATE:** John Cimino updated the Committee on the progress of the 2018 Assessments on Housing and Transportation.

**ADJOURN:** Summer Sage adjourned the meeting at 11:40

For the full details, see the PRE Committee meeting minutes for September 13, 2017, at https://www.vaboard.org/boardmeetings.htm

**REPORT OF THE ADVOCACY OUTREACH AND TRAINING COMMITTEE:**

Committee Chair Matthew Shapiro reported that:

Mr. Matthew Shapiro, Committee Chair, called the meeting to order at 9:15 a.m.

Following Mr. Shapiro’s summary of the Executive Committee’s meeting, action was required to select a new AOT vice Chair. Ms. Caroline Raker expressed interest in the position. Ms. Donna Lockwood made a **MOTION** to elect Ms. Raker as Vice Chair of the AOT committee and Ms. Rachel Loughlin **SECONDED** her **MOTION**. Ms. Raker was elected as the AOT Committee’s Vice Chair.

Next, the committee reviewed and discussed the event support applications submitted by the JP Jumpers Foundation, Virginia Oral Health Coalition, and Down Syndrome Association of Greater Richmond. Mr. Benjamin Jarvela, Communications Director, provided a brief summary report of the committee’s budget, noting that there is an available balance of $10,000 for the year. The committee then discussed and voted on each organization’s funding request. Ms. Lockwood made a **MOTION** to not bring forward the J.P. Jumpers request to the Board, as it did not meet any of the Board’s State Plan goals and objectives. Mr. George Burak **SECONDED** the **MOTION**. The **MOTION** carried with one abstention. Mr. Burak made a **MOTION** to recommend to the Board full funding of $2,000 to the Virginia Oral Health Coalition. Ms. Frederique Vincent **SECONDED** the **MOTION**. The MOTION carried with one abstention. Ms. Paris Ethel-Gainer made a **MOTION** to recommend to the full Board partial funding to the Down Syndrome Association of $2,000 (rather than the $2,500 request) Mr. Burak **SECONDED** the **MOTION** which was carried unanimously.

The **MOTIONS** to fund the Oral Health Coalition and the Down Syndrome Association of Greater Richmond, coming from committee and not required to have a second came before the full Board for a vote as part of the Committee report. The **MOTIONS** carried.

The Committee then reviewed and discussed the FFY 2017 State Plan Goals and Objectives. Dr. Penni Sweetenburg-Lee, Director of Training and Alumni Development, updated the Committee on the Alumni Development Program, Partners in Policymaking (PIP), and Youth Leadership Academy (YLA) training programs. She informed the Committee that PIP had its first session with the 2017-2018 class on September 9, 2017 and that she expects it to be a successful year. She also announced that Ms. Ronita Wilson was hired as the Board’s new Training and Alumni Coordinator.

Mr. Jarvela updated the Committee on the Board’s communication activities. He reported that a revised logo was designed for the Youth Leadership Forum’s (YLF) rebrand to the Youth Leadership Academy (YLA), a cohesive resource booklet was developed for the 2017-2018 PIP class, and a massive revision of all Board website documents was required to meet new federal accessibility guidelines. He also shared a social media performance analysis of the Board’s Facebook page with the Committee.

Mr. Shapiro **MOTIONED** for the meeting to adjourn at 11:00 a.m. The **MOTION** was **SECONDED** and **APPROVED**.

[For the full details, see the AOT Committee meeting minutes for September 13, 2017.](https://www.vaboard.org/boardmeetings.htm)

**PRESENTATION:** Ms. Deanna Parker, DBHDS provided a presentation to the Board on implementation of the DD Waivers redesign, including eligibility, who is being served, the waiting list, new services that are available—with a focus on community engagement and shared living, as well as accomplishments and challenges.

**AGENCY REPORTS:**

Agenda representatives who were present provided oral reports. Ms. Lawyer reminded the Board members that they were provided written reports by email. Those are incorporated into the minutes below

**Department for Aging and Rehabilitative Services (DARS).** (Written report)

**Order of Selection—Voc Rehab**

Due to insufficient funds to serve all eligible consumers, Category II, for consumers who are severely disabled (SD), will be closed effective close of business on August 31, 2017. New applicants who are found eligible as SD will be placed in delayed status and on the waiting list for services.

**Brain Injury Update**

The Virginia Brain Injury Council and the Department for Aging and Rehabilitative Services held another successful *Brain Injury Report Out Day* (BIROD) on Friday, July 28, 2017 at the University of Richmond, Jepson Alumni Center. The theme of this year’s *Brain Injury Report Out Day*, a biennial event, was “*Hidden Injury*,” focusing on mild brain injuries/concussions and the difficulties, both for professionals and individual survivors, that these so-called mild injuries can present. Approximately 100 participants attended the event, which was well-represented by state agencies, private providers, state-funded providers, survivors, family members/caregivers, and other interested professionals and citizens. Evaluation feedback from participants was extremely positive, and the vast majority noted the opportunity to provide input into Virginia’s State Action Plan for Brain Injury Services as a highlight of the day!

John Corrigan, Ph.D. of Ohio State University and Gregory O’Shanick, M.D. of Center for Neurorehabilitation Services presented on the challenges of determining the prevalence of brain injury among the general population, and of working with medical professionals to properly screen / diagnose individuals (copies of PPT presentations are attached). A brief “first person experience” luncheon keynote was delivered by Raighne “Renny” Delaney, a Northern Virginia lawyer who sustained multiple concussions; Renny also serves on the Commonwealth Neurotrauma Initiative Trust Fund. Mr. Delaney spoke about the many challenges he faced following multiple concussions, including the frustration of dealing with uninformed and sometimes-unresponsive insurance companies and doctors.

Two awards were presented during the working lunch. The Virginia Brain Injury Council presented its *Brain Injury Champion Award* to Delegate Chris Peace for his efforts on behalf of Virginians with brain injury; Del. Peace said a few words to attendees after accepting the award. Commissioner Rothrock also presented his *Toggle Award* (via speaker phone!) to Karen Brown, recently retired executive director of Brain Injury Services, Inc. in Springfield (Karen was recognized for the work that BIS INC has done over the years to serve veterans in the Northern Virginia area). The highlight of the day was the afternoon work session on the Virginia’s State Action Plan for Brain Injury Services. Cynthia O’Donoghue, Ph.D. and Cara Meixner, Ph.D. of James Madison University facilitated small working group sessions during which attendees were tasked with providing input into DARS’ state plan to address the ongoing needs of people with acquired brain injury. Information gathered during this session will become part of the final Virginia State Plan for Brain Injury Services which should be completed in late Fall, 2017. All in all, this was an informative, enjoyable, productive *Brain Injury Report out Day*, and DARS looks forward to sponsoring the next one in 2019!

**WWRC Increases Emphasis on Credentials**

The Wilson Workforce and Rehabilitation Center’s Education and Workforce Support Services (EWSS) department plays an important role in consumers achieving workforce credentials. On a daily basis, EWSS instructors demonstrate a unique instructional ability to assess consumer’s knowledge, skills, and abilities to develop individualized instructional interventions that promote success. WWRC provides an array of workforce credentials, such as Certified Nursing Aide (CNA) through the Virginia Board of Nursing, OSHA 10, VDOT Flagger, Career Readiness Certificate (CRC), Manufacturing Technician Level 1 (MT1), Manufacturing Specialist (MS), Customer Service, A + (CompTIA), and ServSafe. Further exploration for the implementation of more workforce credentials, such as Computer Numeric Control (CNC), is being pursued. The goal is to have an industry recognized workforce credential in every vocational training program for 2018.

Over the past three years, WWRC has helped meet the State of Virginia’s Executive Order 23 goal of over 50,000 workforce credentials awarded to the citizens of the Commonwealth. Guidance on the implementation of these credentials has been provided by our occupational Advisory Committees, Council on Occupational Education (COE), Department of Labor, and the Department for Aging and Rehabilitation Services (DARS) Business Development Manager (BDM) team. This team approach has led to the development of and obtainment of credentials to help prepare consumers for jobs.

**Virginia Department of Medical Assistance Services (DMAS), Ann Bevan, agency representative:**

**HCBS Final Rule:** DMAS and DBHDS are continuing our work together to implement the Home and Community Based Settings regulation in our public DD system. Agency staff recently attended the National HCBS Conference in Washington DC where CMS continued to provider more guidance on their expectations for the implementation of this rule. An extension was given to states to come into compliance with the rules for current settings however, new ones must be in compliance immediately.

**DOJ Settlement:** DMAS continues to collaborate with DBHDS in implementing terms of the DOJ Settlement Agreement. The 10th report from the independent reviewer was just released this past August and focused on the following areas: Case Management; Integrated Day Activities, Supported Employment, DBHDS Licensing and Investigations, Independent Housing, Quality/Provider Training, Crisis Services for Children and Adults, Regional Support Teams, Mortality Review, and an Individual Services Review study of individuals with complex medical and behavioral needs.

**Waiver Operations:** Final regulations for waiver redesign are now being reviewed by the Attorney-General’s office. Stakeholder input received on initial drafts of the regulations but a public comment period will also commence upon completion of the review with the OAG. All content has been drafted for a new unified provider manual for all three DD waivers and is currently being compiled into a first draft. There were three services for the redesigned waiver that were delayed from last FY (Community Guide, Non-Medical Transportation and Benefits Planning). Drafts of regulatory components to these services have been draft and continue to be reviewed and refined by DMAS and DBHDS. Once completed and current amendment submissions are approved, these services will be submitted for review to CMS.

**EPSDT:** Changes have been made to EPSDT services and processes during the last quarter consistent with federal direction and our CMS amendment submissions. Individuals <21 are eligible for EPSDT services and must receive those supports and services under ESPDT before waiver services are utilized. Those on the DDWs will follow the same processes for authorization through their CSB until October 31st. Beginning November 1st, all authorizations for services in EPSDT that duplicate DDWs will be approved utilizing DMAS processes and forms related to EPSDT. The original implementation for this was July 1 but DMAS recognized some issues and barriers that would delay care to individuals with the help of the stakeholder community. DMAS chose to delay the implementation until November to allow the community to prepare for the changes.

**Electronic Visit Verification (EVV):** CMS has mandated the use of EVV beginning in 2019. DMAS has begun discussions with EVV vendors and is developing talking points, gather from other states on best practices in use of these systems, mandatory vs voluntary us, agency and/or consumer directed use. Information will be made available as the project proceeds. One clear message from other states is that the roll out of these systems takes significant time and that consumer directed is a more challenging roll out in that autonomy is critical and times are often directed by the consumer.

**Slots:** The most recent conference budget has made some changes to the number of waiver slots. The budget reduced CL slots from 415 to 180 in 2017. The budget increased FIS slots from 25 to 344 in 2017. DMAS is currently drafting the slot amendments to CMS to reflect these changes. There continue to be emergency reserve slots (as available) which may be created across the waivers for individuals with disabilities for emergencies, individuals transferring between waivers and individuals transitioning from an ICF or state nursing facility to the community.

**CCC+:** CCC Plus is being phased in across 6 regions of the Commonwealth. It was launched in the Tidewater region on August 1, 2017. This month CCC+ launches in the Central region followed by Charlottesville in October, Roanoke Alleghany & Southwest in November and Northern & Winchester region in December. CCC Plus will be fully implemented and will operate statewide by January 1, 2018. CCC Plus includes Medicaid members who:

* Receive Medicare benefits and full Medicaid benefits (dual eligible), including members enrolled in Commonwealth Coordinated Care (CCC).
* Receive Medicaid long term services and supports (LTSS) in a facility or through one of the home and community-based (HCBS) waivers
* Excluded are the Community Living, the Family and Individual Support, and Building Independence waivers, known as the Developmental Disabilities (DD) waivers, will enroll for their non-waiver services only.
* At this time, their DD waiver services will continue to be covered through Medicaid fee-for-service.
* Are eligible in the Aged, Blind, and Disabled (ABD) Medicaid coverage groups, including ABD individuals currently enrolled in the Medallion 3.0 program.

The launch of CCC+ also has had an impact on the EDCD waiver. The EDCD and Technology Assisted Waiver have been combined into the new CCC+ waiver. The CCC+ waiver will offer all the services previously offered on the EDCD and Tech waivers, but now in one waiver managed by the MCO’s through the CCC+ program.

For more information you can visit [this website](https://www.cccplusva.com) or the DMAS website and click the “CCC Plus” link on the far right

**Department of Behavioral Health and Developmental Services (DBHDS)** (written report)

| **Waiver Type** | **# of Individuals** |
| --- | --- |
| Community Living (CL) | 11332 |
| Family and Individual Supports (FIS) | 1419 |
| Building Independence (BI) | 248 |
| **Total** | **12999** |
| Priority 1 | 3211 |
| Priority 2 | 4997 |
| Priority 3 | 3818 |
| **Combined Waiting List (Total)** | **12026** |

**Training Center Census (9/11/2017)**

**CVTC 138**

**SEVTC 72**

**SWVTC 67**

**Total 277**

**DBHDS Independent Housing Outcomes Summary as of August 30, 2017**

* Baseline # of People in \*Target Population Living in their own home 343
* Number of People in \*Target Population Living in their \*own home 341
* **TOTAL # of People in \*Target Population Living in their \*own home 684**
* # of Rental Assistance Resources Set-Aside for the \*Target Population 513
* # of individuals in \*Application/Voucher Intake/Housing Search Process 54

**DD Waivers Update**

* FY2018 FIS and CL slots were approved; WSAC’s are now scheduling meetings to distribute slots
* DBHDS and DMAS preparing a report to the GA on 3 services:
* In late June, rate methodology updates were included for the following waiver services: services facilitation, crisis services, individual and family/caregiver training, and personal emergency response systems.

**Provider Self-Assessment for HCBS Setting Regulation Final Rule**

Providers of Group Home, Sponsored Residential, Supported Living and Group Day Support are required to complete a mandatory self-assessment of each of their sites to assess compliance with the settings regulation final rule. The portal in which providers will be submitting information is expected to go live this week.

**\*Settlement Agreement Population**: (1) individuals currently residing at any of the Commonwealth’s training centers, (2) individuals who meet the criteria for the Developmental Disability Waivers (includes individuals who currently have BI, FIS or CL waivers), or (3) individuals who currently reside in a nursing home or ICF-IDD. **Own Home**- Non-provider owned or operated housing that is leased or owned by an individual in the target population. **Rental Assistance Set-aside**- This is rental assistance made available for individuals in the target population. **Application/Voucher Intake/Housing Search Process**- Individuals in the target population have been referred to a PHA and are completing a program application and submitting required documentation; 2) the individual has submitted an application and associated documents that are under review by the PHA determine program eligibility; 3) the individual has received rental assistance and is actively looking for housing.

**IFSP:** The FY2018 Individual and Family Support Program (IFSP) opened on August 17, 2018. This year all applications must be completed using the on-line application system. **Paper copies of the application will not be accepted.** Applications will be received beginning **October 3rd**. The deadline to submit applications is **November 7th.** **Please visit** [**https://ifsponline.dbhds.virginia.gov/**](https://ifsponline.dbhds.virginia.gov/) **to review and complete the application.** Regarding outstanding receipts and persons not on the DD Waiver Wait List: If all receipts from previous IFSP funding periods are not received when individuals submit their FY2018 application, they will receive a denial e-mail. Each year during the application process, all are informed that they need to turn in receipts for all IFSP funds that they receive. Multiple notices have gone out this summer and fall to all persons with outstanding receipts to get them in the IFSP office. All Denial e-mails will include information on how to appeal a decision. If persons are not on the DD Wait List when they submit their application, they will receive an e-mail to contact IFSP staff who will assist in reviewing their case. Final determination will be done on a case-by-case situation

Statewide Trainings: Erika Jones Haskins, IFSP Program, has established trainings on the new application throughout the state in Sept, and concluding on Oct 2nd. Erika also has created a [step-by-step instruction Audio recording, coinciding with the User Guide, that will be placed on the website](https://drive.google.com/open?id=0B6jhF97mrpHtaDlTN1hQdkdyX1k).

Payment: Payment this year will be made via a bank debit card. Instructions on how to use it will be included in Approval E-mail. Payments will follow the Approval e-mail within a one-to-two month period.

* [FY 2018 IFSP Frequently Asked Questions](http://www.dbhds.virginia.gov/library/developmental%20services/ifsp/interim%20materials%20for%20fy18/questions%20and%20answers-final-revised.pdf)
* [FY 2018 IFSP Application Quick Tips](http://www.dbhds.virginia.gov/library/developmental%20services/ifsp/interim%20materials%20for%20fy18/quick%20tips%20for%20the%20fy2018%20ifsp%20funding%20application-final-revised.pdf)
* [FY 2018 IFSP Individual and Family Support Program Guidelines](http://www.dbhds.virginia.gov/library/developmental%20services/ifsp/interim%20materials%20for%20fy18/updated%20guidelines%20for%20the%20ifsp%20august-final.pdf)
* [IFSP Web Application User Guide](http://www.dbhds.virginia.gov/library/developmental%20services/ifsp/new%20application%20materials%20for%20fy18/dds_ifsp_userguide_v2_8_12_17.pdf)

**Virginia Department for the Deaf and Hard of Hearing (VDDHH) (**Written report)

**Staff/Recruitment** – In the Agency updates provided at the last meeting, I shared the challenges we were having with filling two positions. I am pleased to report that both, the TAP specialist (handling equipment distribution) and the Community Specialist (responsible for training and promoting awareness) positions have been filled. Both individuals bring a wealth of knowledge and experience to their respective position, and are scheduled to begin in September.

**REMINDER Open House** – We hope that you can join us as we celebrate our 45th Anniversary and Deaf Awareness Week, VDDHH will be hosting an Open House on the afternoon of Friday, September 29th, 4PM to 7PM, and the morning of Saturday, September 30th, 10AM to 1PM. We will have historical information available as we acknowledge those individuals in the community who appealed to legislators and were instrumental in establishing the Agency through an act of the General Assembly in 1972.

**Communications Access at the General Assembly** – VDDHH staff have held meetings with staff of the House and Senate Clerks to discuss communications access as a result of challenges that occurred during the 2017 General Assembly session. During a more recent meeting, VDDHH’s Interpreter Services Programs (ISP) Manager presented a draft document which provides recommendations for addressing requests from constituents for sign language interpreter services. VDDHH will submit a final draft by September 8th for the Clerks’ review. Once finalized, the document will be shared with all members of the General Assembly and will be featured in the new legislator training after the election. In addition, the Clerks’ staff has agreed to meet with a small group of Deaf constituents to gain firsthand information about the challenges they have faced in accessing the General Assembly and individual members. Finally, the ISP Manager will be contacting the Assistant Attorney to the US Department of Justice Civil Rights Enforcement Coordinator for the Eastern District of Virginia, to discuss the possibility of developing a webinar to be shared with all members.

**Virginia Department of Education (VDOE), John Eisenberg, agency representative**

**Statewide IEP System** – The new statewide IEP system should go live in our test divisions in early October. 20 local divisions including state operated programs, VSDB, and DJJ will be participating. 6 of the selected 20 pilot divisions have never had an electronic IEP system.

**State Personnel Development Grant** – The Office of Special Education and Student Services competed and won a national grant competition with the US Department of Education to expand our efforts around the Virginia Tiered Systems of Support (VTSS). The grant is for $1.5 million dollars each year for five years. This grant will help expand our training and technical assistance to implement positive behavior interventions, mental health supports, academic supports and social/emotional supports for students in targeted school divisions. VDOE currently is in 40 school divisions doing coaching and intensive support to implement VTSS with fidelity.

**Restraint and Seclusion Update**: Restraint and Seclusion draft regulations are still going through the executive review process. VDOE received comments back from the Office of the Attorney General. Staff will be responding back to those comments and working to get the draft onto to the next phase of the executive level review process.

**VBPD Grant**: Staff met with the leadership at VBPD to provide a draft of the resource document on critical decision points in the special education process. VDOE will make necessary changes based on the feedback and begin finalizing the documents. Training materials and events will be developed after the document is complete.

**Board of Education**: The Board of Education voted to adopt its Every Student Succeeds Act (ESSA) plan and begin the submission process to the US Department of Education. The plan will be formally submitted to USDOE in September after the Governors review.

**Department for the Blind and Vision Impaired (DBVI) (written report)**

The Rehabilitation Services Administration of the US Department of Education continues to be in a state of transition as it tries to fulfill its mission without an appointed Commissioner. Deputy Commissioner of RSA, Dr. Ed Anthony who was serving as acting RSA Commissioner, retired on June 30, 2018. Carol Dobak assumed responsibilities as acting Commissioner and acting Deputy Commissioner on July 1. Ms. Dobak is Director of the State Monitoring and Program Improvement Division of RSA.

RSA has been more active during the last several months in terms of engagement with vocational rehabilitation agencies. Onsite visits to state agencies have occurred recently for the purposes of monitoring and providing technical assistance. Questions are being raised as a result of these visits regarding what the agencies perceive to be different interpretations of policy. We expect to receive more information clarifying RSA policy positions. In addition, RSA is reaching out to agencies to offer technical assistance. This Department has been contacted with offers of assistance regarding implementation of federal requirements associated with employment of persons with disabilities in jobs paying sub-minimum wages, use of the 15% reserve for pre-employment transition services, and the agency’s ability to comply with the new data collection requirements. We anticipate monitoring of Virginia’s vocational rehabilitation agencies in federal fiscal year 2018.

The Department, with input from the State Rehabilitation Council for the Blind, has drafted comments to submit to the Regulatory Reform Task Force of the US Department of Education pursuant to Presidential Executive Order (EO) 13777. The Comments drafted by DBVI address regulations related to pre-employment transition services; the regulatory definition of competitive integrated employment; burdensome data collection and reporting requirements; the requirement that administrative purchases above $5,000 be approved in advance; and sub-regulatory guidance regarding membership on the State Rehabilitation Council.

The Department of Aging and Rehabilitative Services (DARS) and DBVI have partnered to manage a Career Pathways for Individuals with Disabilities grant for the past two years. This demonstration grant funded by the Rehabilitation Services Administration is intended to engage persons with disabilities in the career pathways that are created under WIOA. In conjunction with DARS, we have undertaken projects in advanced manufacturing and information technology in fiscal years 2016 and 2017. This includes our recently concluded Virginia Robotics and Cyber Security Academy. As the word spreads about this successful collaboration, we are being asked to present information at national and statewide conferences. Participation of DBVI personnel is being sought for a Career Technology Education conference in California and the fall conference of the National Council of State Agencies for the Blind. **Presentations in the Commonwealth include the upcoming higher education conference and the Collaborations Conference.**

The Virginia Rehabilitation Center for the Blind and Vision Impaired (VRCBVI) has resumed its regular programming after a successful summer of serving high school students and older individuals who are blind. The Center provided a five week transition program designed to give students from across the Commonwealth training in independent living skills, work experiences and greater self-confidence. We were pleased that 18 local businesses joined DBVI in this program. Governor McAuliffe participated in the graduation celebration. A college preparatory program was conducted simultaneously for rising high school juniors and seniors. This STEM-H program was held in cooperation with VCU Medical Center. The summer programming concluded with a retreat for persons over age 55 who are blind and a significant other. In this one week program seniors receive exposure to skill building activities in several areas including independent living, mobility, communications, and low vision services. Companions are training in techniques to allow them to provide appropriate and effective assistance.

DBVI, as are all federally funded vocational rehabilitation agencies, is required to set aside 15% of its federal grant for provision of pre-employment services to students with disabilities. This results in a significant reduction in funds available for traditional VR services. Due to this and other factors, the Department has decided to greatly limit the filling of positions funded through the vocational rehabilitation grant. Only positions deemed critical to services to consumers will be filled. Other actions may be initiated to manage VR resources.

**Legislative Updates**

The proposals for legislation from executive branch agencies were due in August. DBVI is seeking legislation to remove obsolete language from the Code of Virginia regarding operation of Virginia Industries for the Blind. A decision to limit legislative proposals from DBVI was made based largely on the guidelines and priorities set forth by the Governor’s office and the pending transition in Administration.

**Disability Law Center of Virginia (DLCV), Melissa Gibson (agency representative):**

The disAbility Law Center of Virginia will complete fiscal year 2017 on September 29th. Administrative and advocacy staff will complete projects, catch up on paperwork, and prepare for the Federal reporting season. Unit managers met with staff to discuss advocacy goals for the upcoming fiscal year, reviewing outcomes of 2017 work and incorporating feedback from the Public Input Survey. The Board is meeting to finalize Strategic Goals and Focus Areas for fiscal year 2018, which will be published on dLCV.org after October 1st.

**Volunteer Program:** dLCV continues to develop its volunteer program. On August 14th, dLCV hosted a volunteer recognition picnic to thank our dedicated volunteers for their hard work and commitment to supporting dLCV and people with disabilities. If you or someone you know is interested in volunteering, they can visit [dLCV.org](https://l.facebook.com/l.php?u=http%3A%2F%2Fbit.ly%2F2wX76tV&h=ATNV8ZwZgFUtRNvX7fQPIbyLfaj7Qd5mFAmy7PF1zs3DTw6Kl092zGj3xcjPZQUWGLcuevGlY8orHlz10AMDxvlARhFX4Dglae_8DS8TeI7a1ANlhr6YGhhrDqAruuH4ywxC58qY2BlLuk9xtnWm01mpNJj6rtDmyar3lSOEYn5bfC-ylC9e4L3HCg7HSQ612OKKo57e5UarvbOF1nyCCn7ZefKznThz1j_9z6_-A7i2CVNO0ntaIl4Xmpk_RNU8eAXEXAOkIhs1FdWzIQryFmRR6qU4Na4iBs0Akg) to learn more.

**dLCV is hiring:**

**Director of External Relations.** The disAbility Law Center of Virginia (dLCV) is currently seeking a qualified individual to lead the organization’s resource development and community relations efforts. [**Click here to view the job description.**](http://dlcv.org/wp-content/uploads/2012/11/Director-of-External-Relations.pdf)

**Disability Rights Advocate II.** The disAbility Law Center of Virginia (dLCV) is seeking an experienced candidate for the position of Disability Rights Advocate II. [**Click here to view the job description.**](http://dlcv.org/wp-content/uploads/2012/11/Disability-Rights-Advocate-II-position.pdf)

**Technology Services Contract.** dLCV is also soliciting proposals from qualified professional technology vendors for a full range of Information Technology (“IT”) support services managed over a three 3-year period. [**Click here to view the proposal.**](http://dlcv.org/wp-content/uploads/2017/08/dLCV-Information-Technology-RFP.pdf)

**Upcoming Events**

**BREW COUP! An Evening Benefitting Two Richmond Non Profits.** through its participation in Synapse, Richmond businesses and musicians are hosting an event to support the disAbility Law Center of Virginia and the Richmond Justice Initiative, a non-profit organization with a mission to “educate, equip and mobilize communities with the tools needed to be a force in the global movement to end human trafficking.” Come enjoy a special Synapse inspired brew in collaboration with Three Notch'd Brewery, meet staff and local businesspeople, and support dLCV! For up to date information on events, please follow us on [Facebook](https://www.facebook.com/disAbilityLawVA/?pnref=lhc)!

**OTHER BUSINESS:** There was none.

**ADJOURNMENT:** Board Chair, Mary McAdam, adjourned the meeting at 3:30 pm.