

**Maryland State Rehabilitation Council  
Annapolis – Legislative Event  
February 24, 2017**

**Members – Present**

Jeff Moran , Chair  
Anil Lewis, Co-Chair  
Barry Shaw  
Michael Whitehill  
Cindy LaBon  
Marsha Legg  
Joe Barrett  
Sue Page

**Members Unable to Attend**

Tracia Price  
Josie Thomas  
Tom Laverty  
Christofer Conklin  
Jani Willis  
Christy Stuart  
Will Stocker  
Katja Fort-Rhoden  
Sue Schaffer

**DORS Liaisons to Council**

Toni March, Blindness & Vision Services

**Support Staff**

John Stem  
Sandy Bowser

**Introduction and Approval of Minutes – Jeff Moran**

Jeff Moran, Chair welcomed Council members to the meeting. The minutes from November 16, 216 were approved as written.

**Legislative Plan for Today – Sue Page**

The number of MSDE/DORS employees attending the Legislative Event was cut back this year. Administration wants to ensure a consistent message is conveyed and state employees are not advocating.

Kim Schultz and Donna Lettow created handouts for the Council members to distribute to their legislators. The handouts consisted of a consumer success story and statistical information relating to the legislators' district.

**Director's Report – Sue Page**

**Competitive Integrated Employment**

During the week of January 11<sup>th</sup>, DORS sent a letter to 14c certificate holders who currently pay sub-minimum wage to workers to explain how the Rehab Act changes the employment outcomes that are allowable under the Vocational Rehabilitation program and how this affects DORS funding in support of those outcomes. A copy of the letter was forwarded to the Council Members for their information.

The Individualized Plan for Employment for a DORS consumer must include a specific employment goal that is consistent with the general goal of competitive integrated employment. For an employment outcome to be considered competitive integrated employment, WIOA regulations require that the outcome satisfy the following criteria to be permitted under the Vocational Rehabilitation program:

#### Competitive Earnings:

- Earnings are equal to or greater than the Federal, State, or local minimum wage rate, whichever is higher, where the place of employment is located; and
- Comparable to the customary rate paid by the employer to employee without disabilities in similar positions with comparable skills, experience, and training

#### Integrated Location:

- Employment is in a setting typically found in the community (a setting in the competitive labor market), and
- The employee with the disability will interact with both 1) employees without disabilities in the work unit and the entire employment site while performing his or her job duties, and 2) other persons (e.g., vendors and customers) without disabilities, to the same extent that employees without disabilities in similar positions interact with these persons.

#### Opportunities for Advancement:

- The employee with the disability must be eligible for the same opportunities for advancement that are available to employees without disabilities in similar positions.

The Rehabilitation Services Administration (RSA) has determined that business settings established specifically for the purpose of employing individuals with disabilities are not integrated settings. This includes positions that are funded through the operation of contracts known as Ability One, or State purchasing contracts that require the hiring of a specific number of individuals with disabilities. RSA has determined that these set-aside jobs are not typically found in the competitive marketplace, and cannot be considered to meet the definition of competitive integrated employment. Therefore, DORS is no longer able to provide funding for the placement and other support services that have traditionally been paid to providers. DORS will continue to refer individuals who are not interested in working in a competitive integrated environment to a provider who can offer the necessary services.

DORS has prepared a Competitive Integrated Employment Fact Sheet and Checklist that has been posted on our website for additional guidance and information.

#### 14 (c):

DORS conducted a meeting on January 18<sup>th</sup> and invited the Community Rehabilitation Programs holding special wage (14c) certificates to provide Career Counseling and Information and Referral Services for Sub-minimum Wage Earners.

DORS will provide Career Counseling Information Referral Services directly or contract with other providers. DORS will provide Career Counseling at the Workforce & Technology Center or travel to various settings in the community.

The Department of Labor Website has identified 35 programs in Maryland listed as 14c certificate holders. So far, 27 of these programs have requested DORS to provide Group Career Counseling. DORS has scheduled 85 sessions to provide Career Counseling through July. Families are also encouraged to attend the counseling sessions.

All information about 14c can be found on the DORS website:

- Career Counseling Session Request Form
- Career Counseling Presentation Introduction Packet

Career Counseling Information and Referral Resources  
Questions and Answers About Career Counseling for Workers Earning Less than Minimum Wage  
Benefits Planning Services for Subminimum Wage Earners

Career Counseling is guidance designed to help with choosing, changing, or leaving a career. Section 511 of WIOA includes requirements for individuals earning less than minimum wage to receive career counseling and related instruction at least once a year for as long as they continue earning less than minimum wage. This is required to ensure those who are ready to transition to competitive integrated employment are aware of programs available in the community to help them be successful in this transition.

Workers who started employment at less than minimum wage after July 22, 2016 must receive these services every six months in their first year of employment.

Workers who began earning less than minimum wage before July 22, 2016 need to receive this service once prior to July 22, 2017, and once a year for each year that they earn less than minimum wage.

Maryland has begun phasing out Sheltered Workshops and by 2020 will no longer have workers receiving subminimum wage.

DORS developed a spreadsheet to keep track of who has participated in the sessions and which providers they are working for, date of hire, if they require more than one session, if they have participated in the face-to-face session or watched the video (available on the DORS website).

DORS will be distributing letters to all individuals on the waiting list informing them of AbilityOne and Maryland Works vendors. As part of DORS helping consumers identify work opportunities, DORS would like to have a list readily available with who they can contact, phone number, email address, and job opportunities posted on their website.

Budget – Governor Funds:

The Governor has proposed an additional one million dollars in state funds to DORS to help with the Delayed List in the 2018 budget.

The House of Delegates and Senate approved MSDE Headquarters Budget for 2018.

The Rehabilitation Services Administration with the US Department of Education has scheduled DORS to have an onsite monitoring and technical assistance visit review the week of April 10<sup>th</sup>. Weekly conference calls have been scheduled with the co-leader of the review team prior to the onsite meeting to discuss information pertaining to policies, procedures and fiscal operations. During the onsite visit, interviews will be scheduled with different areas which include the VR Program, Supported Employment, Transition Services, Fiscal Operations, Implementation of WIOA statewide and the Combined State Plan. As Chair and Co-Chair, Jeff and Anil are encouraged to participate along with any other council members.

Since WINTAC (Workforce Innovation Technical Assistance Center) and George Washington University has been very helpful with DORS in implementing and providing guidance on pre-employment transition services and competitive integrated employment they will also be involved.

**Committee Reports:**

Policy & Planning Committee – Jeff Moran

The committee is working on developing Policy changes around Competitive Integrated Employment and 14c.

Blindness & Vision Services – Anil Lewis

Anil is working with Toni March and Sue Schaffer to review the current list and make contact to see who is still interested in sitting on the council and develop a meeting schedule.

Membership Committee – Anil Lewis

Anil is in the process of locating individuals with disabilities to participate on the Council.

Public Relations & Quality Assurance – Jeff Moran

The committee is focused on developing a customer satisfaction during the time an individual’s case is open and/or closed. Customer Satisfaction Surveys used by Maryland, Florida and Iowa were reviewed and agreed that the approach used by Iowa VR held promise. The Iowa survey uses an electronic process and provides the option to request additional information via True/False questions if an individual responds that a statement is “Mostly Untrue” or “Untrue” or “Mostly True” or “True.”

The committee is in the beginning stage of developing questions, creating a timeline, a process for sending out the surveys, demographics and case status questions, ensuring that the survey is accessible, etc.

The suggestion was made for DORS, WTC Staff and MSRC members to complete the survey to test for any glitches before it is rolled-out for consumers and providers.

Employment/Career Development Committee – Michael Whitehill

The committee is focusing on increasing business /industry membership. The next meeting will be on March 23<sup>rd</sup> at the Workforce & Technology Center and three new potential applicants will attend.

**Discussion of Visits with Legislators:**

The Council met with 22 Legislators and/or Legislative Aides today to present information on the Maryland State Rehabilitation Council and their role with DORS. The Legislators were also provided consumer success stories and statistical information specific their districts such as:

- Average Wage
- Average Working Hours per Week
- Consumers Currently Receiving VR Services
- Consumers Currently on the Waiting List

The meeting was held in the Miller Senate Building and was sponsored by Senator Jim Brochin.

**Jeff Moran**

Jeff met with both Delegate Mautz and Delegate Adams. The Delegates met yesterday with providers from the Eastern Shore regarding the closing of 14c and were very focused on this topic. Jeff was able to discuss the MSRC and their role regarding DORS along with some fiscal concerns. They talked about consumer success stories and continued funding for DORS, transition youth and pre-employment services. Jeff also met with the Delegates and Senator Eckardt yesterday when they brought a contingent from Benedictine for Developmental Disabilities Day. The Delegates and Senator are all very supportive of the DORS program.

**Michael Whitehill**

Michael met with Delegate Jacobs who has always been a constant advocate for DORS. Delegate Jacobs and Delegate Arentz's attention was diverted towards the opioid epidemic in Kent County and other districts. Delegate Jacobs, Delegate Arentz and Delegate Ghrist know the DORS program and are aware of the 15% loss of funds that are directed to pre-employment transition students.

**Barry Shaw**

Barry met with the Administrative Assistants for Delegate Young and Senator Nathan-Pulliam who were both very receptive to the DORS program and its services. Barry also shared his own success story with the Administrative Assistants who were very captivated.

**Joe Barrett**

Joe got the impression that the Delegates and Senators did not have a very good sense of DORS services. Joe had a very good meeting with Senator Reilly and shared his success story and mentioned the wait list. They discussed the elevator in the building and the fact that it is in need of a major upgrade. Joe spoke briefly with Delegate Saab and got the sense he was busy and not very receptive. Joe left literature with Delegate Szlegia's aide as she was not available.

**Cindy LaBon**

Cindy met with Delegate Gilchrist and discussed funding, how to meet the needs of consumers and the talking points on the handout for District 17. Delegate Gilchrist was impressed with how many consumers were being served in District 17 considering the low number of DORS counselors. Cindy met briefly with Delegate Platt who had no idea what the Division of Rehabilitation Services was or what kind of services are provided. Delegate Malone's aide met with Cindy and discussed the talking points on the handout and was very interested in the services that DORS provides.

The League of Women Voters has developed a pamphlet outlining how to prepare a letter to your legislator. The pamphlet also provides suggestions on how to talk to your legislator to order get your point across. The MSRC agreed that this would be a good idea to order pamphlets for future use.

**Anil Lewis/Marsha Legg**

The legislators from Anil and Marsha's District 40 were unable to schedule appointments. Marsha and Anil met with the delegates and senator from District 4, Frederick County. One delegate was very connected and shared his experience with autism. Anil was pleased that he and Marsha were able to speak to the legislators and engage them in the services that DORS provides to individuals with significant disabilities.

**New Council Business:**

The next full Council meeting is scheduled for Wednesday, May 10, 2017, Workforce & Technology Center, Baltimore.

Respectfully submitted

Sandy Bowser  
MSRC Staff Support