

**Statewide Independent Living Council  
(SILC) MINUTES  
December 3, 2014  
AmericInn, Ft. Pierre**

**MEMBERS PRESENT:** Margot Burton, Monte Tschetter, Matt Cain, Clarke Christianson, Gillian Plenty Chief, Dave Scherer, Craig Eschenbaum, Steve Stewart, David Miller, Sarah Rush, Bernie Grimme, Sandy Neyhart, Vona Johnson and Tammy Kabris. **MEMBERS ABSENT:** Isabel Trobaugh, Kathleen McOwen and Shelly Schock. **OTHERS PRESENT:** Eric Weiss, DRS; Gaye Mattke, DSBVI; Ronda Williams, DRS; Shelly Pfaff, SILC Staff; Julie Paluch and Rachel Hatle, Interpreters; and Rich Eschenbaum, interested observer.

**OPENING ACTIONS:** WELCOME & INTRODUCTIONS – Margot, Chairperson, called the meeting to order at 8:35, welcomed everyone and invited all in attendance to introduce themselves. MEETING PROTOCOL – Margot referred to the meeting protocol and reminded all to follow it throughout the meeting. APPROVAL OF AGENDA – Margot confirmed members had copies and called for changes or additions. Hearing none, **MOTION TO APPROVE THE AGENDA AS PRINTED – MADE (M), SECONDED (S) AND CARRIED (C).** APPROVAL OF MINUTES – After confirming everyone received and reviewed a copy of the August minutes; Margot called for changes/additions; hearing none, **MOTION TO APPROVE THE AUGUST 2014 MINUTES – MSC.** Margot then called for action relating to the November 2014 Executive Committee minutes, **MOTION TO APPROVE NOVEMBER 2014 EXECUTIVE COMMITTEE MINUTES AS PRINTED – MSC.**

**PUBLIC COMMENT:** Margot called for any public comments. Hearing none, she turned to Ronda Williams, DRS Staff, to begin the DRS Report.

**DIVISION OF REHABILITATION SERVICES (DRS) REPORT:** QUARTERLY RAMP REPORT – Ronda presented this report (sent out prior to the meeting). She reviewed the number of ramps installed and needing to be installed. CONSUMER SATISFACTION SURVEY REPORT – Bernie reviewed this information (sent out earlier). He highlighted the timeframe for the data, and he shared that when the DSU completes CIL reviews, they review samples of consumer satisfaction surveys to ensure reported data matches the surveys. HOME MODIFICATIONS AND ASSISTIVE DEVICES PROGRAM – Ronda handed out a

report on approved and reimbursed expenditures made in this program (see attached). She also explained that the process for this program now is one where requests for modifications/devices are submitted, reviewed and acted upon. If approved, the CIL makes the necessary purchases of devices/services and delivers them to the individual. Then the CILs submit a request for reimbursement to the State. This approach enables them to get the needed devices/services to people on a timely manner rather than waiting until the end of the year to see if funding is available and putting people on waiting lists. A total of \$75,000 is set aside for the program, and the funds used in support of this program are Social Security Reimbursement funds and State General funds.

**704 REPORT** – Ronda provided an overview of the report and the process the DSU, blind agency and SILC staff take to complete it. Ronda, Sandy and Shelly jointly work to write the report, and it is reviewed and signed by the directors of DRS, DSBVI and the SILC Chairperson. Shelly shared that one portion of the report identifies SILC training and technical assistance needs. This relates to the recent survey SILC members were asked to complete. She shared the top ten topics from the results. Ronda offered to compile information from the 704 report, once the report has been submitted, similar to what she did last year. Consensus was that this would be a good tool for the SILC, as it plans for the future of IL services in SD.

**IL MANUAL UPDATE** – Ronda and Bernie reported that this document is being updated. It is long overdue, and DRS has entered into an agreement with ILC to assist in completing the revision. Once completed, it will be available via the web so anyone can access it, and ongoing revisions will be much easier to complete and circulate.

**IL SERVICES REPORT** – Bernie provided an overview of this report (sent out prior to the meeting). A question was asked about what happens if a CIL does not earn all of its contracted funds in a year e.g., NAAP earned 82% of their funds in the last year. Bernie explained that there is a two-year window in which those funds can be expended, so they are available to the larger program and utilized where appropriate prior to new funds being expended.

**CIL QUARTERLY REPORTS** – Bernie explained the process for the development, receipt and review of these reports. A question was asked about how much advocacy services are being provided to persons who are deaf or hard of hearing by the three CILs? Staff was not able to provide this information at this time, but agreed to provide it at a later meeting.

**CONTRACT REVIEW OF CILS** – Bernie reported that all of the reviews had been completed, as well as a follow-up review of NAAP based upon the 6 month agreement that DRS entered into with the program based on a corrective action plan established at the conclusion of the initial review. Bernie reviewed the six areas which were identified as needing corrective action – consumer satisfaction surveys,

accessibility, service to individuals on the Cheyenne River and Standing Rock reservations, provision of HMAD services, case file documentation and provision/billing for information and referral services. Progress has been made in addressing all of these areas and DRS has entered into another six-month agreement with NAAP. DRS will continue to monitor the program closely and keep the SILC updated on the situation as it pertains to the provision of services to eligible individuals on the Native American reservations in South Dakota. BVR REPORT – Bernie shared that they met in September in Pierre and two major topics were reauthorization of the Rehabilitation Act through the passage of the Workforce Innovation and Opportunity Act (WIOA) and a presentation on the Aspire Project. The Board’s next meeting is scheduled for December 15<sup>th</sup> and 16<sup>th</sup> in Rapid City. Part of this meeting will be an opportunity to meet with staff from Tribal VR programs and DRS who will be holding a meeting at the same location at that time. Margot thanked Ronda and Bernie for their reports.

**DIVISION OF SERVICE TO THE BLIND AND VISUALLY IMPAIRED**

**(SBVI) REPORT:** Sandy Neyhart provided this report on behalf of the division. CONSUMER SATISFACTION DATA – Sandy handed out the report (see attached) and reviewed the process used in completing this data gathering. She also highlighted a few of the survey components and their results e.g., “I am more confident because of the services I received from Service to the Blind and Visually Impaired”; “Without Independent Living Services, I would have considered moving into a facility with a higher level of care.” Overall, the results speak very positively to the impact services had on the lives of those served during 2014. IL OLDER BLIND REPORT DATA – This report is a standing item on the SILC agenda. Sandy reported the program served 452 individuals as compared to 458 last year. Of those served, 302 were over the age of 80 and four were over the age of 100. Sandy explained that many visual impairments result from aging, or the impact they have increases with age, thus the significant numbers of persons served are older and the program is designed with this population in mind. Yet, she reported that 18 individuals served were under the age of 55 who had employment goals; and they needed skills training to assist them in their independent living skills and support them in being successful in attaining their employment goals. BOARD OF SBVI – The Board is scheduled to meet this Friday, December 5<sup>th</sup>, in Pierre. Sandy spoke about the Saturday classes being offered through staff at the Rehabilitation Center for the Blind on the use of assistive technology. This program will be re-evaluated after April to determine if and/or how it might continue. Sandy also reported on an assistive technology training program available through staff from DakotaLink.

This program provides services in a person's home; it started in October, and it is limited to five hours of training. A question was asked as to how this relates to expanded training available through the Telecommunications Assistive Devices Program, which is for people with disabilities other than deafness, hard of hearing and speech impairments. Staff indicated that she would need to defer this question to the Division Director who would be addressing the SILC later in the meeting. Margot thanked Sandy for her report.

**SILC STAFF REPORT:** Prior to starting her report, Shelly asked the SILC if there would be benefit in color coding handouts e.g., yellow for DRS, white for SILC staff; as she was recognizing that right now they have a pile of white paper in front of them. Consensus was that this would be helpful, as long as we use colors that provide good contrast. BUDGET REPORT (mailed out earlier) – Shelly reported that there had been no changes to the figures on this report as of the end of November. Hearing no questions, she moved on to the next item. REGIONAL SILC CALLS UPDATE – Shelly invited Ronda, Sandy and Bernie to add to this update, as they have participated in some of these calls. Shelly explained that recent calls have primarily focused on WIOA – the potential impact it will have on IL programs/services and the upcoming SILC Congress. In terms of WIOA, there continue to be more questions than answers and a lot of varying interpretations as to what lies ahead. MEMBERSHIP RENEWAL NOTICE – Shelly brought forward that the SILC had received a membership renewal notice from the South Dakota Coalition of Citizens with Disabilities. **MOTION TO RENEW THE SILC'S ORGANIZATIONAL MEMBERSHIP WITH THE COALITION FOR 2015 – MSC.** 2015 CIL STAFF TRAINING – Shelly explained how the SILC has annually sponsored a training event for statewide CIL staff. It has typically been a half day, full day and half day training, held in Pierre/Ft. Pierre. In recent years, the SILC has invited Tribal VR staff, as well as staff from programs such as SD Housing Development and SD Advocacy Services to participate in all or a portion of the training. A survey was completed with CIL staff, and the results were handed out (see attachment). After considerable conversation, consensus was to host the event in early May. The SILC will seek a registration fee from "others" who may attend e.g., Tribal VR staff, SD Housing Development Authority staff, SD Advocacy staff, DSS staff at a rate of \$50 for the entire training and \$25 for a portion of the training. SILC staff will work with CIL, DRS and DSBVI staff to develop the agenda, secure presenters and make needed logistical arrangements. 2015 SILC CONGRESS – Shelly had sent out information on this upcoming event. She explained that the SILC had sent representation in the past, both members and staff, but it had been quite some time since doing

so. She was recommending doing so at this time due to WIOA and the appearance that this will be a major topic both of the agenda, and she expects of side conversations during the Congress. Ronda confirmed that she is planning on attending the Congress. After consulting the budget, estimated expenses, **MOTION TO APPROVE SENDING ONE SILC MEMBER AND STAFF TO THE 2015 SILC CONGRESS – MSC.** The expectation is that the member attending will be the new SILC Chair, but if for some reason that is not possible, the motion allows flexibility for someone else to attend. Staff will work with the member to make necessary arrangements. **BYLAWS REVIEW COMMITTEE –** Shelly reported that we are aware that the SILC has not followed its bylaws in terms of holding election of officers for at least the last couple of years. Thus there is a need to revise them to reflect the SILC’s actual practice. In addition, with WIOA there may be a need to make other revisions. Volunteers were sought to work on a time-limited committee to review and make recommendations on bylaw changes. Sarah and Margot volunteered to assist Ronda and Shelly with this task. Bernie suggested the group review the RSA circular on SILC composition during this process, and Shelly thanked Bernie for this suggestion. This concluded Shelly’s report.

**WORKFORCE INNOVATION AND OPPORTUNITY ACT (WIOA) – REAUTHORIZATION OF THE REHABILITATION ACT:** Bernie and Shelly provided this overview. They worked off of a summary sheet, reviewing key changes under administration, state plan, state entity designation, SILC membership, SILC duties, authorities and limitations and other. Some questions which arose were: if SILC membership must include a representative of CIL run by American Indian tribes (if one exists), can this also be the CIL director chosen by the other CIL directors or will the SILC have two CIL directors on it; what other entities might the SILC begin coordinating with in terms of “long-term community-based services and supports”; would the SILC benefit from conducting resource development activities; would the delivery of IL services in SD benefit from the SILC conducting resource development activities; “transition” services added as a 5<sup>th</sup> core service – is it referring to transition from nursing facility to independent living or transition services for youth transitioning from high school to adulthood. A new State Plan for Independent Living will be due in July of 2016. It has been said that “draft” regulations will be out in January; history tells us it’s best to wait and see if this is accomplished on time. Bernie, Ronda and Shelly will continue to keep the SILC informed of any information they receive on WIOA. Shelly inquired if it was helpful to receive updates from the Administration on Community Living, since this is the federal agency were IL

is moving; consensus was that it is helpful. SILC members will notify staff if they feel it becomes counter-productive.

## **LUNCH**

**KAREN COMMUNITY:** Margot introduced Carmen Thies, DRS staff from Huron, to begin the presentation on the diversity of the population in Huron, and specifically on the culture of the Karen Community and how it impacts the delivery of services to this population. Carmen shared that the two largest ethnic groups in Huron are Karen speaking and Spanish speaking people. She shared how Lutheran Social Services (LSS) works with re-settlement of refugees in the community, who often come for work at local businesses such as the turkey processing plant and other similar operations. LSS provides a week of training to refugees, approximately 30 hours, and they try to cover some of the basic information these individuals will need to begin fitting into the community. There are many challenges they face due to cultural differences e.g., they are only given one name rather than a first and last name; they do not have a birthdate; they have never experienced running water or electricity, thus they do not know how to make use of these types of “everyday” aspects of daily life and often use them inappropriately; they do not have the same concept of time as we do thus what days to come to work, what times are not always understood; they rely on cash not banks or other types of monetary transactions; many do not speak English – if anyone in the family does it may only be a child; they live in extended family units and do not refer to one another by name, rather by auntie, uncle, brother, sister. Carmen shared examples of how these and other realities impact them in terms of finding and keeping employment, living independently in the community, accessing needed services e.g., school, medical. She also spoke to the cultural difference in how they view and/or value disability. Carmen provided handouts, which included information on the culture, the world they have traveled from to here, their language and much more. Then Monte provided additional insights into working with individuals from this community in his role as a financial counselor with LSS. Monte re-iterated how one day these individuals may have been living in a jungle and the next they are living in a house or apartment with things they have never seen or “used” before. Some are able to access benefits for a limited period of time, but must move towards citizenship within a set timeframe. There are those who are willing to do so and other who do not wish to pursue this path. It was also shared that refugees must pay back the cost of travel to the US, so once here they have incurred debt which they will need to work to pay off. Monte spoke to classes they hold in an

effort to support people seeking home ownership, and how related activities e.g., home maintenance, yard maintenance are usually understood for us and yet totally foreign and unknown to them. Without ongoing support from others in the community, there will be challenges for individuals moving into the community. There were questions about how or who might address some of the basic educational needs e.g., proper use of toilets, running water, taking out garbage. Even though some basic training is done, it is not enough based on the experiences property owners are having in some instances. Margot thanked Carmen and Monte for their presentation, commenting that it has been eye-opening for everyone.

**ELECTION OF OFFICERS:** At this time Margot called for the election of officers to take place. She shared that the Executive Committee was bringing forward nominations for Chair and Vice Chair, but not for Member-at-Large. Dave Miller's name was placed in nomination for Chair. Margot called for any other nominations. Upon hearing none, **MOTION THAT NOMINATIONS CEASE AND A UNANIMOUS BALLOT BE CAST FOR DAVE MILLER AS CHAIRMAN – MSC.** Next, Margot placed Monte Tschetter's name in nomination for Vice Chair. Margot called for any other nominations. Upon hearing none, **MOTION THAT NOMINATIONS CEASE AND A UNANIMOUS BALLOT BE CAST FOR MONTE TSCHETTER AS VICE CHAIRMAN – MSC.** Next, Margot asked for nominations for "Member-at-Large" indicating that this position must be filled by someone who has or is receiving IL services. Bernie asked Craig if he would be willing to have his name placed in nomination; Craig agreed to do so. Bernie placed Craig Eschenbaum's name into nomination for Member-at-Large. Margot called for any other nominations. Upon hearing none, **MOTION THAT NOMINATIONS CEASE AND A UNANIMOUS BALLOT BE CAST FOR CRAIG ESCHENBAUM AS MEMBER-AT-LARGE – MSC.** Margot thanked Dave, Monte and Craig for their willingness to serve. At this time, she passed the gavel to Dave so she could leave the meeting and head home.

**WORKGROUP UPDATES:** Dave took the lead on this topic, working off the handout listing the various workgroups and activities assigned to each. The AT Workgroup circulated a "draft" findings report, and they asked that SILC members provide staff with any comments on this report by January 1<sup>st</sup> so the workgroup can consider them and finalize the report prior to the next SILC meeting.

**DRS DIRECTOR'S COMMENTS:** Eric Weiss joined the meeting at this time. His comments primarily focused on changes to the Telecommunications Assistive Devices (TAD) Program. Outreach will be done by DakotaLink, DRS and DSBVI staff and program vendors. Eric explained that new technology e.g., iPads, iPhones will be made available to eligible individuals when determined to be the most appropriate device to assist them in accessing telecommunication services. Teltext is the company that has been awarded the contract to provide the equipment already loaded with the appropriate applications, shipping of devices and some management of the program. They will be doing training on December 18<sup>th</sup> in Pierre, and all TAD vendors will be participating in that training. January 5<sup>th</sup> is the start date for these new services, and significant outreach efforts will be conducted through the Department of Human Services' Communication Director making use of social media, press releases, and other typical outreach modes. Financial need is now in place for the TAD program for devices that cost over \$250, and has been set at 300% of the federal poverty level. A team comprised of staff from DRS and DSBVI will make determinations on eligibility. A question was raised if training would be provided in the use of this technology and related aps, or if training would be made available to people who already have the devices but need training on use of the aps? Limited training hours will be available in both cases. It is not anticipated that the program will pay for the aps for someone who has the technology but not the appropriate aps. The same financial eligibility guidelines and training opportunities exist within the Telecommunications Equipment Distribution Program for people who are deaf, hard of hearing or have speech impairments seeking to access telecommunications services. A question was asked if the hearing aid assistance program had the same financial eligibility standard as these programs; the hearing aid program uses 400% of the federal poverty guidelines. Eric expressed that these programs are about access to telecommunication services.

**DSBVI DIRECTOR'S COMMENTS:** Gaye Mattke joined the meeting at this time, and she primarily addressed WIOA and any potential impact it may have on the Older Blind program, and subsequent impact on the relationship of this program and the division to the SILC and the larger IL service delivery system. She shared that the Older Blind, Chapter II, Program will remain under the Rehabilitation Services Administration, and they have not heard anything as to what that might mean in terms of a changing relationship with the SILC, CILs and IL services/system. As she learns more, Gaye will be sure to share information with the SILC, as will the SILC do likewise with her. All agreed that it will be beneficial to continue collaborating on behalf of those served, even if the

structure of the relationship shifts due to the movement of IL out from under RSA.

Dave thanked both Eric and Gaye for coming and sharing their comments and time with the SILC. He affirmed that even though they are no longer on the SILC, they are always welcome at the meetings, and the SILC is open to hearing from them as appropriate and beneficial to both in terms of serving South Dakotans with significant disabilities seeking to maintain their independence and live independently.

**OTHER BUSINESS:** Dave called for any other business. Hearing none he moved forward with the agenda.

**CLOSING ACTIONS:** FUTURE AGENDA ITEMS – Bernie suggested the SILC hear from The Aspire Project at their next meeting. Shelly suggested they receive an update on the Money Follows the Person Project. SCHEDULING OF NEXT MEETING – After much back and forth, consensus was to work to hold the next meeting either March 17, 18 or 19 in Ft. Pierre. Staff will work to make arrangements, and as soon as something is set, they will notify members of the specific dates and location. ADJOURNMENT – Hearing no other business, **MOTION TO ADJOURN – MSC.** Meeting adjourned at approximately 3:30 p.m.