

Policy and Procedures Committee Meeting

Thursday November 7, 2019 from 10:00 a.m. to 12:00 p.m.

Waterbury State Office Complex

Cherry C Conference Room, HC 2 South, 280 State Drive, Waterbury, VT 05671

Meeting called by:

Sherrie Brunelle, Chair, called the meeting to order at 10:03 a.m.

Members Present:

- 1) Sherrie Brunelle
- 2) Marlana Hughes

Members Absent:

- 1) Courtney Blasius (via Skype)

SRC Liaison:

James Smith

SRC Coordinator:

Debra Kobus

Interpreters:

None

Speakers or Presenters:

- 1) Rocko Gieselman

Guests:

- 1) Kristen Carpentier (via Skype)

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 for any proposed additions or changes to the agenda. There were none. Marlana moved to accept the agenda and it was seconded. No further discussion. All approved. Vote unanimous 2-0-0.

Conclusions:

Motion passes: today's agenda modified accepted.

Action Items, Person Responsible, Deadline:

None.

3) Open for Public Comment (Sherrie Brunelle)

Discussion:

Kristen Carpentier (via Skype) was present from the public.

Conclusions:

Welcome Kristen!

Action Items, Person Responsible, Deadline:

None

4) Approval of Minutes for May 2, 2019 (Sherrie Brunelle)

Discussion:

Sherrie asked for any proposed changes or amendments to the May 2, 2019 minutes. Sherrie offered some corrections on pages 4 and 5. Marlana moved to approve the minutes as amended and it was seconded. No discussion. All approved. Vote unanimous 2-0-0.

Conclusions:

May 2, 2019 minutes were approved as amended.

Action Items, Person Responsible, Deadline:

Upload approved minutes to SRC website. **Debra Kobus**, November 12, 2019.

5) Gender Identity Presentation (Rocko Gieselman)

Discussion:

1) Rocko Gieselman presented to the committee suggestions for improving the current policy on Gender Identity. In 2007 Gov Douglas made an overarching change to the policy by adding

gender expression rather than just gender identity. It allows folks who are exploring their gender identify . This is my only suggestion. I had sent out Best Practices related to funding, however, in the State of Vermont their Non-Discrimination Policy is very good.

James asked if Rocko could provide an example of how VR Counselors should navigate gender identity. Rocko said that it is important for the counselor to establish what the consumer's experience is, what they are comfortable with, and to ask what they are looking for in a work culture. VR counselors should find out If a consumer would still be interested in working in a more conservative work culture where they would have to mold themselves somewhat in order to succeed. The Pride Center in Burlington may be able to provide information about employers that are more welcoming.

Marlena suggested sending a survey to employers asking if they would be comfortable in hiring individuals exploring their gender identity. Sherrie suggested that instead of focusing on one segment of society, but to add other minorities as well.

James doesn't think that the VR Policies encompasses Gender Identity. James asked if this is a training or policy issue. Rocko said it could be a bit of both for example gender expression is missing. For the most part, people have a handle on the sexuality piece. Training on how to assess for an appropriate workplace culture where everyone is welcoming including counseling, such as, determining what questions should be asked and what questions should not be asked.

Sherrie said that we should look at our current policies and make this adjustment. Sherrie likes the idea of providing support for counselors on how to approach this issue with consumers and employers.

Rocko said it is also very generational and each generation has different needs. Rocko did find a problem with a VR form and James asked if Rocko could email him and Alice Porter where Rocko found the problem. James said that VR has a new training coordinator coming on board next week and perhaps we could have a discussion with this person related to gender expression training and come up with a strategy.

James asked if VR does enough. Rocko said basically yes but it is sometimes inconsistent. There is nothing alarming and is

consistent with other State employers. There is room to grow, such as, a guide to email signatures such as putting your pronouns in your email signature. It is more of a fluency issue and making it a normal part of doing business. Practice and support from management and ongoing peer support is key. This is a culture shift that takes time.

Bringing this issue to VR's expanded management meeting should be considered. Rocko traveling to VR's different offices may also be very helpful to have this discussion on a more peer to peer level. At a minimum, let's have a discussion with the new training coordinator.

Conclusions:

See above.

Action Items, Person Responsible, Deadline:

- 1) Send James and Alice name of form that needs to be updated, **Rocko Gieselman**, asap.
- 2) Arrange meeting with new VR Training Coordinator and Rocko, **James Smith**, asap.

6) Appendix A: Spending Guidelines (James Smith)

Discussion:

James presented the findings from the recent Spending Guideline Survey https://src.vermont.gov/sites/src/files/doc_library/VR-Spending-Guideline-Survey-with-comments.pdf. VR periodically performs a survey of counselors and regional managers asking if VR's spending guideline needs updating.

Marlena asked if someone comes to VR thinking they have a disability but doesn't have any evidence, will VR pay for this assessment? James said that if a medical procedure is needed in order for a consumer to obtain employment, this may be an eligible expense.

Kristen was glad to see that tutoring was one of the areas that others agreed was too low. When looking at the medical piece, some seemed out of scope and would like revisiting some of this and coming up with something more general like having one budget/category. Sherrie agreed that this may be helpful in blending the services in order to provide what a consumer needs. Sherrie was surprised that most VR counselors agreed that the current spending guideline was appropriately placed.

Kristen said that she would like us to take a look at unpaid work tryouts as other partners of VR are able to offer minimum wage. Many consumers take a job because they are under crisis instead of preparing for a better position because the training stipend is so low. James said that VR is going to reach out to the Department of Labor attorney about increasing a stipend, etc., as we have to be very careful about labor laws. The stipend is an offset of expenses and not considered a wage. Unfortunately, VR does not have an internal capacity of paying a wage as we then become the employer and adds a huge liability potential. Paying for a tutor is a separate item and we can certainly increase this.

Sherrie asked how this fits into the State Plan. James said we can take advantage of the Department of Labor (DOL) programs including their apprenticeship program and will follow up. The management team will review this as a group and come back with suggestions that the P & P Committee can react to. Sherrie would like suggestions about what items could be combined. Marlena said that in her experience, having these items separate is very valuable to consumers. Sherrie said there should be a discussion about how best to handle this.

Conclusions:

See above.

Action Items, Person Responsible, Deadline:

- 1) Bring remarks about Spending Guideline Survey to the Management Team, **James Smith**, asap.

7) Chapter 308: Self Employment (James Smith and Group)

Discussion:

James sent out for everyone's review a first draft of the Self Employment Chapter. This first draft is also available online: https://src.vermont.gov/sites/src/files/doc_library/Outline-of-Self-Employment-Chapter-308.pdf.

The work group on this chapter consisted of Sherrie Brunelle, Hib Doe, Liz Harrington, and Suzanne Zambcnik. In this chapter DVR distinguishes between supplemental self-employment and self-sustaining self-employment.

The following definitions were established:

- WIOA definition of a self-employment outcome
- Vermont definition of self-employment intended to provide supplemental income
 - Must meet WIOA definition
 - Business is not expected to result in SGA level earnings
- Vermont definition of self-employment intended to provide self-supporting income
 - Must meet WIOA definition
 - Business must result in SGA level earnings or greater
 - Business must be registered with Secretary of State's Office
- Vermont definition of activities that generate earnings but cannot be considered employment
 - Activities that are highly infrequent (less than 12 revenue generating activities per year)
 - Activities that are highly seasonal (less than 12 weeks per year)
 - Activities result in net revenue of less than \$2,500 per year

If the potential goal is self-sustaining self-employment then the following assessments must be completed:

- Entrepreneurial Self-Assessment
- Pre-Screening for Business Assessment

It is also recommended that the counselor and consumer consider the following assessment activities prior to the development of the IPE:

- An informational interview with a small business owner
- Exploration of potential financing availability
- A market research analysis
- If the individual is and SSI/SSDI beneficiary a consultation with a benefits counselor

Sherrie is bothered by self-employment being the goal and thinks that a decision-making body needs to determine if the proposed self-employment business is not viable and they have to give the consumer a notice of this determination and why. James said that Diane is going to designate a committee for this purpose.

Process for Supplemental Self Employment IPE

Because a supplemental SE plan entails less risk to the consumer the IPE development process and service provision is no different than a non-SE case.

- VR process follows standard process for IPE development
- The IPE must include development of a business plan
- The IPE must include benefits counseling for SSI/SSDI beneficiaries
- DVR does not require matching funds from the DVR consumer. However, if the plan is not viable without other sources of funding the counselor can make accessing such funding a contingent on receiving VR funds
- The spending guideline is \$1,000 with the standard exceptions with supervisory approval
- DVR funds are not a grant, the IPE must identify the specific goods or services to be purchased with DVR funds.

The major change is around self-sustaining employment.

Process for Self-Sustaining Self Employment IPE: As noted, the DVR process for supporting self-sustaining employment is more rigorous because of the risks for the consumer. In all cases, the IPE will have at least one amendment. The process will be as follows:

Initial IPE:

The intent of the initial IPE will be to establish the conditions for successful completion of the self-employment plan. Required elements must include:

- The employment goal must include an earnings goal that exceeds SGA
- The development of a comprehensive business plan including:
 - o A market analysis
 - o A staffing plan
 - o A timeline including significant benchmarks
 - o An estimate of the capital needed
 - o Necessary insurance coverage
 - o State and federal requirements for proposed business (e.g. licensure,
- The identification of existing and potential sources of start-up capital and financing for the business.

In addition to the above the plan may include activities that develop the consumers skills (such as small business training) or identify other supports the consumer may need to run a successful business (such as assistive technology, financial software and business consulting). Spending guidelines for initial IPE: The counselor may authorize up to \$1,000 to support the above activities.

Kristen likes the IPE being fleshed out. She would like more detail related to a consumer that starts out with self-employment as a hobby but wants to expand it. We don't want it to be too rigid.

James said that he will send this back to the work group and hopefully after that it will be ready to come back to this committee for further review.

Conclusions:

See above.

Action Items, Person Responsible, Deadline:

- 1) Bring comments about the first draft to the work group, **James Smith**, asap.

8) Chapter 311: Training and Post-Secondary Education (James Smith and Group)

Discussion:

- 1) James realized that making a minor change in this chapter and going through a public meeting made no sense as there were other updates needed. James recommended not editing one section, going to public comment, and then doing it all over again. Currently, staff can always use an exception related to the current policies. James advises moving this chapter to the forefront. We need to discuss progressive employment, etc., and should reflect this in the policy. Marlena moved to approve James recommendation to wait on updating the chapter until the whole chapter can be looked at. All approved. Vote 2-0-0.

Conclusions:

See above.

Action Items, Person Responsible, Deadline:

None.

9) Other Business (Sherrie Brunelle)

Discussion:

1) Agenda Setting for January 2, 2020.

- Appendix A: Spending Guideline
- Chapter 303 Maintenance (contingent agenda item based on the readiness of other chapter updates)
- Chapter 311 Post-Secondary Education and Training
- Chapter 312 Transportation

Conclusions:

See above.

Action Items, Person Responsible, Deadline:

1) Present proposed agenda, **SRC Coordinator**, 12/12/19.

10) Adjournment (Sherrie Brunelle)

Discussion:

Sherrie asked if there was a motion to adjourn. Marlena moved to adjourn, and it was seconded. No further discussion. All approved. Vote unanimous 2-0-0.

Conclusions:

Motion to adjourn approved at 12:02 p.m.

Action Items, Person Responsible, Deadline:

- Draft minutes uploaded to SRC website, **Debra Kobus**, 11/12/19.
- Draft minutes emailed to Committee members, **Debra Kobus**, 11/12/19.
- Minutes approved, **Committee**, 1/2/2020.
- Approved minutes uploaded to website, **SRC Coordinator**, 1/7/2020.

Parking Lot/Items Forward:

1) 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:

- 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 to be determined.

2) 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:

- 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.

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:

- Gender Identity Presentation with Rocko Gieselman (postponed from May).
- Chapter 303: Maintenance (fall agenda – look at Survey Monkey first, postponed from 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

3) Update on request that all the Voc Rehab documents be reviewed for readability and accessibility. Moved from March to Parking Lot, Amanda Kohle and others, date to be determined.

2019 Priorities from 10/4/2018 Retreat.

- 1) **Chapter 308, Self-employment** – have already set up three or four skype meetings with Hib Doe and others related to his experience on self-employment.
- 2) **Chapter 312, Transportation** – creating some clear and consistent process for making decisions using VR funds. Working with Ross MacDonald of VTrans in this endeavor.
- 3) **Careers Initiative** - Discussion of the Policy and Procedures that need to be implemented.

2020 Priorities from 10/3/2019 Retreat.

- 1) **Chapter 313, Audiology Services and Hearing Aids.** The Hearing Aids Chapter will be reviewed again as a result of Maria Burt's recent discussion with an audiologist who wants specifics about eligibility. The State's Hearing Aid Contract will be changing as well so all these pieces should be brought together.
- 2) **Chapter 308, Self-Employment Chapter** needs updating.
- 3) **Chapter 312, Transportation** (car repairs, funding for traveling, lack of Car Coach).