

**New York State Independent Living Council (NYSILC)  
Full Council Meeting  
April 15, 2016  
Troy Hilton Garden Inn, Sage Ballroom  
9:00 AM - 4:00 PM**

Council Members Present: Denise DiNoto, Helen Fang, Zach Garafalo, Keith Gurgui, Sue Hoger (Chair), Shelley Klein, Lindsay Miller, Clifton Perez, Edith Prentiss, Sue Ruff, Ann Scherff, Chad Underwood, Doug Usiak, Bob Gumson, Robert Meek, Roger Benn, Luis Gutierrez, Marc Rosen, Martin Abril.

Present by Phone:

Absent: Brett Eisenberg, George Hoehmann, Brian Daniels, Joe Bravo, Henry Nixon, Carla Lewis-Irizarry

NYSILC Staff Present: Brad Williams, Patty Black

Guests: Lindsy Wickert

**Review and Approval NY Draft SPIL 2017 - 2019 - Brad Williams**

Technical edits were made in March, based on feedback from the public comment period. The Federal CIL directors then reviewed and approved the draft SPIL at a meeting on March 14, 2016 at CDCI in Albany, resulting in the current draft being considered today.

Brad gave an explanation of the SPIL review and approval process, followed by the protocol to be used for each section. A summary was provided, leading to a discussion, questions, and action.

**Part I, Assurances:** Brad noted that the assurances were being updated by ACL. They were awaiting OMB approval. This section will need to be replaced with the new section when it comes in.

- Motion to Approve: Edith Prentiss
- Seconded: Bob Meek
- Motion approved unanimously

**Part II, Narrative: Brad Williams**

Brad provided a brief summaries for each section.

- A. Section 1: Goals, Objectives and Activities
  - Motion to Approve: Bob Meek
  - Second: Lindsay Miller
  - Motion Approved unanimously
- B. Section 2: Scope, Extent, and Arrangements of Services
  - Motion to Approve: Marc Rosen
  - Second: Edith Prentiss
  - Motion approved unanimously
- C. Section 3: Design for the Statewide Network of Centers.

Discussion about this section was interrupted to talk over approving the document as a whole instead of going item by item or section by section. The merits of reading through all of the section notes were seriously weighed and discussed. Brad had shared different draft versions of the SPIL with the

council. Members had this version of the draft SPIL two weeks in advance of the meeting. It was felt that there had been plenty of time to “digest” the content of the plan. A motion was introduced to read through all of Brad’s notes, and then to approve the entire draft SPIL at the end, rather than approving section by section.

- Motion to approve the plan as a whole after a summary read through: Edith Prentiss
- Second: Doug Usiak
- Motion approved unanimously

Helen suggested some existing webinar courses that help with understanding the SILC and the SPIL processes, particularly for new council members.

Brad continued by reading narrative summaries of the sections.

- D. Section 4: Designated State Unit
  - Transitioning to the Designated State Entity. They have the administrative duties and act as the fiscal agent.
- E. Section 5: Statewide Independent Living Council (SILC).
  - Functions and duties of SILC.
  - NYSILC will exercise its right to do the three new authorities; coordinate statewide services for people with disabilities, conduct resource development, and do leadership development/civic engagement. \$361,000 in part B funds for the SILC and \$64,000 in innovation and expansion funds from the DSE.
- F. Section 6: Service Provider Requirements.
  - Response by the DSE and the SILC in terms of support relating to the state and requirements for staffing, fiscal control, fund accounting, record keeping, reporting, access, IL plans, and CAP information.
- G. Section 7: Evaluation--Alan Krieger helped in this area. We have developed some best practices. Specific criteria identifies how we do our CIL consumer satisfaction survey, statewide needs assessment, SPIL monitoring and SPIL evaluation.
- Overall approval of the draft SPIL 2017-2019 v3.

Sue raised the subject of how MWBEs (minority and women business enterprises) are being addressed in the SPIL. It was discussed that the paragraph regarding MWBEs should be updated. She suggested the possibility of getting an exemption so that NYSILC dollars can go to people with disabilities as a minority and not be required to support other minorities. Brad will do a technical edit and change the wording of the paragraph regarding MWBE in section 2.2A. This would be a permanent, non-personnel exemption for all SPIL related RFPs and related contracts, and define the parameters of those exempt non-personnel. Doug questioned whether or not the possibility of the lack of approval and the holding-up of funds is worth the risk of asking for this exemption. He would like a clear, conceptual understanding of what the council is asking for in the SPIL. Brad clarified by saying that the permanent exemption to be requested will allow NYSILC to support people with disabilities through the RFPs. Brad assured that it does not impact Part C funds, only if it delays the SPIL being signed.

Motion to approve NYS draft SPIL 2017-2019 v.3: Shelley Klein

Second: Marc Rosen

Abstain: Bob Meek, Ann Scherff, Keith Gurgui

Motion passed.

**Minutes**

Motion to approve the minutes from November 13, 2015 council meeting: Shelley Klein  
Seconded: Marc Rosen  
Motion passed unanimously

### **Executive Director's Report - Brad Williams**

Brad Williams worked with Ann McDaniel from the West Virginia SILC to present at SILC Congress. Cornell and the Northeast ADA asked Brad to do a webinar on grassroots community organizing, which he provided on March 16<sup>th</sup>. The annual 704 report for 2015 has been finished with State Plan partners. ACL had to get their management information system online in March to be able to upload the 704 report. Brad wants to catch up with employment first activities at the June meeting. The quarterly contract report is in the SILC monitoring document.

Bob raised concerns regarding the Inclusive Workforce Alliance. He has seen material come through at ACCES-VR regarding their position on section 5-11 in the WIOA, which gives guidance on the segregated work settings and work centers. Language in the act states that schools may not use providers that direct students to segregated work settings. The Inclusive Workforce Alliance and its partners are working very hard to allow schools to use those providers for other services that are not sheltered workshops. Bob's concern is that it still allows for the youth that don't initially make use of community workforce opportunities to end up in a sheltered workshop. Bob wants to make sure that the council is not missing an opportunity to prevent the use of sheltered work.

Brad brought up the use of Kindles for council members, reminding current members of the updates needed to the Kindle through Amazon, and to contact him if they need assistance. Some questions were raised about whether or not the Kindle software is compatible for those who use Apple products.

Brad noted a letter sent to ACCES-VR regarding the inconsistencies in the two SSAN opportunities posted as RFPs, and the "understood" MWBE non-personnel exemption. He also took the time to thank ACCES for the FTE funds supplementing the SILC resource plan. Council members discussed the issue and felt that the SED MWBE office was over-reaching in its implementation. Perhaps it was time for an article 78. Time will tell. Everyone will continue to monitor the issue.

### **Treasurer's Report - Roger Benn**

The Quarterly Fiscal Report from October–December 2015 was reviewed. Roger stated that the profit margin was very slim, and that there was very little to talk about as everyone has had the notes on the quarterly fiscal report. He spoke to the audit being very standard, and the auditors were pleased with their ability to move forward. The auditor was pleased with the checks and balances that are in place. Brad added that the minutes of the March 4<sup>th</sup> finance committee meeting with the auditor in the packet.

### **Executive Committee Report - Brad Williams**

Brad discussed what the auditor recommended in the situation of a check being large enough that it requires a second signature. It was decided that the amount should be increased for those checks instead of having to mail them to an officer for a second signature. This was discussed in the Executive Committee, but according to the bylaws, this change needs a 2/3 vote of the council to be made final. The recommended change states that any check of unbudgeted funds in an amount over \$5000.00 will require a double signature. Edith raised the question of electronic banking, and Brad answered that the auditor does not recommend electronic banking or electronic banking statement review. The auditor likes review of hard copies.

Motion to increase the amount of unbudgeted funds for which a check will require a second signature to an amount over \$5000: Roger Benn

Second: March Rosen

Motion passed unanimously.

## **NYSILC Committees**

With 7 new members there are chair vacancies in the following committees: Recruitment, Development, Database Work Group, and Consumer Satisfaction. Brad reviewed each of these committees and the needs of the groups. Sue Hoger will appoint the chair for each committee, and council members should speak with her or with Brad if they are interested. Committee members are also needed. It was also suggested that some council members may want to add a committee or switch committees. Several members volunteered for committees. Brad will reflect the changes on the NYSILC committee document.

Lindsay Miller expressed interest in having NYSILC collaborate with NYAIL. NYAIL currently has active policy committees on housing and transportation, and rather than duplicating work, there could possibly be more collaboration. She suggested that Cliff, as chair of the NYAIL transportation committee, could communicate with the council on common issues. Brad suggested a discussion on the subject. Chad suggested that the SILC collaborate with public policy in general, and that it would be more effective if there were more collaboration. Brad countered that the SILC still needs a policy committee because the council needs to be able to take action on any issues that are not mutual. Doug expanded on the discussion by suggesting that in committees with dual chairs, one from NYAIL and one from SILC, there wouldn't be any accusation of one organization pushing the other one. Cliff stated he would be willing to do that for transportation. Sue added that many of the committees say that a majority must be chosen from NYSILC membership, but the emergency preparedness committee has 12 members and only two are from NYSILC. This needs to be adjusted, and she'd like to find out if anyone is interested in becoming a part of the emergency preparedness committee. Brad said that NYAIL and NYSILC should continue to work in collaboration, particularly with transportation and housing. Chad suggested that the number of committees has become prohibitive, and that more collaboration can only benefit NYSILC. Edith opposed to having public policy moved to executive committee. When some committees moved to NYAIL, as a council member she felt cut off from the information. Brad believes that the climate was quite different at that time. Chad clarified that he was not suggesting getting rid of public policy and moving it to the executive committee. He believes that collaboration is needed. Lindsey Miller offered to have the NYAIL public policy staff put together a list of all of the policy committees and issues they are working on now. She said that anyone is welcome to join, and at least one NYSILC member is on each of their policy committees.

## **Committee and Subcommittee Reports**

### **ACCES-VR SRC - Chad**

Chad reviewed the March SRC meeting where there was a new member orientation. The committee reviewed 2016 ACCES-VR state rehabilitation council common priorities. The focus of ACCES-VR for the last few years has been the Workforce Innovation and Opportunities Act (WIOA), and the culture shift behind the provision of rehabilitation services, identifying how to adapt to changes, and move forward. In the Combined State Plan, a report was received from the disability employment initiative. There is a sixth round of funding that is putting one or two staff people in One Stops in one or two counties. A report was received from Ray Pierce from ACCES-VR regarding the core rehab services contract, and he anticipates an RFP to come out in May. A report was received from the advisory committee on post-secondary education for people with disabilities. A report was received from the CUNY-Lead and Project Reach, which relates to resources and education on autism. The committee meets again on June 8 & 9.

Chad reminded the council that a new liaison for ACCES-VR SRC will be needed, as he is terming off at the end of this year. Sue asked Chad about the TASC, as it is not yet accessible to the blind. McGraw Hill sold its data to another corporation, and she is wondering if there are any further updates on that issue. Chad said it was still being worked on.

Sue also brought up the subject of training for Fair Hearing Officers. There has been evidence that these officers too frequently don't understand the law, don't know the regulation, and that their decisions violate the law. Chad responded that the ACCES-VR hearing officers are regulated, and the training process is thoroughly reviewed.

Ann is wondering what is being done to work in collaboration with those under OPWDD to get employment within the community. Chad said that there is a member of OPWDD on the State Rehabilitation Council, so that voice is heard.

## **Lunch**

### **ACCES-VR - Bob**

The Commission for the Blind is working on the accessibility for the TASC equivalency test, and it's probably a year away from becoming accessible. In WIOA news, there is a plan between labor, ACCES, Adult Education, OTDA, and other workforce training and education programs in the state that was submitted as a joint state plan for the first time ever on April 1<sup>st</sup>. RSA and ODEP are looking at the plan. In the plan, there are some common data points across all programs having to do with employment. Background funding is being negotiated because they are required to contribute to the One Stops.

ACCES has scheduled forums with ILCs, one in NYC and one in Syracuse. The NYSILC members are welcome to come.

On the status of RFPs—both are out, SED has responded to the Q&A, and Bob is working to have them both in on time.

Core Rehabilitation Services for WIOA—progress has slowed due to contractual requirements. The time frame for the RFP on CRS has been extended due to delays. In the CRS under WIOA, there is a requirement to have a new service for self-advocacy to teach people with disabilities about their role as an employee with a disability.

ACCES is also working on an RFP for a youth employment initiative to prepare youth ages 14-24 for engaging in VR and employment. ILCs are one group that are likely to apply to provide services. Bob is particularly interested in an RFP for peer mentoring youth for careers and employment, not necessarily connected to ACCES-VR consumers. The Peer Integration Project RFP was selected and awarded.

### **Development Committee - Brad Williams**

The last development meeting was in March. The proposal is almost done, and NYSILC is talking to Liberteks on building a website for the Leadership Development Civic Engagement program. The tech writers are working on webinars.

### **Consumer Satisfaction - Brad Williams**

The consumer satisfaction survey is coming up, and at the last meeting the questions were discussed and built off of previous survey questions. The committee worked on the readability of the questions. The committee revised the Likert scale to 1-5, and had to come up with a weighted scale for the 85% benchmark. Progress is ongoing. They also completed the SPIL evaluation for their objective.

### **Public Policy - Shelley and Brad:**

The new needs assessment served as the basis for the meeting agenda. The draft was discussed. A second version draft was created and is being considered at the end of the month. Committee members provided excellent input on the new 3-year agenda and format. Shelley requested that new council members consider joining the public policy committee.

### **Youth Leadership - Zach Garafalo**

Zach directed everyone's attention to Melanie, Lexa, and Kelly to thank them for their help on the youth leadership committee. Lindsy Wickert was also thanked for her work and diligence. The counsel has been looking at what other centers do across the country. The committee developed a strategic three-year plan, which is a draft document. The plan looks to develop marketing and outreach materials. Zach suggested that the next NYAIL conference in 2017 has opportunities for young people to participate. The committee is exploring crowdsourcing and other fundraising opportunities to cover the cost of attending the NCIL Conference in July. They are also looking to other disability rights youth groups, encouraging youth participation in the leadership of centers, and to serve on boards of directors. This committee also has a targeted survey to find out about the needs of disabled young people across New York.

### **Emergency Preparedness - Sue Ruff**

The emergency preparedness committee has been very active. There are about 12 members from all over NY, excluding the North Country. Dave Whalen had been approached by the DDPC to submit a proposal to do Emergency Management Access and Functional Needs Training in NYS (a grant which he was awarded). Jim Flemming from the committee has been active throughout the state to develop Core Advisory Groups (CAGs), and arrange webinars and opportunities for people in different counties to learn about emergency management work for disabled people. There was an overnight shelter exercise in New Jersey. In Broome County there are 11 people from the ILC who are now certified shelter volunteers. Other people are encouraged to approach the Red Cross for this training.

The committee would like some changes made to the NYSILC website that will provide additional information and links. Patty wants people to be aware of some resistance in certain parts of the state.

A mass medication drill was held, and some counties did not do well with inviting and involving the disabled population. The state held a training in Oriskany, where 52 counties participated. The committee encourages everyone to be involved with OEM, and those who have the resources are asked to consider offering help in the form of walkers, wheelchairs, and other assistive technology for disaster shelters.

The committee took part in an active shooter drill in Broome County. Participation in these exercises is vital for giving first responders the necessary training to accommodate special needs in an emergency situation.

Keith asked Sue for examples of the resistance she has encountered in emergency preparedness training. Sue mentioned that disabled people do not want to be segregated in these trainings or events, and in one example disabled people were segregated to a tent so that their wheel chairs or

other accommodations wouldn't "clutter up" the indoor space. There is much work to be done toward educating emergency managers in the needs of the disabled community.

Edith commented on the high rise evacuation plan in NYC. She believes that very little progress has been made for the disabled population regarding emergency management and evacuation.

### **Database** - Chad Underwood and Brad Williams

The database workgroup has had two meetings since the council last met. Chad has decided to step aside as chair and resign from the committee. Brad reviewed the proposals that have been presented to the database workgroup, and questions have been drafted for the vendors in order to get more detail on their proposals. There are currently 3 proposals being considered. Chad added that he is concerned about being able to make good progress on the database, and that if it will cost \$500,000, ways of making that happen should be considered. Brad responded that all perspectives need to be considered, and the committee also must do further research before determining the best course of action. Brad answered a question from Edith regarding system compatibility. Roger agreed to be chair of the database workgroup.

### **Recruitment** - Brad Williams

Martin has agreed to be chair of recruitment. The NYSILC website has an interactive calendar for committee meetings, and council members can check this for the dates of their upcoming meetings. There will be four vacancies in 2017, and a couple other considerations for the ex officio members: ACCES-VR and the Commission for the Blind.

### **Outreach** - Brad Williams

Outreach did its SPIL evaluation and discussed SPIL monitoring related to the capacity building grants (CBILCOs). The committee made a decision related to the Pat Figueroa sponsorships. Applicants will be asked to volunteer at their local center for 15 hours. The ADAPT Youth Summit will be in Rochester, NY this year. This is a limited conference (not everyone gets to attend). The council is considering how to best support the event. The Cortland Center had an excellent needs assessment, and those who have the chance should look at it.

Motion to adjourn council meeting: Bob Meek

Second: Denise DiNoto

Council Meeting Adjourned