

## Board of Vocational Rehabilitation (BVR)

March 2, 2023

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

**MEMBERS PRESENT:** Vicki Stewart, Eric Weiss, Cole Uecker, Brad Konechne, Lisa Merchen, Jennifer Trenhaile, Jolleen Laverdure, Bill McEntaffer, Jonathan Englund, and Kevin Barber.

**MEMBERS ABSENT:** Joe Vetch and Chris Olson. **OTHERS PRESENT:** Brooke Lusk, Bernie Grimme, Jordan Trumbo, Katie Gran, Kim Ludwig, Beth Schiltz, Dr. Faye LaDuke Pelster and Colette Wagoner. Interpreters were Julie Paluch and Rick Norris.

**OPENING ACTIONS:** Cole Uecker, Chairperson called the meeting to order at 9:02 AM. He welcomed everyone and thanked them for attending. Staff confirmed that a quorum was present. Cole explained with meeting virtually, voting will be conducted by roll call, each voting member will be asked for their reply of yes, no, or abstain.

Approval of Agenda: Cole asked if there were any changes to the agenda. **MOTION TO APPROVE THE AGENDA AS DISSEMINATED – MADE (M), SECONDED (S) AND CARRIED (C).** YEAS: Vicki, Jolleen, Lisa, Brad, Bill, and Kevin. NAYS: None.

Review/Approval of Meeting Minutes: Cole asked for changes/additions to the December meeting minutes and the Executive Committee meeting minutes. There were none. **MOTION TO APPROVE THE DECEMBER 1, 2022 MEETING MINUTES AND THE EXECUTIVE COMMITTEE MEETING MINUTES FROM FEBRUARY 9, 2023, MSC.** YEAS: Vicki, Jolleen, Lisa, Brad, Bill, and Kevin. NAYS: None.

**PUBLIC COMMENT:** Cole invited public comment, there was no comment provided.

**ANNOUNCEMENTS:** Cole invited announcements. Eric shared information about Steve Stewart who passed away last week. Steve worked as the rehabilitation engineer for the Division for over 30 years, he was a longtime advocate and friend. Visitation, prayer services and funeral are planned for the end of this week. Cole expressed condolences to Steve's family and to those who knew him. Eric invited anyone to be in touch if they would like additional information.

Cole mentioned the Transition Services Liaison Project events gearing up and planned in communities across the state (which will be referenced later in the meeting). He announced Partners in Policymaking graduation will be held in April in Sioux Falls.

**DIVISION DIRECTOR'S COMMENTS & UPDATES:** Comments: Eric welcomed everyone and thanked them for attending. Eric spoke to the quarterly report that was

shared with members prior to the meeting. The most recent quarterly information was for the 2<sup>nd</sup> quarter, October 1, 2022 – December 31, 2022. Numbers for total applications, total served, total eligibilities and closures were outlined. The numbers are pretty consistent when comparing numbers with information from a year ago.

Budget: The Division receives federal funding through Rehabilitation Services Administration (RSA); a formula grant requiring state match. The Division is on track to expend all federal funds in the allotted timeframe. The Division went from record expenditures in 2015/16 to reduced spending with the onset of COVID through the current timeframe. Work continues to broaden and develop outreach strategies, and exploring capacity building efforts to improve service delivery.

The Supported Employment grant funds are more challenging to spend with recent changes implemented by the Workforce Innovation and Opportunity Act (WIOA). Prior to 2016 funds were spent on job placement, job coaching, and long term extended services. After 2016, changes required that half the funds target youth with disabilities, 14-24 years of age; and expenditures are only allowed on services after the start date of employment, according to guidance from RSA. There was a question of reverting funds (reallotment process) and whether this puts the agency in danger of reduced funding in future years. The answer was no. The use of different funding streams supports individuals to obtain their employment goal as seamless as possible. If a person requires job development, job coaching and/or follow along services, these services are provided using different funds.

2023 Legislative Session: The Division introduced Senate Bill 10 which would expand certification options for interpreters for the deaf. Language was incorporated for the state to recognize other certifications as they become known. The bill was signed by the Governor on February 22<sup>nd</sup> and will go into effect on July 1<sup>st</sup>. The Division has been working on an evaluation tool to ensure there is the ability to measure the interpreter's ability. This should have a long-term impact on improving the availability of qualified interpreters in the state. In response to a question, it was shared that Augustana has the only interpreter training program in the state.

**UNIFIED STATE PLAN/DIVISION'S STATE PLAN PROCESS/TIMELINES:** Bernie outlined the timelines for the Unified State Plan and related work. The Unified State Plan is redone every four years and updates are done every two years. The Division's State Plan is a part of the Unified State Plan. The other parts of the Unified Plan consist of programs under the Department of Labor as well as the Division of Service to the Blind and Visually Impaired program. The Division and Board are required to conduct Comprehensive Statewide Needs Assessment (CSNA) every 3 years. The Board's Consumer Services Committee met to initiate conversation about work needed to review/revise the Division's goals and objectives based upon the recommendations identified by the recent findings of the CSNA. The committee will meet on a monthly

basis to work on the goals/objectives with the intent of bringing forward information for the Board's consideration at the June meeting. Other sections of the Division's part of the State Plan will be updated and considered as well. This information will be shared during public meetings soliciting public input/feedback. The timeline included DOL, DRS and SBVI hosting public meetings in November or December. Following the public meetings the plan will be finalized and submitted to the US Department of Labor and Education for review and approval.

**DIVISION'S PERFORMANCE MEASURES:** Eric explained the performance measures were designed to measure or calculate the performance of the VR agencies. This includes collecting and reporting information on all the participants served. Eric turned to Jessica Sehnert to talk about this. Jessica provided information on the history of WIOA after signed into law in 2014. WIOA has 6 core programs:

- Adult, Dislocated Worker, and Youth Programs under WIOA title I and administered by US Department of Labor;
- Adult Education and Family Literacy Act (AEFLA) program authorized under WIOA title II and administered by US Department of Education;
- Employment Service program and authorized under Wagner-Peyser Act, known as title III and administer by the US Department of Labor
- Vocational Rehabilitation (VR) program authorized under title IV of the Rehabilitation Act of 1973 as administered by WIOA title IV and administered by US Department of Education.

WIOA Performance Indicators for VR include: Employment rate in the 2<sup>nd</sup> Quarter after exit; Employment rate in the 4<sup>th</sup> quarter after exit; Median earnings in the 2<sup>nd</sup> quarter after exit; Credential attainment rate (after exit); Measureable Skills Gains (MSG); and effectiveness in serving employers (statewide). These levels are negotiated with Rehabilitation Services Administration (RSA) and are different for state VR programs.

The first two indicators require the VR agency to verify the consumers employment at the specified timeframe. This includes consumers who have had successful and unsuccessful case closures. Jessica shared information on the ranking of South Dakota as compared to the national rate, and where SD compares in rankings with other states. The VR agency must verify the participants earnings in the 2<sup>nd</sup> quarter after exit. Median earnings for the VR program was \$3,492 for program year 2021 as compared to the national median of \$4,776.

The credential attainment rate is the percentage of participants enrolled in an education or training program (excluding those in on the job training and customized employment) who attain a recognized equivalent, during participation in or within one year after exit from the program.

Measurable skill gains are the percentage of program participants who, during a program year are in an education or training program that leads to a recognized postsecondary credential or employment and who are achieving measurable skill gains, e.g., attainment of secondary school diploma or recognized equivalent; secondary or postsecondary transcript or report card for a sufficient number of credit hours meeting the state's unit of academic standards, completion of OJT or completion of on year of apprenticeship program or similar milestone; successful passage of an exam that is required for a particular occupation or progress in attaining technical or occupational skills/trade related benchmarks such as knowledge based exams.

Jessica and Jordan Trumbo recently completed targeted reviews with the district offices reviewing over 900 cases. They are providing technical assistance to staff as they look at the indicators, i.e., knowing when to enroll, disenroll a participant. Learning what and when to enter information into the case management system will help the performance rate, as staff are learning. This information is obtained to show the effectiveness of the VR program and assisting consumers with skill progression with obtaining careers.

The Effectiveness in Serving Employers measure has not been finalized yet. RSA is working on the negotiated levels at this time, so there is nothing to report in this area.

## **BREAK:**

**STATEWIDE INDEPENDENT LIVING COUNCIL (SILC) UPDATE:** This is a reoccurring agenda item at each meeting. Eric explained that in order for a state to receive independent living grant funds from the Administration for Community Living (ACL) the state must have an established SILC. The SILC is responsible for developing and monitoring the State Plan for Independent Living. The SILC met on December 15<sup>th</sup> via Zoom. The agenda has standing agenda items, i.e., CIL updates, Division IL Specialist update, and SPIL update. The December meeting hosted SD Housing Development Authority staff who spoke about the Governors House program and related programs. The next meeting will be held April 6 and the executive committee is developing the agenda. One item will include a presentation on cultural diversity/sensitivity. He shared his screen at this time outlining the Boards/Commission's website portal and highlighted information regarding the Statewide Independent Living Council and upcoming meeting information. The portal can be found at: <https://boardsandcommissions.sd.gov>.

**BVR STAFF UPDATE:** BVR/SILC Solicitation: The solicitation for nominations was disseminated on January 12<sup>th</sup> seeking nominations for both the BVR and SILC. Nominations were due February 24. The BVR needs a number of appointments to

meet the minimal 15 member requirement, i.e., vacancies created by those who completed their two 3 year terms and vacancies created by those who completed their first term and are eligible to serve a second term (if appointed). The BVR has received a total of 10 nominations which includes 8 individuals who are persons with disabilities. The BVR must be comprised of a majority of persons with disabilities. The SILC will need appointments to align with its current size as well. Appointments are needed to fill vacancies created by those who were term limited and for the vacancy recently created with the loss of Steve Stewart. The SILC received 10 nominations which includes 7 persons with disabilities. The nomination information will be compiled and forwarded to the Division/Department and requesting their assistance with submitting this to the Governor for her review, consideration, and action.

## **POST SECONDARY OUTCOMES – INDICATOR 14 SURVEY RESULTS**

**(BACKGROUND/SURVEY RESULTS):** Cole welcomed Beth back to the board and thanked her for being here. Beth explained that the Office of Special Education contracts with Black Hills State University to conduct this survey and introduced Dr. Faye LaDuke Pelster (BHSU). Dr. Faye LaDuke Pelster summarized the data obtained by the survey, which targeted the 2021 graduates from high school. Indicator 14 specifically targets 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:

- a. higher education
- b. higher education or competitively employed
- c. higher education or in some other post-secondary education or training program; or competitively employed or in some other employment within one year of leaving high school.

The study is trying to find out what the student is doing one year after leaving high school (graduated, aged out or dropped out). Did they go to post secondary school; were they competitively employed; did they seek other training or employment such as working on the family farm; where they not engaged at all after leaving high school? Beth added that the reason this information is so important is because it is felt that transition planning in high school helps students become engaged or stay engaged once they leave high school.

This study involves a two step process. Appendix A information: School districts provide information about students once they leave high school (IEP information about transition goals and activities and family contact information). Appendix B information: independent contractor collects survey information. The survey collection method is conducted through an online survey or by telephone. An attempt is made to contact all student exiters.

Higher education includes youth who have been enrolled in a full or part time basis: in a community college (2 year program) or; college/university (4 or more year program); or in a vocational technical education program (2 year program); for at least one complete term, at anytime in the year since leaving high school. Other post-secondary education or training includes youth who have been enrolled in a full or part time basis for at least 1 complete term at any time in the year leaving high school; or an education or training program (e.g., Job Corps, adult education, workforce development program, vocational technical school that is less than a 2-year program).

Competitive Employment includes: youth who have worked for pay at or above minimum wage; in a setting with others who are nondisabled; for a period of 20 hours a week; for at least 90 days at any time in the year since leaving high school (includes military employment). Other employment includes: youth who have worked for pay or been self employed for a period of at least 90 days at any time in the year since leaving high school. This includes working in a family business (farm, store, fishing, ranching, catering services, etc).

The 2021 Exiter data included: 291 total respondents; 38 respondents were enrolled in higher education (13%); 180 respondents were engaged in competitive employment (62%); 8 respondents were enrolled in some other post-secondary education or training and not counted in the data listed; 13 respondents were engaged in some other employment. Last years' respondent rate was incredibly low. Target levels were exceeded this year, and the hope is that things continue to improve with future years.

Respondents' largest grouping was those competitively employed at 180 respondents/62%; the 2<sup>nd</sup> largest grouping are those not engaged was 52/18%; and 3<sup>rd</sup> largest grouping are those enrolled in higher education 38/13%. There were gains in those enrolled in higher education and those competitively employed when comparing this data to last year's data.

Demographics of the respondents included: male/170 and female/121 respondents; the most common disability category represented was those with specific learning disabilities (116 respondents) of which 55% were competitively employed. Those with Intellectual disabilities (42 respondents) of which 64% were competitively employed. Ethnicity had a higher response rate of Native American respondents (45) when compared to last year's data. This year's data is much more representative of minority students when compared to last year.

A chart was shared that showed improvements or slippage when comparing data dated back to 2010-2011. For each year, calculations were made for total engagement rate, disengaged, those in higher education, those competitively employed, etc. The percentage for engagement went up from 77% last year to 82%. This will be something

to watch, gains made after notable slippage during the years impacted by the pandemic. The total number of students that contacted VR was 36 or 12%.

Beth noted there is 10 years' worth of information located on their website. Information can be found on gender, ethnicity, disability, exit, adult living, post-secondary education and training, employment, and Indicator 14. Reports are located at <https://www.sdposthighsurvey.org/index.php>. Beth invited people to contact her regarding questions that might come when looking at these reports.

A question was asked of how to utilize or take a closer look at the obtained data to help better guide VR services. Dr. Faye LaDuke indicated she would take a look and visit with Beth more about this to see if there is the ability to further analyze data. Information was shared about the non respondents group. Beth stated the Office of Special Education is called to increase the response rate, so if anyone has suggestions, please pass these along. Before ending, they reviewed information of moving forward with future surveys and a summary. Both were thanked for attending and sharing information resulting from the Indicator 14 Survey.

**VOCATIONAL REHABILITATION (VR) PROGRAM INITIATIVES:** Bernie spoke to the Division's Request for Proposals for private providers. These contracts were updated to meet federal requirements a few years ago. There are 12 current for profit providers that the Division is hoping to receive proposal from, and if so, contracts will be written for five years. Update on local offices: There is a priority for state government to review work office space, improve security and increase the number of offices that are co-located with other state entities. The Department of Human Services is working on efforts to co-locate staff (DRS, SBVI, LTSS) in a single location in some communities. He shared a map of the state outlining the five districts with a total of 11 offices. Some offices are co-located with Department of Labor, and some have Department of Social Services. The Bureau of Administration recently approved building a new site in Pierre to be built behind Chekkers (located on Wells Avenue) to host approximately 100 staff. A new building was recently approved in Sioux Falls for VR/SBVI/LTSS/DOL/DOH staff and the Benefits Specialist and Transition staff. It will be located by Dolly Farms. The Rehabilitation Center for the Blind and staff will remain as is.

He spoke about staff turnover in the Division which is low. Last state fiscal year there were three position changes. Retirement/staff advancement are the typical reasons for changes. He spoke to a few reasons they feel staff remain with the Division, i.e., Division provides assistance to counselors with obtaining a masters degree/obtaining certification in rehabilitation counseling, the ability to work remotely with use of laptops, and the provision of a work cell phone which increases contact with consumers. All counselors have their own Zoom account, and the use of DocuSign decreases the

need to meet in person/eases the ability for consumers to submit signed forms, and the availability of information online (forms/applications).

## **LUNCH BREAK**

### **VOCATIONAL REHABILITATION (VR) PROGRAM INITIATIVES CONTINUED:**

Summer Pre ETS Update: Katie Gran, Transition Specialist, spoke to the 18 proposals received in response to the Request for Funding to conduct the 2023 Summer Pre ETS initiatives. There were 9 agencies that submitted the proposals, including Independent Living Choices, Center for Disabilities, and 3 new school districts (Warner, Milbank, and Mitchell).

Project SEARCH Update: a new Project SEARCH site will start in Yankton the Fall of 2024. Partners will include Avera Sacred Heart, Mt. Marty College, Ability Building Services, Yankton School District and VR. The Aberdeen site will go into hiatus status due to concerns of having the appropriate school related staff needed with the 18-21 Program and Project SEARCH. The 18-21 Program will continue and the Division is hopeful to have the Project SEARCH site start back up in a year.

Transition Activities Calendar: Work has been done on marketing documents. She shared the Annual Transition Activities Calendar. This one-page calendar identifies transition activities for students, i.e., Catch the Wave, Let's Talk Work, and YLF. The bottom portion of the calendar identifies transition activities/trainings for school and VR staff noting when to expect events to be scheduled. Katie agreed to send the calendar to staff which can be shared with members. Katie is also working on a document that will help identify what VR services can be provided targeting different age groups of potential consumers.

Jordan Trumbo, Quality Assurance Specialist, provided an update on the Sarah Digital Assistant project. Sara Digital Assistant is an advanced computer program that will perform activities that an assistant was doing, i.e., appointment reminders, check-ins, client follow up, data entry and obtaining supporting documentation. This has been a development in progress and the Division is moving forward with. The software application will be shared with a few staff to test next week. After the testing, it will be pushed out to the remainder of the Rapid City district office staff to continue testing. Sarah Digital provides the ability to conduct satisfaction surveys to obtain feedback and evaluate its effectiveness for VR staff and by the consumers.

Kim Ludwig, DRS Business Specialist, provided the following updates. Kim works in partnership with the Business Resource Network (BRN), and the Workforce Diversity



Network of the Black Hills (WDNBH) to promote WINDMILLS and other training opportunities to businesses.

Business Outreach: DRS provides technical assistance and support to businesses throughout the state to promote recruitment, hiring, and retention opportunities for individuals with disabilities. The following are examples of work done to date.

- 1) NorthWestern Energy (electric/natural gas company with multiple locations in SD, Montana, and Nebraska): Human resource staff reached out to DRS to explore recruitment strategies to hire people with disabilities. They want to expand customer service positions which may result in remote work opportunities. Discussions with their HR team have focused on recruiting efforts, and what the VR program does and what services are available. They recently completed the job description for their customer service representative position which they are testing the remote employment opportunities in Huron and Sioux Falls. Information has been shared with DRS and SBVI staff in those communities to assist with referring clients as potential candidates. Kim connected DakotaLink with the HR department to test their computer software programs with some assistive technology software that is utilized by individuals with disabilities. NorthWestern Energy's goal by partnering with VR is to expand and promote their model to hire job seekers with disabilities to other businesses.
- 2) Thompson Electric Company (located in Sioux Falls): DRS received a request for information and resources for an applicant who is Deaf for an electrician apprentice position. Discussion included workplace accommodations ideas; the importance of utilizing the interactive process/communicating with the applicant about potential barriers with essential job functions; option of referring the individual to vocational rehabilitation; and shared information on Communication Service for the Deaf, DakotaLink, and the Job Accommodation Network.

Trainings recently conducted:

1. Southeast SHRM Chapter, located in Yankton, requested training on reasonable accommodations in February. The training incorporated identifying reasonable accommodations through the interactive process. Discussions took place among the human resource professionals regarding various scenarios they've encountered.
2. L&M Radiator, a manufacturing company in Yankton, requested training on mental health disabilities for their leadership team in February. Through collaboration with the human resources department, training topics included examples of mental health disabilities, common signs of mental health conditions, myths, and facts about mental health conditions in the workplace, and tips and strategies for supervisors to support employees within the workplace. DRS partnered with Lewis and Clark Behavioral Health Services staff with conducting the training.

3. DRS, BRN, and WDNBH are facilitating WINDMILLS trainings for state government employees. A training was held this week which focused on exploring disability stereotypes and emotional reactions to them. The intent of the training was to enhance participants' understanding of how misperceptions of disabilities keep successful applicants with disabilities from being hired. There were 7 attendees that participated which included Department of Human Services, Department of Social Services, and Department of Transportation employees.

**WINDMILLS TRAINING:** Eric asked at the previous meeting to allow time on the agenda to help familiarize members with the WINDMILLS training curriculum. The curriculum is designed to help businesses learn the value of hiring persons with disabilities. The modules are designed to reduce employer fears, biases, and stereotypes; increase employer confidence in hiring, supervising and promoting persons with disabilities and to help employers see the strengths of people with all abilities. Kim, Vicki and Catherine Greseth have completed the train the trainer course and they are available to deliver the training sessions free of charge. Kim and Vicki introduced members to the disability awareness module designed to change attitudinal barriers and create new perspectives of the skills and abilities of people with disabilities. All 12 curriculum modules are interactive sessions designed to build upon the knowledge, skills and tools of attendees to help create inclusive workplaces where all employees can thrive. It was noted that the employment specialists are all certified trainers. Information about the 12 modules can be found at: <https://www.miltwright.com/windmills-training-program>. Positive comments were made about the content and listening to comments made by others.

**BVR STAFF UPDATE – CONTINUED:** National Disability Employment Awareness Month (NDEAM) Update: The NDEAM Review Committee met last week on February 21<sup>st</sup>. The committee reviewed 12 funding requests from communities across the state. Total request in funds was \$45,450.00. After reviewing the funding requests, the committee recommended the approval of \$44,450 to support the events as planned. The proposal from Rapid City requested a total of \$8,100 and the committee recommended approval for \$7,100, thinking there could be cost savings within their budgeted line items.

Information was shared with the Board of Service to the Blind and Visually Impaired (B/SBVI) in terms of the committee's funding recommendations for the boards consideration of whether to contribute financial assistance, and if so, how much they would contribute towards the 2023 NDEAM events. The B/SBVI meets on March 10<sup>th</sup> and we hope to hear shortly after this date. This information will also be shared with the SILC to also ascertain if they will contribute financial support, and if so, how much. The SILC does not meet until early in April.

Both the B/SBVI and SILC have provided financial support in the past along with financial support from the BVR. During the Review Committee meeting, Bernie indicated that the Division would provide financial support, if it is needed. There were no questions or comments. The Review Committee is seeking the BVR's endorsement of their funding recommendations in the amount of \$44,450.00. There were no questions or comments about the funding recommendations at this time.

Governor's Awards Solicitation: The solicitation for the Governor's Awards will be disseminated on March 13<sup>th</sup>. The solicitation packet will include a cover memo (includes an outline of the nominations process), nomination forms for the 5 award categories and a copy of previous recipient list for the last ten years. The award categories include: Outstanding Individual with a Disability, Outstanding Employee with a Disability; Outstanding Employer of the Year (3 categories), Outstanding Transition Services and Distinguished Service. Nominations are due May 5<sup>th</sup>. Members are encouraged to make nominations and if they have submitted a nomination in the past and the nominee was not selected, please consider resubmitting the nomination. Nomination packets will be disseminated electronically and by mail. Information is also located on the Division's website at: <https://dhs.sd.gov/rehabservices/govawards.aspx>

Budget: Members received copies of two budgets. The first budget is from the contract year of January 1, 2022 through the end of December 2022. This budget reflects all expenditures made last year. The pages attached to the budget show the expenses by line item. The expenditures are tracked separately for each the BVR and SILC. The second budget is for the current contract year, January 1, 2023 through December 31, 2023. This budget reflects the expenditures for the month of January. Staff also reminded members of the Fall Conference, which will be held October 23-25 in Pierre. If anyone is interested in attending conference, please let staff know so the necessary arrangements can be made.

**OTHER BUSINESS:** There was none at this time.

**CLOSING ACTIONS:** Future agenda items: The summer meeting will include the election of officers. The Executive Committee will bring forth a proposed slate of officers for consideration. Nominees will also be taken from the floor. Members were reminded of the positions: Chairperson, Vice Chairperson, and Member-At-large and added that Brad has been serving as the Vice Chair, and he will be terming off the Board at the end of June. Members were asked to please consider each of the positions and the possibility of serving. The State Plan will continue to be on the June meeting agenda. Cole reminded members that if they have an interest in a topic or an idea for an agenda item to please let him or staff know. Next Meeting: Scheduled for June 14<sup>th</sup> via Zoom. Adjourn for the day: The Chair asked for a motion to adjourn –

**MOTION TO ADJOURN THE MEETING AT 1:38 PM, MSC.** YEAS: Vicki, Jolleen, Lisa, Jonathan, Bill, and Kevin. NAYS: None.