

**BOARD OF VOCATIONAL REHABILITATION**  
**September 22-23, 2016**  
**Ramkota Inn, Pierre, SD**

**New Member Orientation for Board of Vocational Rehabilitation (BVR)**  
**and Board of Service to the Blind and Visually Impaired (B/SBVI)**

Thursday, September 22, 2016

New Member Orientation was held the afternoon of September 22<sup>nd</sup> for members of the BVR and B/SBVI. BVR members included Beth Schiltz, Cole Uecker, Peter Bullene, Thore Jenshus, Lisa Sanderson, Patty Kuglitsch (Chairperson) and Eric Weiss (Division Director). B/SBVI members: Cheri Knispel, Tana Buresch, Connie Sullivan, Eric Rippentrop (Chairperson), and Gaye Mattke (Division Director). Others present included: Bernie Grimme (DRS staff), Ronda Williams (SBVI staff), Becky Blume (DRS/SBVI staff) and Colette Wagoner (Board staff). The interpreter was Julie Paluch.

Topics covered: On-line training modules - History of Rehabilitation and Role of the State Rehabilitation Council (SRC). These modules were created in 2004 so further information was provided regarding the Rehabilitation Act, reauthorization and Workforce Innovation and Opportunity Act. It was noted that reauthorization of the Rehabilitation Act in 2014 resulted in a number of changes for the vocational rehabilitation program: larger role for vocational rehabilitation in transition from school to adult life, efforts to limit the use of sub-minimum wage, definitions added for customized employment and competitive employment, and enhanced roles with the workforce system in meeting the needs of people with disabilities. And for Independent Living, the creation of a new Independent Living Administration (ILA) within the Department of Health and Human Services under the Administration for Community Living (Independent Living was under Rehabilitation Services Administration). It was noted that some regulations have been published, and other parts are coming.

A PowerPoint was presented on "What is Vocational Rehabilitation?" (see attached) noting the two vocational rehabilitation agencies in South Dakota. One agency serves individuals who are blind or visually impaired and the other agency serves those with other disabilities (individuals with physical and/or mental disabilities). VR services assist eligible individuals to obtain/maintain employment

and are time limited; VR is not an entitlement program. Other items addressed included: career counseling, assessments, and informed choice. The Individualized Plan for Employment was addressed which outlines the individuals vocational goal and necessary services to be provided to reach the goal. Some services require meeting financial need, comparable benefits, and assisting with other costs (transportation, clothing, relocation, and self-employment). Additional information was provided on job analysis/development, job coaching, and placement services. Other areas highlighted included supported employment, rehabilitation technology, benefit specialists, and skills training. VR counselors play a key role in working with high school students with disabilities (those on IEP's or on a 504 plan) in transition planning; and with students with disabilities in post-secondary education. Maps of South Dakota were noted identifying the district offices and territories served by both DRS and SBVI VR counselors as well as the SBVI rehabilitation teachers.

The next PowerPoint "Board Orientation" (see attached) provided an overview of the Department of Human Services, including Divisions of Rehabilitation Services, Service to the Blind and Visually Impaired, Developmental Disabilities and the Developmental Center (in Redfield). Information included the role and responsibilities (functions) of the boards.

At this time the two boards separated. Items reviewed with the SBVI Board members included: contents of the manual and travel reimbursement for meetings attended. Board staff makes the necessary arrangements for meeting rooms, sleeping rooms and other items for all meetings.

A meet and greet was held in the evening for members of both boards to allow time to become better acquainted. Patty Kuglitsch (BVR Chairperson) and Eric Rippentrop (BSBVI Chairperson) welcomed everyone present and had each person interview someone from the other board and introduce them to the full group.

Friday, September 23, 2016

**Joint Meeting of the Board of Vocational Rehabilitation (BVR) and Board of Service to the Blind and Visually Impaired (BSBVI)**

BVR members present: Eric Weiss, Cole Uecker, Beth Schiltz, Jolleen Laverdure, Lisa Sanderson, Darla McGuire, Kim Hoberg, Joe Vetch, Colleen Moran, Chad Maxon, Patty Kuglitsch, Thore Jenshus, and Peter Bullene.

BSBVI members present: Alan Vandenburg, Connie Sullivan, Gaye Mattke, Koni Sims, Catherine Greseth, Eric Rippentrop, Tana Buresch, Patrick Czerny, Kay Miller, Cheri Knispel, and Marcia Hultman.

Others present: Bernie Grimme, Jennifer Geuther, Ronda Williams, Becky Blume, Cindy Ryan, Bill McEntaffer, Colette Wagoner,

Eric Weiss started with a "thank you" to all for traveling to Pierre and attending this meeting. He turned it over to the chairs; Patty Kuglitsch (BVR Chairperson) and Eric Rippentrop and they welcomed everyone to the joint meeting. They went around the room and had everyone introduce themselves, asking them to identify which board they served on and where they were from. The Chairpersons turned the meeting over to Eric to continue.

Rehabilitation Act and Regulations: Eric provided a background on the Rehabilitation Act, dating back to World War I and how it evolved over the years, being reauthorized a number of times. Changes took place over the years resulting in expansion of services, and providing services to all people with significant disabilities (physical and mental). Reauthorization should take place every five years, with the most recent change taking place July 22, 2014, which was when the Workforce Innovation and Opportunity Act (WIOA) was signed into law, which amended the Rehabilitation Act of 1973. Yesterday's new member orientation highlighted general information of what vocational rehabilitation is and today's information would be about WIOA, specifically Title IV which is the Rehabilitation Act. Highlights of the changes include: increasing services to youth with disabilities, emphasis on employer engagement, emphasis on competitive employment, promoting collaboration and efficiency, and promoting training and technical assistance. Changes were implemented to make VR a more seamless

delivery system for individuals served. Changes also brought forward definitions for specific services. A few examples were discussed below.

*“Competitive integrated employment, for an individual with a significant disability, that is based on an individualized determination of the strengths, needs, and interests of the individual with a significant disability, designed to meet the specific abilities of the individual with a significant disability and the business needs of the employer, and carried out through flexible strategies.”*

It was explained that this is a discovery process, an exchange between the VR counselor and individual with a disability, utilizing creative techniques to meet the person’s capabilities, while considering the employer/business needs.

Implementing these changes calls for changes in policies and procedures, training for staff and providers, and changes in the computerized case management system e.g., adding service categories. It was added that more conversation is needed, as well as more thorough assessments to meet the needs of individuals with intellectual/developmental disabilities.

Since the definition of ‘employment outcome’ was changed, uncompensated outcomes were eliminated, to include homemakers and unpaid family workers. In the area of supported employment, employment in sheltered workshops and enclaves and other group employment settings, will not constitute an integrated setting. The Divisions are drafting guidance, a program guide, regarding the revised definition of competitive integrated employment. The program guide was not ready to be presented at this meeting; however it will be shared with the boards soon. The BVR’s Consumer Services Committee will receive it as draft, as this is the committee which reviews and provides feedback to the full BVR for consideration. Bernie spoke of a worksheet that will be utilized for VR counselors to help evaluate and determine the integration of competitive employment. WIOA and changes within the Unified State Plan call for a description of how the Divisions will work with employers to identify competitive integrated employment and career exploration opportunities, including pre-employment transition services and transition services for youth and students with disabilities.

Pre-Employment Transition Services: WIOA – Focus on Youth and Students with Disabilities (see attached PowerPoint). Gaye reviewed key components of changes regarding youth and students with disabilities. Youth with Disability: is not younger than 14 years of age; and is not older than 24 years of age. Student

with a disability: who is on an IEP with includes a transition plan or on a 504 Plan; and student in secondary or post-secondary school until age 21 by July 1st. The following chart is helpful in determining Section 511 requirements by age group:

Student	Youth	Adult
<ul style="list-style-type: none"> <li>• Cannot do subminimum wage activities.</li> <li>• Need to offer/provide pre-employment transition services. This must be documented.</li> <li>• If subminimum wage may happen after completion of school then student must be referred to VR before completing school</li> </ul>	<p>Before the youth can work at subminimum wage.</p> <ul style="list-style-type: none"> <li>• Must have been referred to VR.</li> <li>• Need to offer/provide Pre-employment Transition Services. This must be documented.</li> <li>• Employer must maintain documentation.</li> </ul> <p>Would require initial and following reviews similar to adult.</p>	<ul style="list-style-type: none"> <li>• Can work at subminimum wage.</li> <li>• Would require initial review within 6 months, again before 12 months and then annually.</li> <li>• Employer must maintain documentation.</li> </ul>

She explained what Pre-employment Transition Services included, e.g., job exploration, work based learning, post secondary education counseling, includes Project Skills, Project SEARCH, Augie Access and self-determination training. Any state allotment for a fiscal year must direct 15% for the provision of pre-employment transition services for youth with disabilities (per state not by agency, which totals \$1.5 million in South Dakota). Again, these services must be developed in coordination utilizing an integrated resource team developed at the local level. This is requiring VR to develop time studies for VR Counselors and other staff who provide pre employment transition services.

Supported Employment: Bernie addressed "Supported Employment". He explained that there is a separate funding allotment designed to serve individuals with the most significant disabilities who need on-going supports to maintain employment. Individuals are typically served through a Community Support Provider or Mental Health Center. Previously VR could place individuals in sheltered workshops as an employment outcome. Recent regulations now indicate that half of the SE funds have to be used for youth with disabilities along with a 10% match requirement. Other changes: allowable administrative costs reduced from 5% to 2.5%; services were extended from 18 months to 24 months; services for youth can be up to 48 months and the case must remain

open, and the term 'short term basis' employment added (less than minimum wage in an integrated setting cannot last more than 6 months).

Section 511 – Sheltered Workshop & Sub-minimal Wage: The intent of the Section 511 law is to afford youth with disabilities full opportunity to prepare for, obtain, maintain, advance in, or re-enter competitive employment. There are also new requirements for employers who hold special wage certificates. School districts can no longer enter into a contract or make other arrangements for students with a disability to work at subminimal wage. Youth cannot start work in subminimal wage until certain conditions are met. If a youth is already working in subminimal wage prior to July 21, 2016; if never accessed VR, they should apply for VR services; be provided career counseling and information and referral to other public programs that allow the experience of competitive, integrated employment and receive pre-employment transition services. There are different requirements for youth and adults. VR has been and is currently preparing for changes. Trainings have been held with providers, data exchange, forms developed to track pre-employment transition services, etc. A survey was conducted to learn how many individuals were paid subminimal wage (SFY 2015) and how many individuals total over the age of 25 in same category. A similar survey was conducted for youth: under the age of 25; under 25 and VR clients, and under 25 funded by the school. Data collected from employers estimates that the number of individuals working subminimal wage positions is around 1,000 individuals (over half of these individuals were VR clients). If anyone has additional questions, they can be in touch with Bernie.

VR Integration into Workforce System & Business Relations: At this point, Bill McEntaffer, Department of Labor and Regulation was invited to share comments about the integration of DOLR and VR. Bill spoke to the purpose of WIOA which was to eliminate duplication of services. It was to provide a one door concept – where all partners would know where the job seeker should go or with who to start with. He brought up the four titles of WIOA 1) Adult, Dislocated Worker and Youth; 2) Adult Education and Literacy 3) Wagner-Peyser Act (employment services) and 4) Vocational Rehabilitation. WIOA increases coordination of the core program partners; establishes common performance measures; strengthens alignment between adult education, post secondary education and employers; and supports education/career advancement of incarcerated individuals. He spoke about other partners which include Job Corps, HUD, SNAP, TANF, Native American programs and career/technical programs. Partners are meeting on a quarterly

basis to learn from one another. He spoke about the participant led “Integrated Resource Team” – which is designed by what interests of the participant. This will result in blended funding for the participant. He talked about a pilot program in Brookings at the HyVee grocery store, which offered work experience opportunities to individuals with disabilities. They had to interview with the employer, and once offered the position, DOLR provides the salary and VR provides the job coaching. If this is successful they will look at expanding this with other employers in different parts of the state.

Cindy Ryan, Senior VR Counselor, was invited to share a client’s story and the work of the partners. She spoke about the monthly meetings she attends which involve DOLR, HUD and Western Resources for Independent Living. She shared a story of a young women who was working at the Department of Human Services. This involved the Right Turn (Career Learning Center), DOLR, VR, and teacher. The client is learning valuable work experience and gaining self confidence. Through the Integrated Resource Teams, VR staff are participating in employer tours, traveling, learning from employers what their needs are. It was mentioned that DOLR took the lead with hosting the partnership meetings around the state and the partners learning more about one another. A question was asked about where does someone refer an individual to, where to start? The response was where ever the participant is comfortable, e.g., VR, DOLR. There is a workgroup looking at a “Common Intake” form to be utilized and signed by the participant.

Data Collection and Performance Measures: Jennifer Guether, DRS Program Specialist was introduced. She reviewed data collection and performance measures using a powerpoint (see attached “Data Collection & Performance Measures”). She noted VR Faces, the computer case management system utilized by both divisions. She noted the difference between the current RSA-911 information collected was 215 data elements and due to regulation changes this will increase 177 additional data elements. Data from these reports will be utilized to calculate performance measures. WIOA brought forth changes increasing the number of performance measures to six, and the data elements will be collected from the core partners and aligned across programs. The reporting year is now July 1 through June 30; and definitions were added for “reportable individual” and “participant” and exit (date of closure). She reviewed the six performance measures. The new “employer indicator” has three prongs: employer retention, employer penetration and repeat business customer. She invited questions at the end, and there were none at this time.

Next Steps: Eric spoke to items being in the drafting phase which will be shared with the boards seeking feedback. Training will continue with staff and providers across the state. Gaye noted the volume of lecture this morning and apologized. There was a need to provide a foundation for WIOA and the changes for the VR system. The competitive/integrated employment program guide was mentioned and the need to obtain provider feedback. The program guide needs to be practical and understandable before finalizing. Patty stated the information shared was very good, a bit overwhelming, and thanked everyone involved for sharing it.

Break for Lunch

Boards separated into their respective meetings.