

**Maine Division for the Blind and Visually Impaired  
State Rehabilitation Council Meeting  
Wednesday, October 30, 2013  
Samoset Resort  
10:15 - 1:15**

**Present:** John McMahon, DBVI Director; Mark Sinclair, NEBAA; Nancy Moulton, Catholic Charities, Chris Boynton, Maine State Library; Walter Woitasek, Deaf-blind Rep; Cindy Bernstein, DOE; Carrie Brooker, DBVI; Scott Murray, Admin Assistant; Michelle Mason, Maine Healthcare System (Formerly Togus); Jim Phipps, Iris Network Director; Kelly Osborn, Wabanaki VR; Sue Fairfield, Maine Parent Federation; Brad Strauss, Chair/AlphaOne, Kathy Despres, C.A.R.E.S/CAP Advocate, Cheryl Peabody, ACB Maine; Lynn Merrill, PTGDU, Jana Tremblay

**Absent:** Jenn Fry, Aetna; Daniel Knight, Goodwill

**1. Call to Order:** Meeting called to order at 10:19, and was led by Brad Strause. Scott Murray took the minutes.

**2. Old Business:** Walter moved to approve August meeting minutes. Kathy seconded. No discussion. Vote: All in favor. Motion carried unanimously.

Discussion ensued about multiple minutes to approve and Mark moved to accept all of them, Walter seconded. Discussion: Nancy had one minor correction for April minutes (she was present for second half of meeting but not accounted for). Lynn proposed separate motion for each remaining document.

- April Minutes: No discussion. Vote taken (without motion): All in favor.
- June Minutes: Mark moved to accept. Kathy seconded. No discussion. Vote: All in favor. Motion carried unanimously.
- Emergency Meeting (Aug 5) Minutes: Mark moved to accept. Kelly seconded. No discussion. Vote: All in favor. Motion carried unanimously.

**3. New Business:** Agenda distributed prior evening to allow time for additions from Steering Committee. Elections given top priority.

**4. Elections --** Slate not necessary, done "from the floor."

*a. Chair:* Kelly moved to nominate Brad to continue as Chair and Mark seconded. Brad accepted the nomination (and clarified that there are only three officers, Chair, Vice Chair and Treasurer.) Vote taken; all in favor of Brad continuing as Chair.

*b. Vice Chair:* Brad then conducted remaining nominations. Mark nominated Jim Phipps as Vice Chair. Chris seconded. Jim willing, but reminded group that he terms off (second term) in December of 2014, so better to have someone who could then move up to role of Chair when Brad terms out. Steering committee couldn't identify appropriate candidate during prior day's meeting, but Kelly willing to serve. Mark then nominated Kelly for vice-chair and Chris seconded. Jim then declined his nomination.

Brad then moved that nominations be closed. Lynn seconded. No discussion, all in favor.

Vote taken for Kelly as Vice Chair. All in favor.

*c. Treasurer:* Mark nominated Lynn to continue as Treasurer. Kathy seconded. Lynn accepted nomination. Brad moved that nominations be closed. Walter seconded. No discussion; Vote taken, all in favor.

Vote taken to have Lynn continue as treasurer. All in favor.

**5. Employment First Maine.** Has a seat open for someone from the SRC, Brad already tapped as Alpha One rep, has appointed Kelly as SRC-DBVI rep. Kelly has agreed and will update the group on proceedings. SRC needs to have a representative on Five Councils, typically the chair. Jim moved that council appoint Kathy D as Five-Council Rep. Mark seconded. Vote taken, all in favor.

**6. Steering Committee:** SRC meeting schedule then discussed. Every third Wednesday of even-numbered months. Kathy already assembled schedule. Next year's conference date also set, last Tuesday/Wednesday in October, 28-29. Will send to Scott to forward on.

Need rep from Workforce Investment Board on SRC. Kathy will recruit. Kathy wants name change for State Planning committee. Mark moved to create new State Plan/Comprehensive Statewide Needs Assessment Committee. Nancy seconded. Discussion: Lynn advised checking bylaws, nothing found. Committee roster reviewed: Kathy (Chair), Cindy, Brad, Kelly (Brenda D will join as liaison with central office) Vote taken: all in favor.

**7. Work Plan Committee:** Need to create committee ASAP. Kelly just did it for SILC and suggests further discussion of tasks ahead, Executive Committee should draft initial work plan; SRC Steering Committee will do that at November meeting under Kelly's guidance and present to SRC in December.

Kathy recommend that the chairs get their information to Steering Committee to plug into work plan.

**8. Residential Training Center Grant Update:** Jim/John updated on history of project. Grant allows a nonprofit that already has a facility to put up a 20% local match to get 80% federal dollars to renovate existing facility as a vocational training center. Grant has a cap equal to the appraised fair-market value of the existing facility. At August meeting DBVI adopted the policy required by RSA; DBVI and Iris together developed a lot of background, renovation plan, building appraised at \$1M raised over \$200,000 local match, RSA approval seemed certain. But in mid-August, one day before deadline, DOL came up with questions. so process delayed for one more year. RSA had ample reallocation money ready, hopefully will be there next year. DOL questions focused more on programming than on facility, and whether development of facility will impose higher operating costs to DBVI in the future. Goal of project is to reduce costs by providing services to clients in groups which is more cost-effective than 1:1 itinerant model. We expect to finish answering DOL by early January.

Jim then thanked John and group for responding so promptly to last minute needs. Brad concerned that \$200K pledge could be at risk, but donors are being reassured about delay. There is expense associated with the delay, will need to do new appraisal (at cost of \$4K).

Kathy raised question about why DOL waited so long to ask questions. Maybe they thought we were still gathering info when we thought we were done. Jim added that Carolyn Lockwood needs to have data for Governor to justify project. Unclear whether they want 5 or 15 years of past data, we are shooting for 10. Not clear why they couldn't give approval contingent on subsequent submission of data, but in any event we need to show we're going to save money for the next 20 years. Brad steered discussion to "review, analyze and advise" and suggested we add language that we strongly support this.

Jim wants resolution by early 2014, John agrees February at the latest, so there aren't any "11th-hour" issues again. Need oversight by others who support the project and possibly engage SRC; vital first step is ensuring SRC's familiarity with details of what is being asked. Jim suggested distribution to SRC of information sent to RSA, for discussion at December SRC meeting, with the goal of answering all questions from the commissioner's office by February. John clarified that at that point it's Deputy Commissioner Richard Freund is person to invite; he questions how project will affect future cost of service delivery. Too many factors to consider to get clear answer, but we can use statistical models; i.e., in ten years there will be 40,000 Mainers newly dealing with vision loss that all need to be rehabilitated. Current service delivery is 1,000 people a year. If we stay with itinerant model, our budget would have to go to \$6M annually. Costs will still increase with group-service model, but won't quadruple. We know what all the national demographics are telling us the need is going to be.

Lack of communication is reminiscent of LD765 process. Question raised about how to manage this better; not a new issue. RSA not in favor of our

organizational structure; they don't recognize VRS Director; regs tell them to communicate with DSU Director. Previous DBVI director said the same thing.

Suggestions made for how SRC can contribute to process, such as approach BRS Director. John advises that at the moment SRC isn't needed to jump in, need to make sure SRC understands whether it's worth their support and then figure out where to advocate. John will send out materials that went to RSA to Scott to distribute to group.

**9. Legislative Committee:** Jim reported on discussion about BEP Resolve, Governor wants a provision in the supplemental budget that says basically what section BBB said last winter which led to the working group, and it seems recommendations will be ignored in favor of charging utilities to Cross Café. SRC needs to prepare to decide on how to respond and if we need to take a position on the matter. Issue focuses on the Cross Café, and could have broad applicability to blind vendors. Brad clarified implications of Section 1418 Part K. Perception exists that blind operators have unfair advantage, but that's the law. Administration is seeking to change the law at a state level, but it's a federal issue. Federal Randolph Sheppard Act cited, but only covers federal property, most states also adopt similar statute so it can apply to state property. Basic idea is that blind vendors shall be given right of first refusal, but preference not guaranteed. Private sector operators don't pay rent, utilities, equipment/repair, so why single out one blind operator? Kathy proposes SRC response as human rights issue; John cited Assistant Attorney General as going on record saying this is indefensible, but Administration probably knows it's safe from litigation by BEP.

BEP Work Group Report due to Appropriations by 12/1; supplemental budget should be known by that time, SRC could take a position at that time that proposed legislation is discriminatory. Jim/John will monitor new legislation and inform SRC Legislative Committee.

**10. Director's Report:** Went out to group via email. RSA back on line, but no grant info yet, expecting a pretty good-sized hit. John will update group when numbers available. Busy time of year: annual blindness professional conference in New Hampshire in November, two staff going to that.

**11. Treasurer's Report:** No updates from Lynn. John reported we receipt of year-end reconciliation from Syntiro, under-spent in a number of areas. 2014 budget and contract has been approved and signed.

**12. 121 Grant:** Nothing to add beyond yesterday's 121 Grant presentation to the group. Just started one-year extension; still comparing final numbers. In November Kelly and Betsy H attending Native American VR Consortia.

**13. Membership and Orientation:** Committee met in October, will be meeting four times a year from now on if group approves. SRC participation no longer

required. Kathy was also at that meeting, only CAP person, tried to find out where it came about that SRC had to have a CSPD rep. Kathy says it is in the Act, but we are the only state in New England that does. John supports it as another way DBVI gets input about staff training to meet most highly qualified status, prefer to have SRC involved from the beginning. Sue F happy to do it but term ends in another year, so will start search for replacement.

**14. CAP Report:** Not much news for October, focused on shutdown plan and retroactive pay issues. Hit with sequester, 5% down, hoping it goes away. Right now working on annual report; will bring to group when finished. Comment section will include writing about DBVI.

**15. Access and Technology:** Jim reported, met yesterday. Web site development needs to speed up. Helpful suggestions from Kelly about other states to look at as models. Getting ready to request vendor quotes, will report results at December SRC meeting with goal of hiring a vendor and having website up and running early in 2014.

BEP supplemental budget inconsistencies also discussed, work group's recommendation. Should have more information by December.

Committee is now called "Technology and Braille." Brad will change on agenda. Nancy mentioned Braille Summit she and Chris attended, focused on Universal English Braille (UEB) rollout. Chris added NLS's focus groups and much discussion about refreshable Braille technology, and future of print Braille.

Nancy gave update on Smarter Balanced assessment pilot and accessibility concerns; i.e., some students took assessment using unfamiliar equipment, Vermont wrote detailed report, concerns go beyond just equipment, we need to be proactive and making sure test is truly accessible and students are well prepared. Current MECAP has inconsistencies as well, testing experience needs to be standardized. Brad offered SRC support, possibly to facilitate discussion, Smarter Balanced rollout planned for next year.

Lynn commented on her own recent experience with how often it falls to the student to self-advocate (cited compatibility issues with JAWS and MS-Office 2013) MaineCITE suggested for assistance as they are UMA-based, Kathy Powers is Executive Director.

**16. Steering Committee:** Met today, reassessed function, create agendas, help organize and direct the work of the council.

**17. Legislative Committee:** Legislative breakfast being planned, goal is to inform Appropriations/Labor Committees on services for the blind, i.e., "DBVI and blindness services 101." Not budgeted yet, but it could come under "Training" line item. Plans roughed out, needs further discussion in December.

Alternative venues and times suggested, event needs to be interesting/convenient/attractive; Michelle will get more info from Labor Committee. Operator of Cross Café mentioned as possible caterer, State Museum is one possible venue.

**18. Membership:** Kathy reported startling insights: members appointed in 2008 expire next year. Brad in Seat 1; Sue Fairfield, Seat 2, also 2008. Kathy appointed in 2009 but for indefinite term. One vacant seat for VR counselor. Carrie appointed in 2012. Nancy appointed in June 2012 for CRP Seat. Jim Phipps appointed in December 2008, Chris Boynton also 2008, CRP Seat. 2 business/labor seats vacant. Jenn Fry -- business/industry seat, appointed May 2012. Mark Sinclair --December 2008, Michelle Mason Disability Advocacy Seat, appointed May 2012. Lynn, 2012, also advocacy. Cheryl-- Disability Advocacy Seat May 2012. We have another Advocacy Group Seat vacant. Person who is blind with other disability, Walter Woitasek appointed in June 2013. Two vacancies for Former DBVI Client. Kelly appointed in June 2012 and fills 121 Grant Seat. State Education Agency is Cindy, appointed December 2012. Missing State Workforce Development seat, e-mailed Mel this morning about it. Patty Sarchi has been invited for December meeting, was a member before. Summary of currently empty seats: current and former client, another advocacy group seat, and Business/industry and labor seat and that's it. However, this time next 5 people terming off, so recruitment should start now. Kathy is contact person for prospective members.

Lynn asked about her appointment date, which is officially May or June of 2012, even though she has been here much longer--previous administration never acted on applications.

New people also need mentors, need to prepare them now, as being a mentor requires going through training series, (Kelly, Mark, and Nancy have completed it) available online at CASE center, books available, too. Membership committee needs to discuss before going forward.

John then reminded group of blindness requirement and that three of the five people terming off are blind. Mark suggested Alex Hall (gave Apple presentation during conference (documented separately)) Brad mentioned Floyd White; John will call him. Mark has prospect he will contact. Also need business-owners.

Kathy curious about actual accessibility of online training series, seeking feedback from blind members about that. Kathy will send list of vacant seats and copy of protocol.

Clarification about amount of time to be eligible again for seat, may just be 24 hours--not best practice but it might be necessary. Need to look at Rehab Act. Kelly?

**18. Consumer Satisfaction Committee:** (Kelly) Cheryl shared ACB meeting input; top item is that DBVI services need to be more visible; still a lot of people out there who qualify for services but don't access them. Need to make sure DBVI is linked through other websites, not easy to get to on Maine.gov.

Before December will review survey from John, make suggestions/revisions, tie information gathering to committee duties, linking with other events to get feedback, set up forums of our own, link with others throughout the state. Develop new survey, link with other agencies, look at CSNA, how can we help with that.

**19. Training committee:** (Carrie) Didn't meet because work done for now. Will send evaluations electronically, please send feedback about what worked and what didn't. And thank you for the suggestion that we identified dates for next year.

Committee has been talking about connection and getting us educated so we're best informed to go perform our functions. So if there are small in-service trainings, if you would really like a specific, short targeted training, that is something the training committee can work towards, or at a different day and time than a regular SRC meeting. If there are training needs that would assist committees or full SRC move forward with other goals let Carrie know.

**20. Bylaws Committee:** No report.

**21. Miscellaneous:** State Plan Committee, rename reviewed, State Plan Comprehensive Statewide Needs Assessment Committee. Lots to read up on (current state plan; 130-page document Kelly found, etc.). Will get together with Brenda at central office and report back on 3 idea "nuggets" to help with state plan.

Public comments: Kathy asked about how meetings are publicized. Although Web site has information, we are supposed to advertise as well. Scott will take care of public notice (also does this for DVR SRC). Will work with Walter (NewsLine), and Community Connections newsletter that Iris puts out, get info for posting from Kathy. Jim will also make sure Amber (Community Connections Coordinator) is informed.

**22. Adjournment:** Brand entertained motion to adjourn, with thanks for everyone's work. Mark moved to adjourn, seconded by Walter. All in favor. Meeting adjourned at 1:04 PM.