**State of California**

**Health and Human Services Agency**

**Department of Rehabilitation (DOR)**

## Blind Advisory Committee (BAC) Meeting

## Thursday, September 22, 2022

9:00 a.m. – 4:00 p.m.

Hybrid meeting held in DOR Central Office, 721 Capitol Mall, Room 301

Sacramento, CA 95814, with virtual participation available via Zoom.

*Draft Meeting Minutes*

**In attendance**:

BAC members (by Zoom): Sandy Balani, Bryan Bashin, Margaret Buchmann-Garcia, Chris Fendrick, Sarah Harris, Julie Parrish, Mitch Pomerantz, Joe Smith, and Cheryl Thurston.

DOR staff (in person): Joe Xavier, Susan Pelbath, Michael Thomas, Kate Bjerke.

DOR staff (by Zoom): Peter Dawson, Jay Harris, Christina Sky Ntxwj, Ana Cristina Mendonsa-Garaventa, Carmen Ramirez-Franco, Joe Stansil, Christina Park.

Members of the public (by Zoom): Steve Clark, Aaron Espinoza, Anita Aaron, Trisha, Pete Benavidez, Elena Kaltsas, Shellena Heber, Margie Donovan, Lesley Ann Gibbons.

## Item 1: Welcome and Introductions

Chris Fendrick, BAC Chair, welcomed attendees, conducted a roll call, established a quorum, and introduced DOR staff and members of the public. Kate Bjerke, State Rehabilitation Council Executive Officer, provided logistical guidance to attendees about the hybrid meeting format.

## Item 2: Approval of the BAC Meeting Minutes and Review of Action ItemsIt was moved/seconded (Harris/Parish) to approve the May 12, 2022 BAC meeting minutes as presented with one correction (member Sarah Harris’ organization should be listed as ‘Resources for Independent Central Valley’). A roll call vote was conducted (Yes – Fendrick, Balani, Bashin, Buchmann-Garcia, Harris, Parrish, Pomerantz, Smith), (No – 0), (Absent – 0), (Abstain – Thurston). The motion was approved. Action item: DOR staff to post approved minutes on the BAC webpage.

## Item 3: BAC Committee Members Network Updates

BAC members reported on matters of interest in their networks and communities. Highlights included the following:

* Chris Fendrick: spoke about activities with the American Foundation for the Blind (AFB) Blind Leadership Development Program, the Association for Education and Rehabilitation of the Blind and Visually Impaired (AERBVI) conference in Missouri, and the upcoming American Printing House for the Blind (APH) Annual Meeting. The California Transcribers and Educators for the Blind and Visually Impaired will hold a conference in April 2023.
* Bryan Bashin: has separated from Lighthouse for the Blind and Visually Impaired, San Francisco, after 13 years. A successor will be announced in the near future. Bryan serves on the BAC representing the National Federation of the Blind, California.Bryan spoke activities of the US Ability One Commission and the ending of subminimum wage.
* Sandy Balani: provided updates on the BEP program, availability of a navy base location, and the upcoming California Vendors Policy Committee (CVPC) meeting scheduled for October 5th and 6th.
* Margaret Buchmann-Garcia: the Center of Vision Enhancement (COVE) returned to providing in-person services in summer 2022 and is considering adding new service offerings like adult work experience.
* Sarah Harris: received her ADA Coordinator Certification and is participating in the third cohort of the AFB Leadership Development Program. The California Council for the Blind will hold a hybrid convention on March 31 – April 2, 2023 at the Sacramento Arden Hilton. Resources for Independent Central Valley is hosting a “Get Vote Ready” series.
* Julie Parrish: spoke about the Wayfinder Family Services WRAP program collaboration with Cal State Los Angeles and efforts to start a work experience program. Julie will attend Cane Quest at Cal State Los Angeles on November 3 – 6, 2022.
* Mitch Pomerantz: Is chairing an American Council of the Blind (ACB) committee that is reviewing code of conduct violations. The code of conduct, policies, and procedures document will be finalized in October 2022. Mitch announced that September 22, 2022 BAC meeting will be his last.
* Joe Smith: reported that when he travels, he meets many individuals who have age related disabilities. Joe often shares information about the Older Individuals who are Blind (OIB) program during his travels. Joe is supporting state and federal level legislation by writing letters California Council of the Blind (CCB). Joe reported that he is listening to American Council of the Blind (ACB) radio programs.
* Cheryl Thurston: reported on activities of the National Federation of the Blind of California, which will hold a convention in November 2022. Cheryl is working on the exhibit hall.

## Item 4: Pathways to Success Project

Danielle Hackworth, Manager, and Kelly Rocha, Project Director, provided BAC members with an overview of the Pathways to Success Project (PSP), a disability innovation grant awarded to DOR by the U.S. Department of Education, Rehabilitation Services Administration (RSA). Discussion and questions and comments from the BAC members included the following:

* Mitch Pomerantz: individuals who are blind can do the jobs outlined in the PSP, including jobs that involve using equipment. Blindness is a broad category. Mitch recommended that the PSP generalist counselors collaborate with the specialist counselors, and recommendation that over the next five years, to pay attention to the number of blind and visually impaired individuals who participate in the PSP and become employed.
* Bryan Bashin: noted concern requirements to become employed in these high paying specialty sectors, like college courses, board certifications, and tools, are often not accessible. Bryan asked if the PSP counselors/staff have specialized training in Blind Field Services, and how Blind Field Services will be engaged in the PSP.
* Chris Fendrick: would like to have a follow up presentation/update on the PSP at the February 2023 or Spring 2023 BAC meeting.

Public Comment:

* Elena Kaltsas: spoke about her daughter’s experience and barriers for individuals who are blind to complete undergraduate and graduate degrees, and the need to address daily barriers that students face. Elena is interested in reviewing PSP outcome data. She recommended that all clients have the option to participate in the PSP, and to not limit participation to counselor referrals.

## Item 5: Adult Work Experience

Nancy Ybarra, Regional Business Specialist, DOR Blind Field Services District, provided information on adult work experience, which provides consumers with hands-on experience, opportunities to build skills and self-confidence, leading to successful employment and to have the tools and resources to live independently. DOR has partnered with the Foundation for California Community Colleges (FCCC), and businesses serve as the work site. DOR provides 100% of the wages, workers compensation coverage, and unemployment insurance up to 300 hours. Currently two consumers are authorized for 900 total hours, working 300 hours each (this might need clarification). Nancy spoke about collaboration between DOR and businesses, and other program details and logistics. Discussion and questions from the BAC members included the following:

* Chris Fendrick asked about the outreach taking place through Blind Field Services to potential employers for work experience.
* Sarah Harris: asked about how an employer can connect to DOR to learn about participating and becoming a work site. Sarah asked – what are the most requires work experiences.
* Margaret Buchmann-Garcia: asked if there are 2 different kinds of adult work experience.

Public Comment

* Aaron Espinoza: asked if students aged 16 can participate in the adult work experiences.

## Item 6: DOR Update to BAC CAL-ATSD Task Force Recommendations

Zachary Mundy, Chief of DOR Contracts and Procurement Section, provided an update on the BAC California Assistive Technologies, Services, and Devices (CAL-ATSD) Task Force recommendations still in progress:

* Recommendation #2: Zachary explained that the application was updated in February 2022. A notification was sent to all Cal-ATSD vendors in April 2022, with a request that information be submitted to DOR by the end of May 2022. DOR is processing this information and following up with vendors on outstanding applications. DOR agreed to send out an annual reminder to all vendors, reminding them to verify that their information is up to date on the Cal-ATSD website.
* Recommendation #4: DOR held a training for BFS counselors and other staff who issue authorizations in March 2022. Blind Field Services provided training on assistive technology products and types of services in June 2022.
* Recommendation #8: DOR is open to reviewing these recommendations on standardized assessments once they are provided by the BAC. Chris Fendrick reported that a BAC workgroup did convene; will circle back to this when time is available.

Zachary noted that the other Cal-ATSD Task Force recommendations have been completed.

Public Comments

* Lesley Ann Gibbons: inquired about deadlines for vendor updates and keeping the vendor list current.
* Elena Kaltsas: spoke about the impact that outdated vendor information has on consumers.

## Item 7: Finalized Title IX Documents

Peter Dawson, Regional Director, DOR Blind Field Services, provided background information on efforts to update the Title IX documents and noted that the priority is always the safety of the consumer. Peter noted that DOR’s Legal team is working on updating DOR’s regulations. DOR considers the Title IX documents to be finalized and applicable, and the documents are in circulation and posted online. Questions and comments from the BAC members included the following:

* Mitch Pomerantz: stated that the Community Rehabilitation Program (CRP) guide does not have a requirement for CRP staff to receive training on appropriate relationships between CRP staff and students. Mitch noted that the DOR terms and conditions document references adherence to Title IX, but there is no mention of required harassment training. The CRP fraud, waste and abuse document includes training on consumer safety, which is good. Mitch stated that the OCB curriculum should include training on healthy relationships and individual responsibilities. Mitch reiterated his suggestion for background checks, particularly for providers who visit consumer homes and provide one-on-one services.
* Bryan Bashin: recommended that the CRP standards for include harassment training, so that immersion training and mentorship can be carried out safely.
* Chris Fendrick: asked if vendors and service providers are required to carry personal liability insurance. Chris reported on outreach to constituency groups for their thoughts on the Title IX issues.
* Sue Pelbath: asked BAC to form a workgroup to develop recommendations on standards.
* Margaret Buchmann-Garcia: suggested that DOR research Individual Service Provider (ISP) insurance requirements.
* Peter Dawson: asked how can DOR ensure consumers are aware of their rights and responsibilities?
* Joe Smith: asked about the frequency of background checks and how they would be utilized.

Action Item: Sarah Harris will chair a BAC subcommittee Title IX “Developing Guidelines and Standards Subcommittee”. Subcommittee members will include Chris Fendrick and Julie Parrish. Interested members of the public include Anita Aaron and Elena Kaltsas. The goal is for this subcommittee to convene in October 2022.

Action item: DOR to report back at the November 10, 2022 BAC meeting on the DOR’s insurance requirement for ISPs and providers.

## Item 8: Directorate Report

Joe Xavier, DOR Director, reported on national, state and departmental topics of interest. Highlights included the following:

* Acknowledgements and commemorations
* National level updates:
	+ The Council of State Administrators for Vocational Rehabilitation (CSAVR) conference is taking place at the end of October 2022 in Texas; DOR will not attend as California cannot use public money for traveling to Texas.
	+ DOR received $48 million of federal reallotment funding.
	+ Dante Allen has been nominated as the Rehabilitation Services Administration (RSA) commissioner.
	+ DOR has been awarded a Disability Innovation Fund award focused on ending subminimum wage. DOR received $13.9 million for a five-year period and will serve approximately 400 individuals.
* State level updates:
	+ Governor Newsom’s Executive Order N-16-22, which directs state agencies to take critical actions on equity and discrimination.
	+ Access and Functional Needs Taskforce, which supports vulnerable populations during natural disasters.
	+ Equity Action Plans, targeted universalism, and the California Health and Human Services (CHHS) strategic priorities and principles. DOR submitted an impact goal to CHHS to significantly increase the number of individuals with behavioral health disabilities with obtaining sustainable employment.
* Department updates:
	+ DOR has a two-year window, which began in July 2022, to transition over to the FI$Cal system. A question under consideration is how consumer expenditures will be reported.
	+ Electronic workflow efforts.
	+ DOR’s new goal to increase the number of students served from 30,000 to increase 60,000 and ensure that youth with disabilities leave high school with either 1) a family sustaining wage, or 2) enrolled in VR services.
	+ Vacancies: Strategic Initiatives Officer, Chief Deputy Director, Administrative Services Assistant Deputy, and Chief Information Officer.
	+ CalDOR Consumer Payment Card
* Director Xavier the following question to the BAC: what recommendations does the BAC have on strategies to address the disparities in the programs that the blind and visually impacted. For example, the Older Individuals who are Blind Program – the vast majority of those served are white.

Questions and comments from the BAC included the following:

* Margaret Buchmann-Garcia: provided comment regarding disparities and cultural stigma. Margaret asked about receiving direct deposit payments.
* Bryan Bashin: noted that nationally, only 11% of agencies for blind people are led by individuals who are blind.
* Sarah Harris: is interested in the Access and Functional Needs Task Force.
* Sandy Balani: provided a comment about online payments.

Public comments

* Margie Donovan suggested reaching out to individuals who are newly blinded, students, working people, and suggested that DOR conduct an outreach campaign.
* Pete Benavidez spoke about board and leadership diversity.

## Item 9: DOR Specialized Services Division (SSD) Report

The following SSD managers reviewed highlights from the program reports that were included with the meeting materials:

* Jay Harris, Manager, Older Individuals who are Blind Program (OIB)
* Eric Mazariegos, Acting Administrator, DOR Orientation Center for the Blind (OCB)
* Michael Thomas, Assistant Deputy Director, DOR SSD, on behalf of Kelly Snow, Manager, DOR Business Enterprise Program (BEP)
* Peter Dawson, Regional Director, DOR Blind Field Services (BFS)

Questions and comments from the BAC members included the following:

* OIB: Chris Fendrick is interested in hearing success stories and case students, and he ask about the reimbursement formula. Mitch Pomerantz asked if there are plans for resuming onsite reviews. Member of the public Pete Benavidez made a comment about spending more time with consumers and increasing engagement.
* BEP: Joe Smith asked about DOR’s response to federal decisions, arbitration, and court judgments regarding BEP on military bases.
* SSD: Chris Fendrick noted that there are approximately 250 low and visually impaired students at every grade level. Margaret Buchmann-Garcia asked about monthly invoices, which Laura Rasmussen offered to look into. Bryan Bashin asked about delays in tuition payments, which Laura Rasmussen offered to look into. Chris Fendrick recommended reading the Journal of Visual Impairment, which is running an employment series.

## Item 10: Updates on the SB 105 Conference and Trainings

Laura Rasmussen, District Administrator, DOR Blind Field Services District, reviewed the five SB 105 training requirements and the current status of each. Questions and comments from the BAC members included the following:

* Mitch Pomerantz: recommends Mississippi’s job analysis and development curriculum.
* Chris Fendrick: asked if there are incentives for continuing education.

## Item 11: BAC Membership

BAC members discussed committee membership composition, the four vacancies, term expirations and bylaw updates.

* Next steps: Susan Pelbath and Joe Xavier are finalizing the updated recruitment documents. Sue noted that if there are attendees on the call who are interested in serving, to contact her directly. Chris Fendrick will send the BAC bylaws to Sue Pelbath and Kate Bjerke. The bylaws have not been updated in several years.

## Item 12: Identification of Future Agenda Items

* Select 2023 BAC meeting dates.
* Update from the Title IX “Developing Guidelines and Standards Subcommittee” chaired by Sarah Harris.
* DOR to report back at the November 10, 2022 BAC meeting on the insurance requirement for ISPs and providers.
* Statistics from the last fiscal year with performance data and lists of occupations.
* Hear success stories directly from BFS counselors and consumers.
* Pete Benavidez to present on service provider crisis/desert in the Los Angeles area.
* Invite Sarah Candee to present on Workability program updates
* Update on BAC membership – status of recruitment efforts, application review and new member appointments.
* Standing agenda items – Director’s report and SSD division report.
* DOR to report back at the November 10, 2022 BAC meeting on the DOR’s insurance requirement for ISPs and providers.
* Consider and discuss Director Joe Xavier’s question: what recommendations does the BAC have on strategies to address the disparities in the programs that the blind and visually impaired. For example, the Older Individuals who are Blind Program – the vast majority of those served are white.

## Adjournment