

Approved 2019.05.02

Minutes – March 7, 2019

SRC Policy and Procedures Committee

SRC Policy and Procedure Committee. Thursday, March 7, 2019 from 10:00 am until 12:00 pm. Waterbury State Complex, Room Cherry C, HC 2 South, 280 State Drive, Waterbury, VT 05671.
Meeting called by: Sherrie Brunelle, Chair, called the meeting to order at 10:15 am.
Members Present: Jessica Brennan (nonvoting DA employee attending via Skype), Sherrie Brunelle, Maria Burt (nonvoting DA employee attending via Skype), Marlena Hughes.
Members Absent: Courtney Blasius.
SRC Liaison: James Smith, DVR Budget and Policy Manager.
SRC Coordinator: Debra Kobus.
Interpreters: n/a.
Speakers/Presenters: n/a.
Guests: Amanda Kohle.
1) Introductions (Sherrie Brunelle).
Discussion: Those in attendance went around the table and introduced themselves.
Conclusions: Thanks to everyone!
Action Items, Person Responsible, Deadline:
None.
2) Approval of Agenda (Sherrie Brunelle).
Discussion: Sherrie asked if there were any proposed changes or additions to the agenda. There were none. Marlena moved to approve the agenda as proposed and it was seconded. There was no further discussion. Motion approved. Vote 2-0-0.
Conclusions:

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Today’s agenda accepted.
Action Items. Person Responsible, Deadline:
None.
3) Open for Public Comment (Sherrie Brunelle).
Discussion: There was no public comment.
Conclusions: n/a.
Action Items, Person Responsible, Deadline:
None.
4) Approval of Minutes – January 3, 2019 (Sherrie Brunelle).
Discussion. Sherrie asked if there were any proposed changes to the minutes. There were technical changes proposed by Sherrie. Marlena moved to approve the minutes with the changes requested, and it was seconded. No further discussion. Motion approved 2-0-0.
Conclusions January 3, 2019 minutes approved as amended.
Action Items, Person Responsible, Deadline:
Upload approved minutes to SRC website, Debra Kobus, 3/12/19.
5) Update on Status of Public Hearing/Comment on Chapter 209 Casework Practices Under WIOA (James Smith) .
Discussion: James reported that a formal public hearing was held on January 24, 2019. James said that a chunk of time has been spent incorporating feedback from VR staff on case practices required by WIOA in order to provide more guidance on how to manage cases. The second half of the chapter provides guidance around engagement to encourage counselors to not keep cases open if there is a lack of engagement. The chapter went out for public comment and RSA found it and decided to provide some comments. We asked RSA for a phone conference to clarify what their concerns were and obtain additional feedback. The overriding issue they were concerned about is that VR services are still statutorily required to be individualized and the chapter seemed more prescriptive.

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On page two there were technical corrections. James will make corrections directly from the guidance.

On page three, the most significant feedback was on number two where we put a case example where we had someone who had three IPEs in a row working towards different credentials. They said we cannot do that. Sherrie has seen this issue come up in other states. Amanda believes their real qualm is that if a consumers wants to be an RN, first they need to have a goal to be an LNA. A position in the healthcare field would be the overarching goal. The first goal would be LNA and then the case would be amended for a goal to be RN. RSA is stating the reverse that an incremental goal would be LNA.

Sherrie would like RSA to provide an example of how this would work. If you don't close out the case, can VR still report the credential? Both James and Amanda believe they can. We will have to rework the example used. James will also send the update to RSA for feedback.

On page three, the comments provided relate to the example we provided. Rewriting the example should be done mirroring RSA's language. "This is what separates us from other training programs at DOL" is their key feedback.

On page four, number two, you don't close the case out you amend the case. Number four fix is straightforward.

On page four, numbers 6 and 7 the comments provided states that the IPE must be based on an individual's needs and not arbitrarily limits created by VR as this is not supposed to be based on VR's management of funds.

On page five there was no issue with the comments provided. A rewrite is needed. List of factors – these factors can be used but not supposed to be an exhaustive list.

On page six, number four the sentence will be deleted. Sherrie said we need to develop something different under Spending Guidelines to Support Careers. Part of the issue is the that performance measures are being used to focus a consumer to achieve higher level goals rather than individual goals.

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On **page seven, number 4** reasonableness of expenses examples are not allowed and a rewrite will be needed. On **number 7**, if a person needs more to be successful, we should provide more.

Conclusions:

Comments from public hearing that was held on January 24, 2019 were reviewed and discussed.

Action Items, Person Responsible, Deadline:

Rewrite chapter 209 based on comments received, James Smith and Amanda Kohle, May 2, 2019.

6) Chapter 204: Case Closure (Deactivation) (James Smith).

Discussion:

Sherrie shared comments regarding the proposed revisions to this chapter which is a significant expansion and clarification of the current policy and procedures. She offered recommendations for revisions including:

- Section I Definitions: Adding definitions for the terms “trial work experiences” and “clear and convincing evidence” as defined in the WIOA regulations and clarifying the definition of the term “reasonable number.”
- Section III Closure Ineligible for VR Services: The reference to “one or more trial work experiences is inconsistent with the regulations at 34 CFR 361.42 (e) which requires multiple experiences.
- Required Procedures of Closure Based on Ineligibility: This section is missing the requirement that DVR shall provide the consumer with referrals to “other programs or service providers . . . that can address the individual’s training or employment needs, consistent with 34 CFR 361.43 (d).

Sherrie and James had an extensive discussion as to whether DVR can close a case based on non-cooperation and other factors detailed in Section IV Closure Without Achievement of an Employment Outcome. It was decided that further discussion and research is required. Sherrie and James will research the issue and provide the committee with a revised draft at the committee’s May meeting. Sherrie will also provide James with further recommendations for revisions not addressed today due to the lack of time.

Conclusions:

See above.

Action Items. Person Responsible, Deadline:

Chapter 204 draft changes, Sherrie Brunelle and James Smith, May 2, 2019.

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The issue of closure letters will be brought to VR management for approval and will notify the counseling staff, James Smith and Amanda Kohle, May 2, 2019

7) Other Business (Sherrie Brunelle).

Discussion:

1) Agenda Setting for May 2, 2019.

- Introduction.
- Approval of Agenda.
- Open for Public Comment.
- Approval of Minutes.

Add:

- **Gender Identity Presentation with Rocko Gieselman. Possibly postpone to September 2019.**
- **Review Revised Draft of New Consumer Rights and Responsibilities Handout. Moved from March to MAY.**
- **Chapter 204: Case Closure (final draft May).**
- **Chapter 209: Added from March to MAY.**
- **Chapter 311: Training & Post-secondary next (first draft for minor change length of training in March; remainder fall with workgroup in summer) postponed from March and rescheduled to May.**
- **Appendix A: Spending Guidelines (Amanda to summarize Survey Monkey in May on Spending Guidelines. Note that spending guidelines are incorporated into each chapter and must also be revised too).**
 - Other Business.
 - Agenda Setting – September 5, 2019.
 - Other.
 - Adjournment.

2) Other.

None.

Conclusion:

See above.

Action Items, Person Responsible, Deadline:

Propose draft agenda to Chair & James, Debra Kobus, 4/15/19.

8) Adjournment (Sherrie Brunelle).

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<p>Discussion: Sherrie asked if there was a motion to adjourn. Marlena moved to adjourn, and it was seconded. Vote unanimous 2-0-0.</p>
<p>Action Items, Person Responsible, Deadline:</p>
<p>Draft Minutes uploaded to SRC website, Debra Kobus, 3/12/2019.</p>
<p>Draft minutes emailed to Committee Members, Debra Kobus, 3/12/2019.</p>
<p>Minutes approved by Committee, 5/2/2019.</p>
<p>Approved minutes uploaded to SRC website, Debra Kobus, 5/7/2019.</p>
<p>Parking Lot:</p>
<p>Draft Policy on Careers Initiative - Post-Secondary Training and Education after planning meetings are completed related to WIOA's new requirements. This should include discussion about:</p> <ul style="list-style-type: none">• The RSA policy directive speaks to what happens when one defaults on a loan so when we get to the Post-Secondary Education Chapter we will need to talk about that piece and make sure it is clearly reflected in our policy;• We also need to flesh out VR's policy on what VR will pay for related college expenses including College Steps. James Smith, due date tbd.
<p>A listing of when each policy in the VR P & P Manual located on the VR website was last updated by the committee was provided so the committee could begin systematically reviewing policies and procedures again from start to finish. The committee determined the following review schedule: March 2019:</p> <ul style="list-style-type: none">• Consumer Rights and Responsibilities Handout (final draft) Moved from March to MAY.• Update on request that all the VocRehab documents be reviewed for readability and accessibility Moved from March to Parking Lot.• Chapter 204: Case closure (first draft in March and final draft by May) done.• Chapter 209: Public comment results and finalize done.• Chapter 311: Training & Post-secondary next (first draft for minor change length of training in March; remainder fall with workgroup in summer) postponed rescheduled to May.• Chapter 312: Transportation (draft March) postponed in March and moved to September.

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May 2019:

- Gender Identity Presentation with Rocko Gieselman. Possibly postpone to September 2019- Amanda to follow up with Rocko.
- Review Revised Draft of New Consumer Rights and Responsibilities Handout. Moved from March to MAY.
- Chapter 204: Case Closure (final draft May)
- Chapter 209: Added from March meeting.
- Chapter 308: Self-employment next (first draft in May) Postpone to September 2019.
- Chapter 311: Training & Post-secondary next (first draft for minor change length of training in March; remainder fall with workgroup in summer) postponed from March and rescheduled to May.
- Chapter 312: Transportation next (first draft May) Postponed and moved to September.
- Appendix A: Spending Guidelines (Amanda to summarize Survey Monkey in May on Spending Guidelines. Note that spending guidelines are incorporated into each chapter and must also be revised too).

Summer 2019 (July & August):

- Chapter 308: Self Employment workgroup
- Chapter 311: Training & Post-Secondary Education workgroup

September 2019:

- Chapter 303: Maintenance (fall agenda – look at Survey Monkey first in May)
- Chapter 308: Self Employment (report out from workgroup)
- Chapter 311: Training & Post-Secondary Education (report out from workgroup)
- Chapter 312: Transportation (draft March) postponed in March and moved to September

Update on request that all the VocRehab documents be reviewed for readability and accessibility. Moved from March to Parking Lot, Amanda Kohle and others, date tbd

2019 Priorities from 10/4/2018 Retreat.

Self-employment – have already set up three or four skype meetings with Hib Doe and others related to his experience on self-employment.

Transportation – creating some clear and consistent process for making decisions using VR funds. Working with Ross MacDonald of VTrans in

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this endeavor.

Careers Initiative - Discussion of the Policy and Procedures that need to be implemented.