

Policy and Procedures Committee Meeting

Thursday, May 2, 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 10:00 a.m.

Members Present:

- 1) Sherrie Brunelle
- 2) Maria Burt (non-voting DA employee) via Skype
- 3) Jessica Brennan (non-voting DA employee)
- 4) Marlena Hughes

Members Absent:

- 1) Courtney Blasius

SRC Liaison:

James Smith

SRC Coordinator:

Debra Kobus

Interpreters:

None

Speakers or Presenters:

Guests:

Helena Kehne

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. James asked that Chapter 311 be removed. The minor change to this chapter will be circulated and voted via email. Marlena moved to accept the agenda as modified 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:

Helena Kehne was present from the public.

Conclusions:

Welcome again Helena!

Action Items, Person Responsible, Deadline:

None

4) Approval of Minutes for March 7, 2019 (Sherrie Brunelle)

Discussion:

Sherrie asked for any proposed changes or amendments to the March 7, 2019 minutes. There were none. Marlena moved to approve the minutes and it was seconded. No discussion. All approved. Vote unanimous 2-0-0.

Conclusions:

March 7, 2019 minutes were approved.

Action Items, Person Responsible, Deadline:

Upload approved minutes to SRC website. **Debra Kobus**, May 7, 2019.

5) New Consumer Rights and Responsibilities Handout (Sherrie Brunelle and Group)

Discussion:

- 1) Sherrie presented the 2/22/19 revised draft and read the changes out loud. Everyone agreed that the changes were appropriate. Sherrie asked for motion to approve the revised handout. Marlana so moved and it was seconded. No discussion. All approved. Vote unanimous 2.0.

Conclusions:

Revised Consumer Rights and Responsibilities Handout approved.

Action Items, Person Responsible, Deadline:

The revised Consumer Rights and Responsibilities Handout will be forwarded to Diane Dalmasse for decisions on dissemination; **James Smith**; 6/1/19.

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

Discussion:

1) Review revised draft based on discussions from March 7, 2019.

Background: It became apparent to the Client Assistance Program (CAP) that notices of case closures and related information including the handout on appeals were not compliant with VR's current policy and procedures around appeals and were not compliant with the Federal Regulations. After a meeting with James Smith, Diane Dalmasse, Amanda Kohle and Donna Curtin it was determined that this chapter could be improved. James wanted specific provisions changed within the chapter and rather than having individual VR counselors write their own letters based upon a particular circumstance that specific templates be developed for the counselors to use.

At the March 7 meeting, Sherrie and James had an extensive discussion as to whether DVR could 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 was required.

Sherrie along with Jane, her counterpart at Vermont Legal Aid, worked on revising the chapter and developing letter templates. Both Sherrie and James worked on changes to the chapter separately. Sherrie reviewed James' changes and did not see much difference in the two drafts except some reorganization.

Sherrie did add a piece on determining ineligibility based upon not being able to gain any benefit from services.

Marlena asked for some clarification be provided on how to document a disability, i.e. verification of a disability. James thought it was a good idea and will provide some additional language to that effect.

James went over the changes with the group.

- Under Section I. Definitions: A definition about multiple trial work experiences was added in order to provide documentation that someone is too disabled to benefit from VR services. Fortunately, this does not come up a lot because VR assumes people tend to want to work. The definition of clear and convincing evidence was added. Definition of a reasonable number of attempts was added including the type and number of attempts taking into consideration a person's disability.
- Under Section II. Closure Without Eligibility Determination was fleshed out for those that did not continue to pursue an eligibility determination.
- Under Section III. Closure Ineligible for VR Services was laid out with all the potential reasons. The hardest was determining if someone was too severely disabled to benefit from DRV services. A referral will be provided as well as other resources that may be available to them. A step by step procedure was added for VR counselors to close a case. Case studies were also added to provide guidance.
- Under Section IV. Closure Without Achievement of an Employment Goal After Eligibility Determination with all the reasons a VR counselor might close a case was listed. James asked for Marlena's opinion related to an individual in an institution. Marlena thought it was very fair for VR to close a case if a person enters an institutionalized facility for six months or more. If less than six months, the DRV counselor may put the case in a suspense status until the consumer is available to engage in services. Failure to cooperate is a controversial one. Examples of noncooperation were defined.
- Under Section V: Closure with the Achievement of an Employment Outcome was defined with a listing of requirements that are needed to be met.

- Under Section VI: Providing Required Notice for Closure was defined. A DVR case cannot be closed without providing the required notice to the individual.
- All the letters needed to close the case were laid out.

James went around to each member of the committee asking for additional clarifications or changes. As a note to the VR counselors, reasons for closures will be added to Aware's drop down list.

Sherrie asked if VR counselors should have an opportunity to review the letters and comment? Jessie said she could see both sides. If we have too many hands in the pot, it can be overwhelming. However, some counselors have not been happy with some of the language in the past and wanted to make some changes. Marie agreed but since some aspect has already been rolled out, additional guidance would be beneficial to determine the type of letter to use.

Last known address will be an issue for those in an institution. Marlana said that those that are incarcerated still get their mail, but it gets filtered by their case worker. James asked Marlana to obtain guidance from Corrections on how VR should proceed here.

2) Update on closure letters brought to VR management for approval and notification of the counseling staff.

The letters are still in draft form. Sherrie provided revised letters that are consistent with the one in Chapter 105, Notice of Appeal of Decision. We want to make sure they are aware of the appeals process so it has been incorporated into each letter. James doesn't see a difference between the short letter with the appeals information attached or making the letter very long with the appeals information. Sherrie said that all letters must be consistent and have the appropriate information. Ultimately it is VRs decision on the format to use. Sherrie suggested that the three options of an appeal should be listed in this shortened version.

In the ineligibility letter, it seems logical to provide information about one stop services. James said that these letters should be individualized based upon the need.

VR needs to fix the current letter that is in Aware.

Conclusions:

See above.

Action Items, Person Responsible, Deadline:

- 1) Obtain guidance from Corrections on how VR should proceed with sending mail to those that are incarcerated, **Marlena Hughes**, forward as soon as possible.
- 2) Send proposed changes to James on Chapter 204, **Sherrie Brunelle**, forward by email as soon as possible.
- 3) The committee will vote on the revised Chapter 204 by email, **James Smith**, 6/1/19.

7) Chapter 209: Casework Practices Under WIOA (James Smith and Amanda Kohle)

Discussion:

- 1) Review revisions made to the chapter based upon the public comments received from the public hearing that was held on January 24, 2019. The revised document will be distributed to the committee by email by James. The chapter was already approved by the committee, so no further approval is required.

Conclusions:

See above.

Action Items, Person Responsible, Deadline:

Revised Chapter 209 will be distributed to the committee by email, **James Smith**, 6/1/19.

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

Discussion:

- 1) First draft for minor change in length of training. Minor change will be voted on by email. James will send out the draft to the committee.

Conclusions:

See above.

Action Items, Person Responsible, Deadline:

Revised Chapter 311 with minor change will be sent out to the committee for a vote via email, **James Smith**, 6/1/19.

9) Other Business (Sherrie Brunelle)

Discussion:

- 1) Agenda Setting for September 5, 2019:
 - Gender Identity Presentation with Rocko Gieselman (postponed from May).
 - Appendix A: Spending Guidelines (Amanda Kohle to summarize Survey Monkey in May (postponed) on Spending Guidelines. Note that spending guidelines are incorporated into each chapter and must also be revised too).
 - 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

- 2) Other:

Summer 2019 (July & August):

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

Conclusions:

See above.

Action Items, Person Responsible, Deadline:

- 1) Appendix A: Spending Guidelines, Amanda **Kohle** to summarize Survey Monkey in May (**postponed**) on Spending Guidelines. Note that spending guidelines are incorporated into each chapter and must also be revised too, 9/5/19.
- 2) Present proposed agenda, **Debra Kobus**, 8/12/19.

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 12:00 p.m.

Action Items, Person Responsible, Deadline:

- Draft minutes uploaded to SRC website, **Debra Kobus**, 5/7/19.
- Draft minutes emailed to Committee members, **Debra Kobus**, 5/7/19.
- Minutes approved, **Committee**, 9/5/19.
- Approved minutes uploaded to website, **Debra Kobus**, 9/10/19.

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) Self-employment – have already set up three or four skype meetings with Hib Doe and others related to his experience on self-employment.
- 2) 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.