

## Board of Vocational Rehabilitation (BVR)

March 22, 2022

### Meeting Held Via ZOOM and DHS Hillview Plaza/Conference Room

**MEMBERS PRESENT:** Vicki Stewart, Bill McEntaffer, Jonathan Englund, Eric Weiss, Beth Schiltz, Joe Vetch, Brooke Lusk, Chris Olson, Pete Bullene, Brad Konechne, Lisa Merchen and Kevin Barber. **MEMBERS ABSENT:** Jolleen Laverdure, Jennifer Trenhaile, and Cole Uecker. **OTHERS PRESENT:** Bernie Grimme, Katie Gran, Kim Ludwig, Russell Thelin, Dr. Faye LaDuke Pelster, and Colette Wagoner. Interpreters were Julie Paluch and Rick Norris.

**OPENING ACTIONS:** Brad Konechne, Vice Chairperson called the meeting to order. Housekeeping items: Staff reviewed several housekeeping items to include muting microphones, turning on/off camera as well as identifying oneself by name when speaking. Brad welcomed everyone and asked each person to introduce themselves. Staff noted this is a public meeting and reviewed the voting process. Roll call will be taken on each action item, with staff noting each voting members' reply of yes, no, or abstain. Approval of Agenda: Brad asked if there were any changes/additions to the agenda. **MOTION TO APPROVE THE AGENDA – MADE (M), SECONDED (S) AND CARRIED (C).** YEAS: Vicki, Beth, Lisa, Joe, Brooke, Bill, Peter, Kevin, and Chris. NAYS: None. Review/Approval of Meeting Minutes: Brad called for changes/additions to the December 1<sup>st</sup> meeting minutes and the February 17<sup>th</sup> Executive Committee meeting minutes, **MOTION TO APPROVE BOTH SETS OF MEETING MINUTES, MSC.** YEAS: Vicki, Beth, Lisa, Joe, Brooke, Bill, Peter, Kevin, and Chris. NAYS: None.

**PUBLIC COMMENT:** There was no public comment provided at this time. (A conference room was reserved for anyone wanting to attend the virtual meeting in person, no one was present).

**ANNOUNCEMENTS:** Bernie shared that “Mark Your Calendars” announcements will be disseminated by the end of the month for the Fall Conference. The conference will be held in Sioux Falls on October 11-13<sup>th</sup>. Members are encouraged to attend, and their expenses are paid for through the staff support agreement. Vicki shared that a “Disability Etiquette for Customer Service Professionals” will be held April 12<sup>th</sup> with the Rocky Mountain ADA Center facilitating this training virtually.

**DIVISION DIRECTOR’S COMMENTS AND UPDATE:** Eric thanked members for their service and involvement with serving on the Board. He announced that today is National Vocational Rehabilitation Counselor Appreciation Day. South Dakota’s RehabACTion is hosting events in various local VR offices to thank VR staff for their work. Quarterly Data Report: Eric identified the most recent quarter’s data (report sent earlier to members) October 1, 2021, through December 31, 2021, and noted the program year runs July 1, 2021 through June 30, 2022. In comparing data to previous

program years quarters, the numbers for applications, eligibilities and total served are higher prior to the pandemic. Division staff have conducted more outreach since earlier in 2020 and worked hard to meet the changing employment needs (pandemic restrictions/changes). He shared that in reviewing information for the months of January and February (2022), the number of applications is increasing. Division Budget: He spoke to the federal VR grant, a formula grant which requires a state match and the Supported Employment (SE) grant, both with a start date of October 1<sup>st</sup>. If the state agency can meet the goals of the grant within the first year, there is the ability to carryover funds the following year. The Division and the Department have had a grants management focus with the difficulty of expending all funds due to the impact of the pandemic (drop in applications and case service expenditures). The Division had difficulty with expending the FY 2020 grant and had to relinquish some funds, however the Division is on pace to expend all FY22 funds. In terms of the SE funds, these will not be fully expended due to limitations brought on by the pandemic and by the restrictions placed upon the use of these funds. SE funds are designated for individuals with long term service needs for both adults and youth with the most significant disabilities. In years previously, the Division has spent all SE funds and utilized other VR funds to support these service needs. 2022 Legislative Session resulted in the state providing a 6% inflationary increase for providers.

**UPDATE ON THE STATE UNIFIED STATE PLAN DEPARTMENT OF LABOR AND REGULATION, DIVISION'S STATE PLAN:** Eric thanked Bernie for his work on the Division's section of the Unified State Plan. He explained the Workforce Innovation and Opportunity Act (WIOA) requires the Governor of each state to submit a Unified State Plan or Combined Plan. SD chose a Unified State Plan which outlines how the workforce development programs and employment services help job seekers with seeking employment. This includes the two vocational rehabilitation agencies and Department of Labor and Regulation programs, i.e., dislocated worker program, adult education and family literacy act, youth program. The Unified State Plan is a four-year approved plan which requires updates every two years. The Division was required to update 6 sections of its part of the plan. A 7<sup>TH</sup> section is being updated to reflect changes in the Memorandum of Understanding with Special Education. Bernie spoke to what was done prior to WIOA, submittal, timing, etc. He outlined each section and changes: Input of State Rehabilitation Council; Coordination with Education Officials, Comprehensive System of Personnel Development, Annual Estimates, Goals and Plans for Supported Employment Funds, State Strategies with Innovation and Expansion and Evaluation and Reports of Progress. The Consumer Services Committee met on January 21<sup>st</sup> and reviewed the draft sections, in addition to posting the draft items on the Division's website seeking comment. The draft Unified State Plan was posted on DLR's website for review and comment through February 14<sup>th</sup>, in addition to being presented to the State's Workforce Development Council on February 23<sup>rd</sup>. The updated sections were uploaded to the portal prior to March 2<sup>nd</sup> for review and approval.

**COMPREHENSIVE STATEWIDE NEEDS ASSESMENT (CSNA), DIALOGUE WITH RUSSELL THELIN.** Eric spoke to this being a required piece of the Division's State Plan, and that the comprehensive statewide needs assessment looks at the review and assessment of service history and it provides a projection of what might be needed in terms of services for the next three years. The last few times of conducting the statewide needs assessment, the VR agencies contracted with Robert Jahner to assist with conducting the assessment. Eric introduced Russell Thelin, Known Way Consulting LLC. Russell continues to work with the Institute for Community Inclusion, is a former VR agency director (Utah), VR counselor, and still serves as a CRCC board member (certifying agency for VR counselors). He spoke to the needs of the CSNA: review and assessment of the agency's service history (2020-2022); assessment of what is projected to be needed to serve in the next three program years (2023-2026); and it sets the statewide program goals and strategies of services for the next three years. The CSNA Goals include: 1) identifying the rehabilitation needs of individuals with disabilities, to include: individuals with the most significant disabilities; minorities; individuals with disabilities that are unserved or underserved; individuals with disabilities served through other components of the statewide workforce investment system; and youth and students with disabilities; and 2) identifying needs for establishing, developing or improving community rehabilitation program with the state. Information gathered by the CSNA will be incorporated into the Division's sections of the Unified State Plan and gathered information will inform the goals and strategies for the agency. Russell will work with a formed executive committee made up of staff from both VR agencies and members of the two boards. He outlined how the CSNA would be planned and designed. The next steps will include gathering existing information, data, and reports, conducting surveys, scheduling interviews with partners and hosting focus groups/listening sessions. At the completion of gathering information, time will be taken to review/analyze the findings, prioritize the emergent areas of focus and identify activities and strategies to work on over the next three years. Russell will complete a CSNA report for both agencies as well as State Plan Section.

The role of the Board was discussed, as members will provide input regarding this process, as well as review, analyze and advise the Division regarding the findings and determinations. Members will provide input in developing the goals, priorities, and strategies of the State Plan. Russell initiated conversation with questions regarding the uniqueness of state that should be addressed as part of the CSNA; and what members feel is important for him to know as he starts working on CSNA related areas. Comments referenced the impact of COVID and the implications on the economy and the work environment. South Dakota is a smaller state, individuals are familiar with partners/staff of other agencies, some are co-located, coordination of services. Issues of disincentives with social security, benefits and earnings. One member noted the difficulty to obtain input from individuals with disabilities/families. If members know of sources of information, access to avenues to gather input, please forward this.

Bernie shared a timeline visual looking at the crossover of the current Unified State Plan, CSNA timeline, dates for submitting the 2- and 3-year updates as well as submitting the new Unified State Plan.

## **BREAK**

**VR PROGRAM INITIATIVES:** Financial Needs: Bernie spoke to the work of both Divisions (Rehabilitation Services and Service to the Blind and Visually Impaired) in reviewing information impacting financial needs testing and services. This included a review of SD Codified Laws and Rehabilitation Services Administration regulations. The review provided clarification of which services require and do not require financial needs – determining an individual’s participation in costs of services. The specific services that will not require financial needs: Pre-ETS for students with disabilities, residential driver’s license and state id, vehicle modifications, assistive technology, lifting devices and ramps. These services need to be provided in conjunction with other VR services and necessary for employment.

Vehicle Assessments/Modifications: The Division researched available driver assessment services and vehicle modifications. The discovery included some occupational therapy departments provide low tech driver assessment/training, some require a doctor’s order and sometimes the assessment is covered by insurance. Training is a service not covered by insurance so this might be a service that VR provides. And all high tech evaluations and high tech vehicle modifications are done by out of state vendors. South Dakota has only two vendors that provide low tech vehicle modifications.

Merit Scholarships: Merit scholarships cannot count as a comparable benefit where it reduces VR funding. The Division’s current policy does not consider scholarships from a post-secondary program to the same post-secondary program as a merit scholarship because this is typically a tuition reduction or marketing strategy for students to enroll. In further review, this may have eliminated some scholarships that could have been considered merit; and possible that funds were awarded to a post-secondary program to award merit based scholarships to top candidates for a program. The Division is revising the policy in that if a scholarship from a post-secondary program requires an application process and selection process, and the student meets a criteria level of grades or testing scores where everyone meets a threshold receives funding – would not be considered a merit scholarship.

Post-Employment Services: Bernie referred to the Frequently Asked Questions (RSA FAQ 22-03) handout. He explained that the Division interpreted post-employment services were provided to consumers whose case was closed successfully (limited short-term services). The FAQ outlines that post employment services are provided while the VR case is open, prior to the 45 days after a quarter reporting. This will now

require individuals whose VR case was closed to reapply for VR services, be redetermined for eligibility and develop a new IEP, making post-employment services obsolete. This will require the Division to make necessary changes to template letters, MOU's, application packet and other possible items.

Case File Review: Bernie reported on Jordan Trumbo's behalf. A virtual case file review will be conducted in April. Again, targeted quarterly reviews were started in August, and these provide more timely feedback to counselors. And, with the implementation of the quarterly reviews, this will reduce the number of cases to be reviewed in April by half as compared to last year's annual review.

Customized Employment Grant: Bernie reminded members that a grant was awarded to Black Hills Works to fund a customized employment specialist position. Staff was hired in February, and they started one-on-one training with a trainer. The Division received notice from BHW in March that they were discontinuing the grant due to staffing issues.

Summer Pre-Employment Transition Services (ETS): Initiatives: Katie Gran was available to speak to the Pre-ETS Initiatives. The Division received 8 proposals to conduct a summer camp for youth with disabilities, all proposals were approved. The requests amounted to \$134,670 as compared to only \$46,104 paid for camps conducted in 2021. One difference noted was that several camps were canceled in 2021. The contracts have been routed for approval and signatures. Approved proposals: Oyate Circle submitted a proposal to conduct four – one week long camps on different reservations; Independent Living Choices submitted six proposals to conduct camps on the east side of the state; and LifeQuest's proposal will host a Zoom option. Groton School District, Black Hills Special Services Cooperative (Career Learning Center), and Teachwell will host camps again in their respective locations. And CSD is planning a weekend camp in Rapid City for students who are deaf or hard of hearing. Camp information will be included in the upcoming transition newsletter to help with marketing in addition to the approved agencies working with local VR offices to disseminate information.

Collaboration Survey: Katie explained that earlier this month she disseminated a survey to local school districts and VR counselors to obtain feedback on current collaboration practices between schools and VR. A total of 223 responses were received. Overall, responses were positive and reflect a good working relationship between the staff of both agencies. Responses noted an increase in VR counselors' willingness to go into the schools on a regular basis to meet with students (work with students on programs like Virtual Job Shadow and eTrac) and attend parent teacher conferences or other events involving parents. There were comments that will require more action or follow up to include being invited to IEP and 504 meetings, sharing VR information regarding services outside of the IEP meeting, obtaining signed forms from

parents, more effective referral process, more training for school staff about job coaching, Project Skills, and other VR services. Katie will be working with VR and TSLP staff to review the survey results in greater detail and how to best address the identified needs/concerns.

Business Outreach: Kim Ludwig addressed information requested by a few members at the last meeting. She reviewed a reporting chart of what her position is called to do and what has been accomplished as of February 24, 2022. Activities included business contacts, outreach, distribution of job announcements, and number of presentations conducted.

Bill asked about the Division's initiative to add four Employment Specialists Coordinators as referenced in the December meeting minutes. Kim responded that the four positions have been filled and the coordinators are located in Aberdeen, Rapid City, Yankton, and Pierre. These positions were added to meet the needs of consumers/employers in very rural areas with the responsibility of obtaining competitive integrated employment for individuals with disabilities. Bill encouraged these staff to reach out to the DLR/job services offices and employees to talk about their role and responsibilities.

Kim referenced the recently released 2021 Annual Disability Statistics Compendium Report. The compendium contains data related to people with disabilities, e.g., poverty levels, employment rate, education. This source of information referenced SD as having one of the higher employment rates for people with disabilities for the past few years. For 2020, the employment rate for people with disabilities in SD, between the ages of 18-64, is 46.6%. SD is ranked 4th in the nation for the highest employment rate for people with disabilities (North Dakota/1<sup>st</sup>, Wyoming/2<sup>nd</sup>, and Utah/ 3<sup>rd</sup>).

Trainings to Businesses: DRS, the Business Resource Network (BRN), and the Workforce Diversity Network of the Black Hills (WDBNH) co-host WINDMILLS trainings. A few trainings recently held:

- "Disability Fact or Fiction" was offered in December, it was a continued session from training held in August. Participants completed a questionnaire testing their knowledge about disabilities in which was followed by a large group discussion.
- "Harness the Power of Inclusion" was hosted virtually on January 18<sup>th</sup>, it focused on demonstrating how facts become distorted through rumors and how inaccurate information can affect employment and return to work of people with disabilities. A total of 25 participants attended the training.
- Catie Greseth, with WDBNH, and Kim conducted an in-person training to the City of Rapid City on January 19<sup>th</sup>, it focused on examining stereotypes and emotional reactions to common disabilities to enhance disability awareness and sensitivity

within the workplace. Sixteen City of Rapid City employees attended which included the human resource generalist and department managers.

- On March 14<sup>th</sup>, Catie Greseth, Vicki Stewart, and Kim facilitated training for the SD Bureau of Human Resources Department, this included twenty-one human resource managers and training department managers. The purpose was to introduce them to the WINDMILLS training in efforts to expand the training program within state government.
- DRS, BRN, WDNBH, and the South Dakota Retailers Association will co-sponsor a two-part virtual statewide training series hosting Rocky Mountain ADA Center staff as the trainers. Training topics include web accessibility information for businesses and disability etiquette for customer service professionals. The web accessibility training was held this morning and the disability etiquette training is scheduled for April 12<sup>th</sup>. A total of 38 individuals participated in this morning's training. Registration is open for the April training and there are 78 currently registered.

Business Outreach: Division of Rehabilitation (DRS) provides technical assistance and support to businesses throughout the state which promotes recruitment, hiring, and retention opportunities for individuals with disabilities. Kim has had recent contacts with the following:

- Avera Health, Sioux Falls, with Tracy Pigors, an Employee Health Coordinator, had questions regarding an employee with hearing loss and communication barriers with co-workers and clients. One concern was with communication barriers impacted by the mask mandate within the healthcare facility. Discussion included resources to assist with resolving the communication barriers, to include the employee seeking assistance from vocational rehabilitation, DakotaLink, and the Job Accommodation Network.
- Carlsen Funeral Home, Aberdeen, the owner of the funeral home reached out to inquire about their business's responsibility with providing effective communication with a family that required a sign language interpreter for funeral planning purposes. Discussion included the Americans with Disabilities Act (ADA) which requires Title II entities (State and local governments) and Title III entities (businesses and nonprofit organizations that serve the public) to provide "auxiliary aids and services" to ensure effective communication. Information was shared about the Division's Non-ADA Interpreting Requests" as a resource to provide assistance relating to interpreting costs for interpreting needs that fall outside the ADA effective communication guidelines.

**BREAK FOR LUNCH & RETURN AT 1:00 PM.**

**STATEWIDE INDEPENDENT LIVING COUNCIL UPDATE:** Eric noted this as a standing agenda item, reminding members that he serves on the SILC as an appointed member and an update is provided to the Board on a quarterly basis. The

Rehabilitation Act (Act) requires each state to have a SILC in order to receive federal funds to support independent living services. The Act outlines the need for the SILC to develop a State Plan for Independent Living in addition to language of coordinating activities with other entities such as the BVR and Council on Developmental Disabilities. The SILC met on December 15<sup>th</sup> via Zoom and agenda items included the review/monitoring of the SPIL goals/objectives and indicators, CIL quarterly reports, program reviews, Division of SBVI and SBVI Board and BVR updates, and staff report. Arlene Poncelet, Executive Director of the Council on Developmental Disabilities was invited, and she provided an overview of the Council and activities being worked on. The SILC will meet again on April 14<sup>th</sup>. A noted agenda item will include Department of Transportation staff speaking to public transportation on a state level.

**STAFF UPDATE: BVR/SILC Nominations:** Staff reported that the BVR will have three members whose terms expire the end of June. One member is eligible and interested in serving a second term (if appointed). Two members whose terms expire are Pete Bullene and Beth Schiltz. The SILC will have four members terms expire, of which two members are eligible to serve a second term, if appointed. The two members whose terms expire are Catherine Greseth and Alan Adel. The solicitation packet for BVR and SILC nominations was disseminated the end of January. Information can be found on the Division's website and nomination forms can be downloaded and utilized. To date, the BVR has received eight nominations of which 6 are individuals with disabilities. The SILC has received three nominations, of which none are persons with disabilities. Both the BVR and SILC are seeking individuals with disabilities. Nominations are due April 1<sup>st</sup>.

National Disability Employment Awareness Month (NDEAM). The NDEAM Review Committee consisting of representatives from the BVR, B/SBVI and SILC met in early March to review the funding requests. There was a total of 10 funding requests from Aberdeen, Brookings, Madison, Mitchell, Mobridge, Rapid City, Sioux Falls, Sisseton, Watertown and Yankton. The 2022 funding request was in the amount of \$29,720 and the NDEAM Review Committee is recommending fully funding all ten requests. Prior to this meeting, staff sent Gaye Mattke, SBVI Director, an email outlining the committee's funding recommendation and asked if the Board of SBVI would consider financial support once again. Communication from Gaye noted that the Board of SBVI will contribute up to \$5,000 in support of the 2022 events. The SILC won't meet until April so we do not know what level of financial support will be considered. There was consensus of the Board to provide the financial backing to the 2022 NDEAM events, minus any contributions made by the Board of SBVI and SILC. It was reported that a request for funding was received following the NDEAM Review Committee. Bernie, Kim, Jennifer, and Colette met and reviewed the proposal. Since it was late, Bernie offered that the Division would provide financial support for the event in terms of speaker fees, meeting room/equipment expenses and plaques. The late proposal was



from Vermillion and discussion supported this community's effort to host an event, because it has been a few years since something was done in recognition of NDEAM.

Governor's Awards: Staff reported that the solicitation packet was disseminated via mail on March 14<sup>th</sup> as well as emails. Staff worked with TIE staff to create a Facebook notice announcing the solicitation which also provided links to the forms. The Division has the information on their website with links to the forms. The forms are available in Word format or as a fillable pdf. Nominations are due May 2<sup>nd</sup>. Members are encouraged to share this information broadly to solicit nominations for all the Governor Award categories.

Budget Update: Colette reported that the contract between the Division and Black Hills Special Services Cooperative for staff support for the BVR and SILC was renewed. This contract is for one year, January 1, 2022, through December 31, 2022. A copy of the budget was forwarded to members prior to the meeting. The budget reflected one expense under the Strategic Planning line item in the amount of \$498.03 which is an expense from the Mitchell's 2021 NDEAM event.

**POST SECONDARY OUTCOMES – INDICATOR 14 SURVEY RESULTS:** Beth explained that the Office of Special Education contracts with Black Hills State University to conduct the post high school outcomes survey. Beth introduced Dr. Faye LaDuke-Pelster (BHSU) to join her in reviewing the findings. Indicator 14 looks at the percent of youth who are no longer in secondary school, had Individualized Education Programs (IEPs) in effect at the time they left school, and were enrolled in:

- Higher education;
- higher education or competitively employed;
- higher education or in some other postsecondary education or training program; or competitively employed in some other employment within one year of leaving high school.

They spoke to the definitions of the above groupings of higher education, what other post-secondary education or training includes, what competitive employment includes and what "other" employment includes. The most recent survey focused on youth with disabilities who exited high school during the 2019-2020 school year and out of high school for one year. Students exited with a regular diploma, certificate of attendance, reached maximum age of eligibility or dropped out. They talked about the baselines and targets, as the baseline year and target numbers were reset for years 2020 through 2025. The reasons for changing the baseline this year included not having the most current data, taking into consideration stakeholder input and the impact of COVID. Additional results are organized around adult living, participation in higher

education, other post-secondary education or training, competitive employment, and other employment.

There were 162 total respondents of which 10% were enrolled in higher education, 51% engaged in competitive employment, 3% enrolled in some other post-secondary education or training, 12% engaged in some other employment and 23% not engaged. Respondent specific information was reviewed, i.e., disability, ethnicity, and gender. Comparisons were done with other states data including North Dakota and Montana and there were notable variances for these states.

When comparing the survey results with previous years' results, there were notable differences in target leavers and respondent representativeness. For the 2019-20 respondents differences were noted in: increase in respondents with learning disabilities, decrease in respondents with intellectual disabilities; increase in female respondents, and less with minority responses. The survey asked COVID impact related questions i.e., the place I work shut down during the pandemic; I lost my job during the pandemic; I couldn't afford to attend school or any training, etc. Responses to the COVID impact questions included: lost job; not comfortable working; hours cut; employment was affected by COVID; quit school/not comfortable going to school; couldn't afford to go to school; education not impacted.

Beth and Dr. Faye spoke to the response rates being disappointingly low. Noted factors included: teacher burnout resulting in far less responses from districts across the state; COVID being an uncertain time for so many/people were quarantined, and new methods of communication had to be figured out; and decreased likelihood that exiters will answer a call from an unknown phone number. There was conversation and recognition of work to be done. The online survey will continue as well as the use of post cards. Increased efforts to recruit district personnel as students are more familiar with teachers/staff. Consideration is being given to sending out pre-notification through the use of postcard to create familiarity with the survey for students and families. And updated and extensive training will be conducted with hired callers to include a training video and calling strategies. More information can be extrapolated from the online site: <https://www.sdposthighsurvey.org/reports.statewide.php> which contains 10 years' worth of data. Data includes tables with gender, ethnicity and disability; reports provide summaries on adult living, post secondary education and training and employment.

They both asked if there were any questions and invited members to contact them if questions arise following the meeting.

**OTHER BUSINESS:** There was no other business.

**CLOSING ACTIONS:** Future Agenda Items: Election of Officers, Comprehensive Statewide Needs Assessment, and Case File Review. Brad encouraged members to

be in touch if they want a topic addressed or additional information on something. Schedule Next Meeting: Staff will disseminate a doodle poll with possible dates to identify a date that works for the majority of members. Adjournment: There was no further business or questions, Brad, Vice Chairperson, adjourned the meeting at 2:15 pm.