

**CALIFORNIA STATE REHABILITATION COUNCIL (SRC)**

Wednesday, January 12, 2022 10:00 a.m. – 12:30 p.m.

Thursday, January 13, 2022 10:00 a.m. – 12:30 p.m.

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**CALIFORNIA STATE REHABILITATION COUNCIL (SRC)**

# Meeting Notice and Agenda

Wednesday, January 12, 2022 10:00 a.m. – 12:30 p.m.

Thursday, January 13, 2022 10:00 a.m. – 12:30 p.m.

**Public Participation Options**

* **Virtual Meeting Link**: Zoom: <https://tinyurl.com/SRC-Jan2022>
* Meeting ID: 893 9905 7705 and Passcode: 2&yR#KKQ
* **Join by Phone**: +1 408 638 0968 or +1 669 900 6833
	+ Meeting ID: 893 9905 7705 and Passcode: 73244952
	+ Phone controls for participants:
		- Mute and unmute press \*6
		- Raise hand press \*9
* **Email Your Comments**: SRC@dor.ca.gov

**Meeting Agenda**

Please note: Times are listed with the agenda items to assist attendees joining the meeting virtually and by phone. These times are estimates and subject to change. The SRC may act on any item listed in the agenda.

**1. Welcome and Introductions (10:00 – 10:05 a.m.)**

Theresa Comstock, SRC Chair

**2. Public Comment (10:05 – 10:10 a.m.)**

Members of the public will have the opportunity to comment on issues and concerns *not* included elsewhere on the agenda. Public comment relating to a specific agenda item will be taken at the end of the applicable agenda item or prior to a vote.

**3. Directorate Report (10:10 – 10:45 a.m.)**

Joe Xavier, DOR Director and Andi Mudryk, DOR Chief Deputy Director, will report on leadership and policy topics of interest. National, State, and departmental updates will be provided. SRC members will have the opportunity to ask questions and have an interactive discussion.

**4. Fair Hearing and Mediation Statistics and Overview of Hearing Summaries (10:45 – 11:05 a.m.)**

DOR Office of Legal Affairs and Regulations

SRC members will learn about the fair hearing and mediation statistics and receive an overview of hearing summaries.

**Break (11:05 – 11:10 a.m.)**

**5. Fair Hearings and Mediations: New Contract, Impartial Hearing Officers (Request for Approval), and Proposed Regulatory Change**

**(11:10 a.m. – 12:00 p.m.)**

DOR Office of Legal Affairs and Regulations

SRC members will be updated on DOR’s new contract for mediation and fair hearings and are requested to join DOR in approving Impartial Hearing Officers to conduct mediation and fair hearings under the contract. DOR will provide information on a proposed regulatory change that would permit an appellant to select their preferred method of delivery of a decision after a fair hearing.

**Break (12:00 – 12:05 p.m.)**

**6. Adopt-a-Region Reports (12:05 – 12:30 p.m.)**

SRC members will report out from their recent Adopt-a-Region discussions.

**7. Recess until 10:00 a.m. Thursday, January 13, 2022**

**Agenda for Thursday, January 13, 2022**

**8. Reconvene, Welcome, and Introductions (10:00 – 10:05 a.m.)**

Theresa Comstock, SRC Chair

**9. Public Comment (10:05 – 10:10 a.m.)**

Members of the public will have the opportunity to comment on issues and concerns *not* included elsewhere on the agenda. Public comment relating to a specific agenda item will be taken at the end of the applicable agenda item or prior to a vote.

**10. Approval of the September 1-2, 2021 SRC Meeting Minutes**

 **(10:10 – 10:15 a.m.)**

**11. SRC Bylaw Amendments (10:15 – 10:20 a.m.)**

Regina Cademarti, SRC Executive Officer

The proposed bylaw amendments will be reviewed. SRC members will have the opportunity to recommend any additional amendments.

**12. Update on DOR’s Regulation Projects (10:20 – 11:00 a.m.)**

DOR Office of Legal Affairs and Regulations

SRC members will be updated on the Competitive Grant Process Regulations; Title IX Regulations; Student Services Regulations; and

Vocational Rehabilitation Regulations (alignment with federal law and regulations).

**Break (11:00 – 11:05 a.m.)**

**13.** **Demand Side Employment Initiative (DSEI) (11:05 – 11:20 a.m.)**

Laura Rasmussen, Acting Regional Director, Blind Field Services

Toussaint Wade, Regional Coordinator, DSEI

SRC members will learn about DESI engaging with stakeholders and businesses to create grants for business to increase hiring of individuals with disabilities.

**14. Proposed Form Revisions and Upcoming Application Regulations Package (11:20 – 11:40 a.m.)**

Nancy Wentling, Staff Services Manager I, Program Policy Section

Elizabeth Colegrove, Staff Attorney III, DOR Office of Legal Affairs and Regulations

SRC Members will learn about the proposed revisions to form DR 222 Vocational Rehabilitation (VR) Services Application and form DR 222A Supplemental Personal Information and the upcoming application regulations package.

**15. SRC Officers, Members, and Executive Officer Reports**

**(11:40 a.m. – 12:00 p.m.)**

**Break (12:00 – 12:05 p.m.)**

**16. Debrief and Recommendations Discussion (12:05 – 12:25 p.m.)**

SRC Members will debrief from this meeting’s discussions and potentially adopt recommendations.

**17. Identification of Future Agenda Items (12:25 – 12:30 p.m.)**

**18. Adjourn (12:30 p.m.) \***

**PUBLIC COMMENTS**

Public comment relating to a specific agenda item will be taken at the end of the applicable agenda item or prior to a vote. Public comments on matters not on the agenda are taken at the beginning of the meeting. A speaker will have up to three minutes to make public comments and may not relinquish his or her time allotment to another speaker. Non-English speakers who utilize translators to make public comment will be allotted no more than six minutes unless they utilize simultaneous translation equipment. The SRC is precluded from discussing matters not on the agenda; however, SRC members may ask questions for clarification purposes.

**MEETING NOTICE AND AGENDA**

This meeting notice and agenda and supplemental meeting materials are posted on the [SRC webpage](https://dor.ca.gov/Home/SRC). All times indicated and the order of business are approximate and subject to change.

\*The meeting will adjourn upon completion of the agenda. Interested members of the public may join virtually or use the teleconference line to listen to the meeting and/or provide public comment. The SRC is not responsible for unforeseen technical difficulties that may occur and is not obligated to postpone or delay its meeting in the event of unforeseen technical difficulties with the teleconference line or virtual meeting room.

**REASONABLE ACCOMMODATIONS**

If you require a disability-related accommodation, materials in alternate format or auxiliary aids/services, please call (916) 558-5897 or email SRC@dor.ca.gov five days prior to the meeting.Any requests received after this date will be given consideration, but logistical constraints may not allow for their fulfillment.

**CONTACT PERSON**

Regina Cademarti, SRC Executive Officer, SRC@dor.ca.gov, (916) 558-5897.



**Agenda Item 4**

**Wednesday, January 12, 2022**

# Item Name: Fair Hearing and Mediation Statistics and Overview of Hearing Summaries

**Item Type:** Information. SRC members will learn about the fair hearing and mediation statistics and receive an overview of hearing summaries

**Background:**

In accordance with title 34 Code of Federal Regulations part 361.16(a)(2)(iv), the SRC is provided the due process or fair hearing decisions rendered by Impartial Hearing Officers.

The fair hearing decisions and summaries contain insight on the application of state and federal regulations to specific issues and services. To maintain confidentiality, personal identifying information has been redacted from the summary and decisions

**Attachment(s):**

Attachment 1: Summary of Fair Hearing Decisions for Federal Fiscal Year 2020-2021

**Agenda Item 4, Attachment 1**

## Summary of Fair Hearing Decisions for Federal Fiscal Year 2020-21

 **California Department of Rehabilitation**

**Summary of Fair Hearing Decisions for Federal Fiscal Year 2020-2021**

**First and Second Quarter: October 1, 2020 through March 31, 2021**

**1. OAH Number 2020080234 (San Diego District)**

**Impartial Hearing Officer: Alan R. Alvord**

**Decision Date: October 23, 2020**

**Applicable Regulations:** **California Code of Regulations, title 9, sections 7136.4, 7136.6(b), 7137(a)(b), 7351(a)**

This appeal was denied. After initially pursuing a special education credential, appellant switched focus to working in a self-employment position as an educational consultant. In May or June of 2020, appellant notified DOR that appellant wished to pursue self-employment opportunities instead of a special education certificate. The DOR counselor sent email messages and exchanged information and materials regarding appellant’s business plan. The DOR conducted several detailed business plan reviews and provided feedback to appellant about appellant’s self-employment plan proposal. Appellant’s counselor notified appellant on July 31, 2020 that DOR would not approve appellant’s plan for self-employment because it involved an existing small business. Appellant requested a fair hearing.

At the fair hearing, the Impartial Hearing Officer concluded that a self-employment setting is appropriate when DOR finds that working in the proposed self-employment setting is consistent with the individual’s personal attributes, and the proposed business is reasonably likely within 12 months to produce sufficient income to pay the business’s ongoing operating expenses and provide income for the individual at or above minimum wage. The Impartial Hearing Officer determined the appellant did have an existing small business, began trying to revive that business in the summer of 2019, and approximately six months later sought rehabilitation services with DOR. Therefore, the appeal was denied.

**2. OAH Number 2020080503 (San Diego District)**

 **Impartial Hearing Officer: Marion J. Vomhof**

 **Decision Date: November 4, 2020**

**Applicable Regulations:** **California Code of Regulations, title 9, sections 7006, 7155, 7156, 7158.8**

This appeal was denied. In March of 2018, the appellant was approved for University training by DOR, with the first two years to be funded at the California community college rate of $46 per unit, with DOR agreeing to pay for books, supplies, and assistive technology as needed. On June 30, 2020, appellant informed DOR that appellant decided to attend another community college out of state. On July 20, 2020, DOR indicated it would fund the out of state community college at the in-state rate of $46 per unit, but appellant requested funding at the Western Undergraduate Exchange rate of $230.05 per unit. Appellant asserted that California did not have a suitable match for his program of study. However, DOR advised appellant that it had compared the programs at appellant’s out of state community college and another local college in California and determined that the programs were comparable. DOR asserted that clients may be provided out of state training funding if suitable facilities or courses are not available within the state. DOR also asserted that clients receiving college level training shall use the least expensive educational institution that has suitable facilities and courses, and therefore DOR can only fund at the in-state rate of $46 per unit. Appellant requested a fair hearing.

At the fair hearing, the Impartial Hearing Officer concluded that the program descriptions and the course descriptions for the California program and the out of state program were comparable. Both schools’ catalogs state that they determine accommodations on an individual basis. Both colleges are required to abide by the ADA and must provide reasonable accommodations based on appellant’s disabilities. The Impartial Hearing Officer ruled that appellant failed to prove by a preponderance of the evidence that DOR was required to fund appellant’s tuition at the WUE rate instead of the in-state community college rate and therefore denied the appeal.

**3. OAH Number 2020030456 (San Joaquin District)**

**Impartial Hearing Officer: Danette C. Brown**

 **Decision Date: November 16, 2020**

**Applicable Regulations: California Code of Regulations, title 9, sections 7029.6, 7029.9, 7128**

The Impartial Hearing Officer had to determine whether appellant was entitled to retroactive reimbursement for tuition, childcare, and internet service for 2016, 2017, and 2018, as set forth in the appellant’s February 24, 2015 Individualized Plan for Employment (“IPE”). In this 2015 IPE Appellant had changed employment goals to Hospital Administrator. However, appellant’s February 24, 2015 IPE was practically identical to the prior 2013 IPE, which stated that the specific services needed to reach appellant’s employment goal were listed as (1) counseling/guidance/referral services to be provided by DOR; and (2) university training to be provided by appellant’s University. All other goods or services were “To be Determined.” In March of 2017, after appellant had complained about service, the DOR counselor explained to appellant that the regulations required that DOR pay appellant’s tuition directly to the school, and that appellant’s previous practice of paying the school tuition directly, and receiving reimbursement from DOR, was not in compliance with the regulations. DOR would not retroactively reimburse tuition, childcare, and internet service and appellant requested a fair hearing.

At the fair hearing, the Impartial Hearing Officer determined that appellant had not cooperated fully as required in the IPE, that childcare was not identified in the IPE and not approved, and since appellant was attending school online, she agreed with DOR that internet services and transportation costs were redundant. It was determined that appellant provided inconsistent statements regarding cooperating with DOR in providing requested information. Due to appellant’s lack of cooperation in providing requested information, appellant’s refusal to sign a non-medical release until October 2017, and appellant’s case therefore being placed on interrupted status in April 2016, DOR was not obligated to pay for appellant’s tuition, childcare, and internet service in 2016, 2017, and 2018. The appeal was denied.

**4. OAH Number 2020040632 (Greater Los Angeles District)**

**Impartial Hearing Officer: Irina Tentser**

**Decision Date: November 20, 2020**

**Applicable Regulations: California Code of Regulations, title 9, sections 7025.4, 7136.4, 7136.5, 7136.6, 7136.7, 7136.8**

Appellant sought DOR support for a small business plan. At a 2018 prior fair hearing, appellant’s request to have a business plan reviewed by a small business consultant of appellant’s choosing was denied. At that time, DOR was ordered not to decide to support appellant’s proposed business plan until a small business consultant selected by DOR had assessed whether appellant’s proposed small business plan was reasonably likely to provide sufficient income to meet the ongoing operating costs of the business and generate income for appellant. Subsequently, the small business consultant selected by DOR determined that appellant’s small business plan was not reasonably likely to generate sufficient income. DOR notified appellant that it could not support appellant’s business plan and appellant requested a fair hearing.

The Impartial Hearing Officer determined that, based on the totality of the circumstances, DOR properly denied appellant’s self-employment plan. Appellant’s Plan was properly evaluated by the small business consultant as not reasonably likely to produce sufficient income to pay for ongoing operating expenses and to sustain appellant financially. In sum, the small business consultant concluded that appellant would not meet the first-year revenues appellant projected. Appellant did not provide the consultant with adequate evidence that a robust market existed for appellant’s products, and appellant lacked a plan for generating new customers beyond an initial six potential clients. Further it was determined that appellant did not incorporate into the plan a complete accounting of the costs of running the business. In addition, it was determined that by industry standards the line item for advertising and marketing was inadequate to position appellant in an already crowded market. Appellant’s appeal was denied.

**5. OAH Number 2020100435 (Greater Los Angeles District)**

**Impartial Hearing Officer: Ji-Lan Zang**

**Decision Date: December 1, 2020**

**Applicable Regulations: California Code of Regulations, title 9, sections 7149, 7152**

Appellant was deemed eligible for DOR services on December 7, 2017. On January 19, 2018 appellant signed an Individualized Plan for Employment (“IPE”). This 2018 IPE indicated appellant’s employment goal was to be a “human services worker” and that DOR would provide counseling, transportation, employment services provided by a third- party vendor, vision services, and clothing from a private vendor. On May 21, 2019 appellant signed a second IPE which was almost identical to the 2018 IPE, with the exception that the expected completion date was June 2020. On September 21, 2020, appellant filed a fair hearing request claiming that DOR did not provide enough assistance in appellant’s employment search.

The Impartial Hearing Officer determined that in this case DOR had provided counseling, transportation, vision services, clothing, and employment services. DOR also offered vocational training, computer skills training, and a one-on-one business specialist. The Impartial Hearing Officer ruled that although appellant was understandably frustrated with the lack of employment, appellant was unable to specify what additional services appellant was seeking from DOR that would provide further assistance. Under these circumstances, appellant’s appeal was denied.

 **6. OAH Number 2020020541 (Greater East Bay District)**

**Impartial Hearing Officer: Regina Brown**

**Decision Date: December 8, 2020**

**Applicable Regulations: California Code of Regulations, title 9, sections** **7149, 7154, 7155, 7156, 7158.8, 7311, 7356(e)**

This appeal was granted in part and denied in part. This case arises from appellant’s request to attend an out-of-state college and have the full tuition paid by DOR at the private school rate to fulfill appellant’s vocational goal. DOR denied the request. DOR contended that appellant failed to establish that appellant met the criteria to fund out-of-state training or private school tuition. Furthermore, DOR asserted that since there was no prior DOR approval for appellant’s related expenses, appellant was not entitled to retroactive funding for related expenses. Appellant requested a fair hearing.

The Impartial Hearing Officer determined that the evidence failed to establish that appellant met the criteria for DOR to fund appellant’s private school tuition in full. However, given that DOR approved appellant’s informed choice to attend the out-of-state college, DOR was ordered to provide financial support at the community college level for the first two years and at the California State University (“CSU”) level for subsequent years, if appellant meets certain requirements such as attending full time and maintaining a minimum grade point average. It was also ruled that appellant was entitled to partial retroactive funding for tuition and related expenses.

**7. OAH Number 2020100074** **(Greater Los Angeles District)**

**Impartial Hearing Officer: Nana Chin**

**Decision Date: February 26, 2021**

**Applicable Regulations: California Code of Regulations, title** **9, sections 7149, 7351, 7354**

On June 12, 2018, appellant applied to the Department for vocational rehabilitation services, and on September 2, 2018, an Individualized Plan for Employment (“IPE”) was established. In 2019, appellant’s file was transferred for specialized services related to appellant’s disability. DOR advised appellant that for appellant to work with a job agency, appellant would need to finish a three-day course offered by a job developer and DOR vendor. After this job developer subsequently refused to work with appellant, appellant had subsequent communications with DOR and felt that DOR failed to respond appropriately to appellant’s request for services. Appellant requested a fair hearing.

The Impartial Hearing Officer determined that fair hearings are a forum in which to resolve conflicts involving an application for or receipt of services. Even though appellant was unhappy with certain interactions with DOR, appellant nevertheless testified that appellant was still satisfied with all the services DOR has provided. Therefore, the appellant’s request was dismissed.

**8. OAH Number 2020100731 (Inland Empire District)**

**Impartial Hearing Officer: Alan R. Alvord**

**Decision Date: March 23, 2021**

**Applicable Regulations: California Code of Regulations, title 9, sections 7154, 7161, 7162.5, 7311, 7351, 7356**

Appellant is a DOR consumer who received DOR services for counseling/guidance, business and vocational training for courses in her chosen field of study, transportation, and clothing. After DOR denied appellant’s request to be reimbursed for certain car repair expenses, appellant submitted a request for a fair hearing.

The Impartial Hearing Officer determined that client-owned vehicle repairs must occur only upon the written approval of the rehabilitation supervisor. Payment may be made directly to the client only when the cost of the repair is $100 or less and the client paid for the repair and has proof of payment. Here, the evidence established that appellant’s request for DOR to fund the case repairs in 2020 was denied. Appellant followed the administrative review process and DOR confirmed the denial. Appellant elected to pay for some of the repairs. Although DOR had retroactively approved transportation expenses twice before, appellant was warned in writing each time that the approval was based on the unique circumstances, was a one-time-only approval, and that future expenses would need to be approved in advance. DOR was under no legal obligation to retroactively approve vehicle repair expenses and the appeal was denied.

**9. OAH Number 2020110519 (Greater Los Angeles District)**

**Impartial Hearing Officer: Julie Cabos-Owen**

**Decision Date: March 26, 2021**

**Applicable Regulations: California Code of Regulations, title 9, sections 7129, 7136.0, 7136.4, 7136.5, 7136.6, 7136.8, 7356**

Appellant had previously participated in a 2020 Fair Hearing regarding appellant’s small business plan. The Impartial Hearing Officer found at that time that DOR properly determined that appellant’s plan would not generate sufficient income. However, before issuance of the 2020 Decision, appellant filed another fair hearing request asserting that DOR failed to support appellant’s small business plan by providing adequate technical assistance. Appellant sought an order requiring DOR to help revise the small business plan, and to potentially help appellant address potential changes to the economy due to the 2020 pandemic.

The Impartial Hearing Officer determined that DOR had no duty to allow resubmission of an already revised small business plan after denial of that plan at a prior hearing. DOR had also appropriately provided technical assistance to appellant through referral to appropriate resources. Appellant did not pursue alternative employment but instead appealed DOR’s determination regarding appellant’s small business plan. DOR’s determination was upheld in the 2020 Decision. Appellant’s appeal was denied.

**10. OAH Number 2020100274 (Los Angeles South Bay District)**

**Impartial Hearing Officer: Erlinda G. Shrenger**

**Decision Date: March 26, 2021**

**Applicable Regulations: California Code of Regulations, title 9, sections 7179.3, 7356**

Appellant had a case opened with DOR back in 2005. DOR assisted with Appellant’s employment goal and higher education goals in an Individualized Plan of an Employment (“IPE”) in March 2006, and in an amended IPE in February 2015. Appellant was aware that post-bachelor training was required for appellant’s employment goal. However, appellant was unable to make progress in appellant’s goals over the years. By June 20, 2019, DOR sent an email to appellant to address numerous emails appellant sent that were offensive and demeaning. By September 10, 2019, appellant failed to provide an education plan, grade reports, and transcripts. DOR subsequently closed appellant’s case and appellant requested a fair hearing.

The Impartial Hearing Officer determined that appellant failed to cooperate and failed to participate in vocational rehabilitation services and that DOR had cause to close appellant’s case. Among other things, appellant had not made any progress since appellant’s case was opened in 2005; appellant changed schools and programs without notifying DOR, withdrew from courses and/or did not pass them with D’s and F’s; failed to submit grade reports and class schedules after every semester; appellant made false allegations regarding DOR staff; and appellant communicated with DOR staff in a hostile and demeaning manner. The appeal of appellant was denied.

**Third and Fourth Quarter: April 1, 2021 through September 30, 2021**

**11. OAH Number 2020060467 & 2021020665 (Santa Barbara District)**

**Impartial Hearing Officer: David B. Rosenman**

**Decision Date: July 19, 2021**

**Applicable Regulations: California Code of Regulations, title 9, sections 7024.7, 7029, 7029.6, 7029.7, 7029.9, 7131, 7149, 7174**

This appeal was granted in part. Appellant is a DOR consumer who used a two-wheel power scooter for mobility. Appellant’s April 9, 2021 Individualized Plan for Employment (“IPE”) indicated that DOR would fund for assistive technology devices and durable medical equipment. DOR submitted information on two-wheel scooters available on Amazon, which is a DOR vendor, and three-wheel scooters. DOR recommended a three-wheel scooter that it asserted was easier to balance, safely use, and could be taken apart for easier transport. However, appellant did not like the idea of a three-wheel scooter, was not satisfied, and was interested in two two-wheel scooters that were not DOR vendors. Appellant also wanted DOR to provide a laptop computer with at least 8 GB RAM, as DOR’s previously provided computer of 4 RAM was not suitable to achieve her employment outcome. Appellant proceeded to fair hearing.

The Impartial Hearing Officer determined that while DOR recommends a three-wheel scooter based on its observations of appellant’s limitations while operating a two-wheel scooter, appellant provided sufficient evidence from properly qualified and knowledgeable professionals, such as her physicians and physical therapist, recommending a two-wheel scooter. DOR was therefore ordered to provide appellant with a two-wheel scooter, although it was determined that appellant’s objections to the scooters available from Amazon were insufficient. It was determined that DOR could select a scooter from a DOR vendor. In addition, appellant established that the laptop with 4 GB of RAM was inadequate, and DOR was ordered to purchase appellant a lightweight laptop computer with 8 GB of RAM.

**12. OAH Number 2021070524 (San Diego District)**

 **Impartial Hearing Officer: Kimberly J. Belvedere**

 **Decision Date: August 10, 2021**

**Applicable Regulations: California Code of Regulations, title 9, sections 7029.7, 7029.9, 7142, 7143, 7179, 7355, 7356**

Appellant has been a client of DOR since September 2019. Appellant expressed interest in a program at a local community college, and between October 2019 and April 2020 e-mail communications and other documents show that DOR was working with appellant on appellant’s goals. Regular virtual meetings occurred between DOR and appellant between September 2020 and February 2021. In February 2021 appellant claimed to be recovering from a surgery and could not complete the vocational assessment, and by May 24, 2021, DOR sent an e-mail to appellant expressing intent to close the case. This was due to both a lack of appellant’s availability to complete the vocational assessment as well as COVID-19 closures. Appellant then agreed to participate in a vocational assessment. On June 21, 2021, through June 25, 2021, appellant participated in a vocational assessment, and the case was not closed. However, appellant requested a fair hearing asserting, among other things, that DOR’s closure policy lacked due process.

The Impartial Hearing Officer determined that appellant’s fair hearing request was difficult to comprehend and that only case closure was appropriate to address at the fair hearing process. Although DOR was going to close appellant’s case several months ago due to non-participation by appellant and delay issues connected to the COVID-19 pandemic, it did not, and appellant has a vocational rehabilitative services case currently open with DOR. It was determined that the reason why DOR chose not to close the case is irrelevant for purposes of the hearing; the purpose of the hearing was to determine if the case was improperly closed. As it was not, there was nothing in the hearing with respect to this issue that needed to be resolved. The appeal was denied.



**Agenda Item 5**

**Wednesday, January 12, 2022**

# Item Name: Fair Hearings and Mediations: New Contract, Impartial Hearing Officers (Request for Approval), and Proposed Regulatory Change

**Item Type:** Information and Action.

Presenters will present to the SRC members on the following:

* Update on DOR’s new contract for mediation and fair hearings
* Information on a proposed regulatory change that would permit an appellant to select their preferred method of delivery of a decision after a fair hearing.
* Request the SRC to approve with DOR the Impartial Hearing Officers to conduct mediation and fair hearings under the contract.

**Background:**

Previously the DOR mediation and fair hearing contract was through the Office of Administrative Hearing under the California Department of General Services.

All qualified ALJs shall be jointly approved by the DOR and the SRC in accordance with 34 CFR 361.57(f).

**Attachment(s):**

Attachment 1: ALJs Presented for Approval

**Agenda Item 5, Attachment 1**

## ALJs Presented for Approval

**ALJs PRESENTED FOR APPROVAL**

The following ALJs are presented to the State Rehabilitation Council to be included on the list of Impartial Hearing Officers. The State Hearings Division of the California Department of Social Services (CDSS) has confirmed that the Administrative Law Judges listed below are active members of the California State Bar and have completed the required training necessary to conduct the Department of Rehabilitation’s mediations and fair hearings beginning February 1, 2022.

1. **Roland Aganon, ALJ**

ALJ Aganon has been an Administrative Law Judge with the State Hearings Division since 2017 and is currently an ALJ II with the Scope of Benefits Bureau. Judge Aganon earned a bachelor’s degree in Social Science from San Francisco State University, then his juris doctorate from Lincoln Law School in 1999. Prior to joining CDSS, Judge Aganon worked as an attorney for the California Highway Patrol, the California State Teachers’ Retirement System, California Department of Housing and Community Development and the DMV. Judge Aganon also served four years active duty with the U.S. Army and three years in the California Army National Guard.

2. **Elizabeth Ammann, ALJ**

ALJ Ammann has been an Administrative Law Judge with the State Hearings Division since 2021 and is currently an ALJ I with the Scope of Benefits Bureau. Judge Ammann earned her bachelor’s degree in Literature from UCLA, her master’s degree in literature from Boston College, then her juris doctorate from Chapman University School of Law in 2011. Prior to joining CDSS, Judge Ammann worked as an attorney with several law firms specializing in medical malpractice.

3. **Karen Turner Fruchtenicht, ALJ**

ALJ Turner Fruchtenicht has been an Administrative Law Judge with the State Hearings Division since 2015 and is currently an ALJ II with the Scope of Benefits Bureau. Judge Turner Fruchtenicht earned her bachelor’s degree in Fine Arts from Oregon State University, then her juris doctorate from McGeorge School of Law in 2003. Prior to joining CDSS as an ALJ, Judge Turner Fruchtenicht worked as an attorney for the CDSS Legal Division, the Department of Alcohol and Drug Programs, the California State Lottery and the Department of Managed Health Care.

4. **Mark Hammond, ALJ**

ALJ Hammond has been an Administrative Law Judge with the State Hearings Division since 2008 and is currently an ALJ II with the Scope of Benefits Bureau. Judge Hammond earned his bachelor’s degree in Anthropology at University of California San Diego, then his juris doctorate from Western State University in 1992. Prior to joining CDSS, Judge Hammond worked as a deputy public defender, a deputy district attorney and a private litigator.

5. **Linda Jamison, ALJ**

ALJ Jamison has been an Administrative Law Judge with the State Hearings Division since 2014 and is currently an ALJ II with the Scope of Benefits Bureau. Judge Jamison earned her bachelor’s degree in Early Childhood Education from Cal Western University, then her juris doctorate from USF in 1978. Prior to joining CDSS, Judge Jamison was an ALJ with California Unemployment Insurance Appeals Board (CUIAB) for about five years. Her background prior to becoming an ALJ was as a public defender and as insurance defense house counsel.

6. **Tiffany Jensen, ALJ**

ALJ Jensen has been an Administrative Law Judge with the State Hearings Division since 2018 and is currently an ALJ II with the Scope of Benefits Bureau. Judge Jensen earned her bachelor’s degree in Sociology with a concentration in Criminal Justice from Point Loma Nazarene University, then her juris doctorate from California Western School of Law in 2007. Prior to joining CDSS, Judge Jensen worked as an attorney with legal aid, as a private litigator and as in-house counsel for a non-profit organization.

7. **Christin Miller, ALJ**

ALJ Miller has been an Administrative Law Judge with the State Hearings Division since 2014 and is currently the Presiding Judge of the Scope of Benefits Bureau. Judge Miller earned her bachelor’s degree in Literature from UCSC, then her juris doctorate from Santa Clara University School of Law in 1993. Prior to joining CDSS, Judge Miller worked for about five years as an ALJ for CUIAB. Her legal background prior to becoming an ALJ was as an attorney with several civil litigation firms.

8. **Annette Ohanganian, ALJ**

ALJ Ohanganian has been an Administrative Law Judge with the State Hearings since 2020. Judge Ohanganian earned her bachelor’s degree in Dietetics from UCLA, then her juris doctorate from Glendale University College of Law in 1999. Prior to joining CDSS, Judge Ohanganian worked for about ten years as an ALJ for CUIAB. Her legal background prior to becoming an ALJ was as an attorney at CDSS.

9. **Eli Palomares, ALJ**

ALJ Palomares has been an Administrative Law Judge with the State Hearings Division since 2014 and is currently an ALJ II with the Scope of Benefits Bureau. Judge Palomares earned his bachelor’s degree in Political Science and History at UCLA, then his juris doctorate from USC in 2003. Prior to joining CDSS, Judge Palomares worked for about five years as an ALJ for CUIAB. His legal background prior to becoming an ALJ was as an attorney with Legal Aid.

10. **Mary Kate Riley, ALJ**

ALJ Riley has been an Administrative Law Judge with the State Hearings since 2015 and is currently an ALJ III with the division. Judge Riley earned her bachelor’s degree in Recreation Administration from San Jose State, then her juris doctorate from Santa Clara University School of Law in 1998. Prior to joining CDSS, Judge Riley worked for two years as a hearing officer, mediator and supervisor for the Department of Labor Standards Enforcement. Her legal background prior to becoming a Hearing Officer/ALJ was as an attorney at Department of Fair Employment and Housing.

11. **Iman Shad, ALJ**

ALJ Shad has been an Administrative Law Judge with the State Hearings Division since 2014 and is currently an ALJ II with the Scope of Benefits Bureau. Judge Shad earned a Bachelor of Arts in Political Economy from U.C. Berkeley, a Master of Arts in International Affairs from George Washington University, a Graduate Diploma in European Economic Political Integration from Sciences Po Institut D’Etudes Politiques de Paris, and a Juris Doctorate from U.C. Davis, King Hall in 1999. Prior to joining CDSS, Judge Shad worked for about five years as an ALJ for CUIAB in the Office of Tax Petitions. Prior to becoming an Administrative Law Judge, he served as a Deputy District Attorney and as a private civil litigator.

12. **Steve Shaffer, ALJ**

ALJ Shaffer has been an Administrative Law Judge with the State Hearings Division since 2001 and is currently an ALJ II with the Scope of Benefits Bureau. Judge Shaffer earned his bachelor’s degree in Economics from UC Davis, then his juris doctorate from UC Davis, King Hall in 1984. Prior to joining CDSS as an ALJ, Judge Shaffer work for the Federal Trade Commission and as an attorney for the CDSS Legal Division.

13. **Dina Taulli, ALJ**

ALJ Taulli has been an Administrative Law Judge with the State Hearings Division since 2018 and is currently an ALJ II with the Scope of Benefits Bureau. Judge Taulli earned her bachelor’s degree in Marketing from Cal Poly Pomona, then her juris doctorate from Western State University College of Law in 1999. Prior to joining CDSS, Judge Taulli worked for 18 years as an attorney for several law firms specializing in medical malpractice litigation.

14. **Natalie Williams, ALJ**

ALJ Williams has been an Administrative Law Judge with the State Hearings Division since 2011 and is currently an ALJ II with the Scope of Benefits Bureau. Judge Williams earned her bachelor’s degree in Political Science from California Lutheran University, then her juris doctorate from Pepperdine University in 1986. Prior to joining CDSS, Judge Williams worked as an attorney at the Department of Health Care Services and for several non-profit agencies.

15. **Laurie Wright, ALJ**

ALJ Wright has been an Administrative Law Judge with the State Hearings Division since 2013 and is currently an ALJ I with the Scope of Benefits Bureau. Judge Wright earned her bachelor’s degree in History from UCSD, then her juris doctorate from University of San Diego in 1977. Judge Wright also completed Mediation Certification at SDMC. Prior to joining CDSS, Judge Wright worked for about five years as an ALJ for CUIAB. Her legal background prior to becoming an ALJ was as a civil litigator and mediator.

16. **Serena Young, ALJ**

ALJ Young has been an Administrative Law Judge with the State Hearings since 2014 and is currently an ALJ II with the Scope of Benefits Bureau. Judge Young earned her bachelor’s degree in Political Science from University of California San Diego, then her juris doctorate from University of La Verne in 2001. Prior to joining CDSS, Judge Young worked for about four years as an ALJ for CUIAB. Her legal background prior to becoming an ALJ was as a public defender.



**Agenda Item 6**

**Wednesday, January 12, 2022**

# Item Name: Adopt-a-Region Reports

**Item Type:** Information. SRC members will report out from their recent Adopt-a-Region discussions

**Background:** Through the Adopt a Region program, each SRC member is paired up with a DOR Regional Director. The goal is to meet (either in-person or by phone) once a quarter. This is a great opportunity for SRC members to build connections with the District/Region leadership and learn about local issues, activities, and opportunities

**Attachment(s):**

Attachment 1: SRC Member Adopt-a-Region Assignments

**Agenda Item 6, Attachment 1**

## Adopt-a-Region - SRC Member Assignments



**Adopt-a-Region - SRC Member Assignments**

| DOR District/Region | Assigned SRC Member | DOR Regional Director |
| --- | --- | --- |
| Northern Sierra | Vacant | Vacant |
| Greater East Bay | Susan Henderson | Carol Asch |
| San Jose | Jonathan Hasak | Donna Hezel |
| Santa Barbara | Theresa Comstock | Susan Mathers |
| Inland Empire | Benjamin Aviles | Robert Loeun |
| Van Nuys/Foothill | Kecia Weller | Wan-Chun Chang |
| Greater Los Angeles | Nicolas Wavrin | Maria Turrubiartes |
| Los Angeles South Bay | Benjamin Aviles | Susan Senior |
| Redwood Empire | Theresa Comstock | David Wayte  |
| San Joaquin Valley | Not assigned | Shayn Anderson  |
| San Francisco | Chanel Brisbane | Theresa Woo |
| San Diego | Ivan Guillen | Peter Blanco   |
| Orange/San Gabriel | Not assigned | Trung Le  |
| Blind Field Services | Not assigned | Laura Rasmussen (Acting)  |



**Agenda Item 10**

**Thursday, January 13, 2022**

# Item Name: Approval of the September 1-2, 2021 SRC Meeting Minutes

**Item Type:** Action. The SRC members will review and vote to approve the minutes from the last SRC quarterly meeting.

**Background:**

The SRC met for their quarterly meeting on September 1-2, 2021. The meeting minutes highlight the key issues that were discussed, motions proposed or voted on, and activities to be undertaken.

**Attachment(s):**

Attachment 1 – Draft September 1-2, 2021 SRC Quarterly Meeting Minutes

**Agenda Item 10, Attachment 1**

## Draft September 1-2, 2021 SRC Quarterly Meeting Minutes



California State Rehabilitation Council (SRC)

Quarterly Meeting

September 1-2, 2021

10:00 a.m. – 12:30 p.m. each day

Virtual meeting through Zoom with conference call option.

*Draft*

|  |  |  |
| --- | --- | --- |
| **SRC Members** | **DOR Staff** | **DOR Staff (cont.)** |
| Theresa Comstock, Chair | Sara Abdrabou | Jiabao Peng |
| Nick Wavrin, Vice Chair | Carol Asch | Conan Petrie |
| Benjamin Aviles, Treasurer | Cynthia Butler | Braden Pivirotto |
| Chanel Brisbane | Cindy Chiu | John Ponce |
| Inez De Ocio | Regina Cademarti | Nina Presmont |
| Ivan Guillen | Mark Erlichman | Toussaint Wade |
| Jonathan Hasak | Petre Deliivanov | Nicholas Weis |
| Susan Henderson | Shanti Ezrine | Nancy Wentling |
| LaQuita Wallace | Molly Foote | Laura Westman |
| Marcus Williams | Cruz Fresquez | Barbara Wieskamp |
| Joe Xavier | Elena Gomez |  |
|  | Judy Gonzalez |  |
|  | Brenna Lammerding | **Public Members** |
|  | Robert Loeun | Sarah Harris |
|  | Alicia Lucas | Cheryl Kasai |
|  | Susan Mathers | Danny Marquez |
|  | Andi Mudryk | Lisa Navarro |
|  | Elizabeth Musgrove | Mitch Pomerantz |
|  | Lisa Niegel |  |

**Wednesday, September 1, 2021**

**Item 1. Welcome and Introductions**

SRC Chair Theresa Comstock called the meeting to order at 10:00 a.m. and welcomed meeting participants. The SRC members introduced themselves and a quorum was established.

**Item 2. Public Comment**

There were no public comments on issues and concerns not included elsewhere on the agenda.

**Item 3. Directorate Report**

The SRC members were informed by Joe Xavier, DOR Director and Andi Mudryk, DOR Chief Deputy Director on National, State, and departmental policy topics.

**National**

* Study by U.S. Government Accountability Office. A study was requested by Senator Patty Murray from Washington State to review the strengths and limitations of the Workforce Investment and Opportunity Act (WIOA).

**State**

* 75% of Californians eligible to receive the COVID-19 vaccination (individuals ages 12 years and older) have received at least one dose.

**Department**

* Reallotment dollars. DOR received $67 million in reallotment. This is the largest amount that DOR has received. Past amounts received were $10-$12 million.
* Innovation funding. DOR was awarded a grant for $18.3 million dollar over five years to fund a unique service delivery design. This design would assign, build, and serve statewide caseloads based on the identified goal in the consumer’s Individualized Plan for Employment rather than geography.
* Financial Participation. DOR is holding on amending the Financial Participation regulations in 2021.
* Vaccine verification for State Workers. It is required all state workers to either show proof of full vaccination or be tested at least once per week.
* Reduction in case expenditures. DOR is closing federal fiscal year 2020/21 with reduction in case expenditures.

Public comment was given by Danny Marquez representing California Association of Social Rehab Agencies (CASRA) emphasizing the well-established partnership of DOR with community rehabilitation programs.

**Item 4. Individual Service Providers (ISPs)**

Petre Deliivanov, Chief of Community Resources Development (CRD) informed the SRC members on the discontinued use of ISPs to be effective on September 1, 2021. The discontinuation is on hold until DOR can better assess the alternatives to ISPs.

The DOR received feedback from stakeholder groups including the Blind Advisory Committee (BAC) about the proposed plan to discontinue the use of ISPs. The BAC suggested DOR defer this for a minimum of six months and no final decision to be made until Community Rehabilitation Programs (CRPs) and college disabled student programs are surveyed to determine their ability to provide the services ISPs provided.

To reduce the reliance of ISPs, CRD is looking at building and expanding CRP capacity in rural areas of California. CRPs provide the same services as the ISPs. However, tutoring and reading services do not necessarily have the same service as the CRP. DOR will utilize CRPs first for consumers and use ISPs when there are no other alternatives.

The top five utilized ISP services from July 1 2017- June 30, 2020 State Fiscal Years (SFY) were:

1. Employment Services: Average of 300 consumers served per SFY

2. Orientation and Mobility Training: Average of 90 consumers served per SFY 3. Tutoring Services: Average of 89 consumers served per SFY

4. Vocational Evaluation: Average of 64 consumers served per SFY

5. Personal, Vocational, Social Adjustment: Average of 58 consumers served per SFY

The top five utilized CRP services from July 1, 2017- June 30, 2020 SFY was:

1. Employment Services: Average of 6000 consumers served per SFY

2. Supported Employment: Average of 2000 consumers served per SFY

3. Situational Assessment: Average of 2000 consumers served per SFY

4. Job Coaching: Average of 1500 consumers served per SFY

5. Vocational evaluation: Average of 1000 consumers served per SFY

Public comment was given by Mitch Pomerantz representing the BAC expressing appreciation that DOR considered BAC’s comments and expressing concern that CRPs may not be prepared to take on ISP services.

Public comment was given by Sarah Harris representing Resources for Independence Central Valley, California Council for the Blind, and the BAC expressing concern that CRPs may not have the staff to take on the additional workload, emphasized concerns with CRP availability in rural areas, and if an amendment to Assembly Bill 5 could be made for ISPs.

**Item 5. Approval of Proposed Administrative Law Judges**

Cruz Fresquez, DOR Office of Legal Affairs and Regulations, asked the SRC members for their consideration and approval of two proposed Administrative Law Judges (ALJs).

Pursuant to Federal law, all ALJs are jointly approved by the DOR and the SRC.

DOR clarified that ALJs do not have any set term limits. ALJs will serve until they end their employment at the Office of Administrative Hearings or if they are asked by DOR and the SRC to be removed from the list of impartial hearing officers.

SRC members reviewed the biographies of ALJs Barbara O’Hearn and

Traci Belmore. SRC members voted to approve the ALJs for conducting mediations and fair hearings involving DOR consumers.

Motion: It was moved/seconded (Williams/Henderson) to approve

Barbara O’Hearn and Traci Belmore as ALJs. A roll call vote was taken.

(Yes – Aviles, Comstock, Guillen, Henderson, Wallace, Wavrin, Williams), (No - 0) (Abstain – 0) (Absent for vote – Brisbane, Hasak, Mendoza, Weller) The final vote was 7 yes, 0 no, and 0 abstain. Motion carried.

In the future the DOR Office of Legal Affairs and Regulations will inform the SRC on the transition to the Division of State Hearings to hear DOR’s fair hearings and mediation requests.

**Item 6.** **Update on the Virtual Delivery Services and the Virtual Student Assistant & Peer Mentorship Projects**

Robert Loeun, Regional Director, DOR Inland Empire District (IED) and Elizabeth Musgrove, Team Manager, DOR IED provided an update to the SRC members on the Virtual Delivery Services (VDS) and Virtual Student Assistant & Peer Mentorship projects.

VDS Highlights include:

* VDS hosts around 13 Potentially Eligible (PE) and VR workshops in IED.
* From June 2020 – July 2021, a total of 4,295 participants attended VDS workshops. There are seven DOR districts currently offering VDS.
* Based on IED completed survey results of the 1211 individuals
	+ 87.50% are satisfied with the workshop experience
	+ 62.50% would highly recommend the workshop to a friend or colleague.
* IED onboarded 21 master’s degree students from Cal State University of San Bernardino and San Diego State University to complete their practicum and field work hours by using VDS.
* IED is testing a new virtual platform to measure the impact of the consumer’s learning. They currently use Microsoft Teams or Zoom and send participants a survey through Survey Monkey.
* Future work includes exploring new software platforms to offer VDS statewide, continued outreach to the underserved populations and rural areas, and offering technology support to consumers.

Virtual Student Assistant & Peer Mentorship projects highlights include:

* 24 students were onboarded.
* Student Peer Mentorship Project students were surveyed on how to improve the project, find out more about the students experiences, and how to enhance what the students feel is working.
* The IED Student Services Newsletter “Impacting Pathways for Youth” was developed to provide updates, progress of this program, and as an outreach tool.
* A challenge is the reduction of the number of work experience hours allowed for students. It was clarified there is no limit to the hours a consumer can participate. The reduction is in the paid number of hours of work experience so there can be resources for all students.
* Future work includes sharing information about this program and expanding this project to other DOR Districts

Public comment was given by Danny Marquez of CASRA emphasizing appreciation for the presentation and the importance of virtual delivery of services.

**Item 7. Adopt-a-Region Reports**

Treasurer Aviles connected with Robert Loeun, Regional Director from the Inland Empire District/Region. Discussion highlights include:

* Successes for this district include their pilot programs for VDS and for the Virtual Student Assistant and Peer Mentorship Projects.
* Partnerships. IED continues to make partners with local community colleges, serve foster youth programs, and justice involved individuals.
* Hyatt Placements. IED has a partnership with Hyatt to provide training to DOR consumers. Six consumers were recently placed in Hyatt jobs.
* Treasurer Aviles attends the IED team meetings to be involved actively with this district/region.

Treasurer Aviles connected with Susan Senior, Regional Director from the

Los Angeles South Bay District/Region. Discussion highlights include:

* Successful case closures. In July they had 71 successful case closures.
* VDS. This district is working with the IED to learn about providing VDS.
* Future Partnerships. This district is developing partnerships with LAX Airport and the new SoFi Stadium.

Member Brisbane connected with Theresa Woo, Regional Director from San Francisco District/Region.

* The State Internship Program (SIP) is going well. The DOR San Francisco office successfully onboarded an intern. Best Buddies is the CRP involved in this process.
* New collaborations with Juvenile Justice System and Project Rebound to collaborate and to support the younger population.

Chair Comstock connected with Susan Mathers, Regional Director from the Santa Barbara District/Region and Brian Winic, District Administrator.

Successes include:

* Intakes were up by four consumers compared with last year.
* Successful closures increased in July.
* Internships. Five SIP internships were created at five locations: Thousand Oaks Office, Santa Barbara Employment Development Department (EDD), Oxnard, EDD (including one bilingual intern), State Hospital and California Conservation Corps.
* Collaborative agency relationships are being developed, including:
	+ EDD. Discussions to collaborate and build partnerships (included DOR Regional Director, District Administrator and Team Managers). DOR provided “Disability Etiquette” training to EDD staff.
	+ Visiting Nurses Association. The CEO will present at their therapists’ meeting.
	+ Mayor’s Breakfast will be held virtually
	+ Department of Juvenile Justice – Virtual training for 33 young adults funded through a Grant/Partnership with Project Rebound San Francisco. DOR is working to keep individuals connected to classes after discharge. All 33 participants have attended at least one community college class.

Challenges:

* Contractors for Build-Out. The Santa Barbara Office is reducing their office-space. A challenge is finding contractors for the required building adjustments due to the relatively small size of the job (contractors are scheduling larger jobs first).
* Transportation. Due to COVID, consumers are hesitant to use buses, Uber, or Lyft. The Oxnard/Ventura office relocation to an area closer to the freeway and the Regional Center should be helpful.

Chair Comstock connected with David Wayte, Regional Director from the Redwood Empire District/Region. Discussion highlights include:

Successes:

* Interpretation Contract.Their most current American Sign Language contract is more effective due to DOR’s Contracts and Procurements section changed some of their bidding processes; and most interpreting needs have been virtual.
* Collaborations
	1. Homeless Pilot. DOR staff is collaborating with the local Workforce Development Board and One Stop. Staff developed a “Rapid Response Team” to better meet immediate needs (stabilizing individuals with housing, phones, and food so they can work and keep their jobs.)
	2. Transitional Housing. When individuals are receiving DOR services and supports, they are more readily provided transitional housing and taken off wait lists since they are able to succeed in the housing while they have employment and other supports.
* Individual Success: A young woman (both learning English and with a disability) was provided DOR services including education and job placement with the help of a Regional Business Specialist. She has since had several promotions and multiple raises, and is in a key position helping individuals experiencing homelessness as a Coordinator for Catholic Charities.

Challenges:

* Staffing. This district/region continues to have challenges in recruiting for their Support Services Assistant – Interpreting position.

Member Guillen connected with Jeff Noyes, Acting Regional Director from the San Diego District/Region:

* Reentry Work. Staff is working with individuals with disabilities exiting out of the criminal justice system and connecting them to their local community college for immediate enrollment.

Member Hasak connected with Donna Hezel, Regional Director from the San Jose District/Region. He was absent at this meeting, but his report was read by the Executive Officer Cademarti. His discussion highlights include:

* The district is working on National Disability Employment Awareness Month events for October.
* They recently promoted a Business Specialist to a Regional Business Specialist
* The district has two SIP interns in the San Jose North Office as Office Assistants. This was a collaborative effort with DOR, Best Buddies, and the Regional Center.
* Staffing Challenges. The district is dealing with staffing issues and are currently down seven counselors.

Member Henderson connected with Carol Asch, Regional Director from the Greater East Bay District/Region. Discussion highlights include:

* Staffing shortage. There are difficulties filling staff positions which could be due to the high cost of living in the bay area.
* Partnerships. They continue to collaborate with school districts and Regional Centers. They have transition programs with Oakland Unified and West Contra Costa counties.
* Virtual Job Clubs. These have been well attended by the consumers.

Vice Chair Wavrin connected with Maria Turrubiartes, Regional Director from the Greater Los Angeles District (GLAD)/Region. Discussion highlights include:

* Los Angeles Unified School District is back in session and providing DOR consumers with student services.
* There was a concern that DOR cannot go into school sites, so services are provided from DOR through Zoom, MS Teams, and by phone. This could be due to the county is following the pandemic practices guided by their local Department of Public Health.

Member Williams connected with Susan Pelbath, Administrator of the Orientation Center of the Blind, Blind Field Services District/Region:

* Foundation of Community College. The DOR now is the employer of record to pay for work experience.
* Challenges. COVID significantly affected consumers seeking services and providing services to consumers and there is a shortage of mobility instructors.

**Item 8. Recess.**

The SRC meeting recessed until 10:00 a.m. on Thursday, September 2, 2021

**Thursday, September 2, 2021**

**Item 9. Reconvene, Welcome, and Introductions**

Meeting attendees were welcomed back for day two of the quarterly meeting and a quorum was established.

**Item 10. Public Comment**

Public comment was given by an individual who identified themself as a DOR Consumer and wanted to remain anonymous. This individual expressed concern with the challenges of their self-employment IPE.

**Item 11:** **Serving Youth with Disabilities Involved in the California Foster Care System**

Nancy Wentling, Staff Services Manager I, Program Policy Section and

Susan Mathers, Regional Director, Santa Barbara District informed the SRC on DOR’s effort and services provided to youth with disabilities involved in California’s foster care system. Highlights include:

* Overview of Assembly Bill (AB) 2083 (Chapter 815, Statutes of 2018) requirements including the development and implementation of a county memorandum of understanding and mandated partners.
* In August 2020, the DOR shared their Youth in Foster Care Policy emphasizing DOR student services, vocational rehabilitation (VR) services, and supported employment services to youth with disabilities involved in the foster care system.
* Activities at the local/district level such as the AB 2083 Panel Discussion, DOR intranet resources portal development, Youth in Foster Care Bill of Rights training, and youth panel discussion.
* Data: As of April 2021, there are 59,169 children and youth in the California Foster Care System.
	+ Of the 59,169 children and youth, 14,965 are ages 16-21 (approximately 25%).
	+ 40-47% of children and youth in foster care have an identified disability.
	+ SFY 2018-2019 DOR provided services to approximately 595 foster care youth with disabilities.
	+ 50% of foster care youth will receive a high school diploma
	+ 10% of foster care youth will attend college
	+ 4% of foster care youth have a college degree by age 26
	+ 1 in 3 youth that exit foster care experience homelessness or incarceration within 24 months of exiting foster care
	+ 34% of women in foster care will be custodial parents by age 21.
	+ Average monthly earnings for former foster care youth at age 24 in California is $690.
* Challenges in data collection for youth in or formally involved in foster care include the individual not identifying as an individual with a disability and DOR applicants not sharing they are or have been involved in the foster care system.

**Item 12.** **Evaluating DOR Student Services**

Mark Erlichman, Deputy Director, VR Employment Division and Elena Gomez, Deputy Director, Specialized Services and Acting Deputy Director, VR Policy and Resources Division presented to the SRC on the evaluation of DOR Student Services. Highlights include

* DOR began providing student services in 2015.
* Potentially eligible (PE) consumers receive student services, but have not yet been found eligible for VR services.
* Currently there are 22,000 individuals open in student services.
* From July 1, 2020 - June 30, 2021, a total of 26,607 student services consumers were served. Of those, 9,082 new students received student services.
* Paid work experience is a significant and meaningful service that students receive. From July 1, 2020 - June 30, 2021, a total of 6,418 received a paid work experience. Many received more than one work experience.
* WIOA did not identify any performance measures associated with Student Services. The only requirement in WIOA is to provide the five pre-employment transition services, ensure the services are offered to students with disabilities, and set aside 15% of the VR grant to provide pre-employment transition services.
* DOR has drafted a set of performance measures. When finalized they will be shared with other VR programs through Council of State Administrators of Vocational Rehabilitation (CSAVR) and the National Council of State Agencies for the Blind (NCSAB), and will share a copy with the DOR advisory bodies. The five proposed (not final) performance measure that are being considered are:
	1. Successful completion of a paid work experience during DOR student services
	2. Is there a measured increase of graduation and/or secondary school completion rate and a reduction in the dropout rate of those participating in DOR Student Services?
	3. Is there an increase in post-secondary education, vocational skills training, apprenticeship participation rates?
	4. After receiving DOR Student Services, do students indicate that they are more aware of employment and education and/or training options and feel more confident in their ability to self-advocate.
	5. What is the post-service employment and earnings rate during the quarter when the individual turns 24 for individuals that received DOR Student Services to those in a comparable population?

**Item 13. SRC Annual Report**

Executive Officer Cademarti informed the SRC Members on the draft 2021 SRC Annual Report. The details of the report were reviewed with the SRC and members were offered the opportunity to provide feedback on the report. The SRC members agreed to have the final report reviewed and approved by the SRC Executive Planning Committee at their December 8, 2021 meeting.

**Item 14. Approval of the July 14-15, 2021 SRC Meeting Minutes**

Motion: It was moved/seconded (Wavrin/Aviles) to approve the

July 14-15, 2021 meeting minutes as presented. A roll call vote was taken.

(Yes – Aviles, Brisbane, Comstock, Guillen, Hasak, Wallace, Wavrin), (No - 0) (Abstain – 0) (Absent for vote – Henderson, Mendoza, Weller, Williams) The final vote was 7 yes, 0 no, and 0 abstain. Motion carried.

**Item 15. Bagley-Keene Open Meeting Act**

Executive Officer Cademarti updated SRC members on the Bagley-Keene requirements that will return on October 1, 2021. These changes will affect all the SRCs quarterly meeting from that point forward.

Beginning October 1, 2021, all meetings of a state body require every teleconference meeting location to be identified in the notice and agenda and to be open to the public. Each teleconference location must be accessible to the public and members of the public must be able to address the body at each teleconference location.

**Item 16. SRC Officer Elections**

SRC members voted to elect the SRC Chair, Vice-Chair, and Treasurer.

Motion: It was moved/seconded (Wallace/Hasak) to approve the slate of candidates Theresa Comstock as Chair, Nick Wavrin as Vice-Chair, and Benjamin Aviles as Treasurer to serve October 1, 2021 – September 30, 2022. A roll call vote was taken. (Yes – Aviles, Brisbane, Comstock, Guillen, Hasak, Wallace, Wavrin, Williams), (No - 0) (Abstain – 0) (Absent for vote – Henderson, Mendoza, Weller) The final vote was 8 yes and 0 no. Motion carried.

**Item 17. Debrief and Recommendations Discussion**

SRC members discussed a draft recommendation for approval and debriefed from the meeting to discuss, draft, and potentially adopt additional recommendations.

The SRC recommends DOR expand consumers access to Work Incentive Planning (WIP) information and services by providing WIP information and services so the consumer can make an informed choice. WIP services should be consistent throughout California in the following ways:

1. Before, during and after the consumer’s individualized plan for employment is written.
2. Virtually through on-line materials and a recorded video that provides an overview of work incentive information and explanation of DOR WIP services. (Materials and video must meet website accessibility requirements)
3. Provide WIP information to family members of consumers (who may be impacted)

Motion: It was moved/seconded (Guillen/Aviles) to approve the recommendation. A roll call vote was taken. (Yes – Aviles, Brisbane, Comstock, Guillen, Hasak, Wallace, Wavrin, Williams), (No - 0) (Abstain – 0) (Absent for vote – Henderson, Mendoza, Weller) The final vote was 8 yes, 0 no. Motion carried.

Areas discussed for potential new recommendations included the Monitoring and Evaluation committee’s review of the Consumer Satisfaction Survey’s comments to the question, ‘Please tell us if there is anything DOR or its service providers can do to improve services.

The top three topics in the communication comments were:

1. Failure to hear back from counselor/wanting a faster response time
2. Keep in touch with consumers
3. Better communication on what forms are needed and how the process of DOR works

It was suggested that SRC members have a conversation with their Regional Director to help research this issue if timeliness of communication is an issue in their region. If yes, what are they doing to resolve this.

The top three topics in the transportation comments were:

1. Provide more money for transportation, gas, or bus pass
2. Assist with transportation needs
3. Be more understanding of transportation needs

Members discussed the low reimbursement rate of 15 cents per mile to consumers and if/how a consumer who is provided a vehicle from DOR that they use to go to work. If their case closes how can the case be reopened to get the repairs it needs to help the consumer sustain employment.

**Item 18. SRC Officers, Members, and Executive Officer Reports**

SRC Officers and the SRC Executive Officer provided brief reports.

Chair Comstock shared:

* Appreciation to outgoing members. Chair Comstock thanked the outgoing SRC members DeOcio, Mendoza, Wallace, and Williams for their service to the SRC.

Vice-Chair Wavrin shared:

* Individualized Education Program (IEP) Workgroup and Alternative Pathways Workgroup reports are in the review phase and will be delivered to the legislature by October 1, 2021.

Treasurer Aviles shared:

* Budget was reviewed and no concerns.

State Plan Committee Chair Williams shared:

* The Unified State Plan Committee met on August 24, 2021
	+ For the 2022 State Plan Modification, the committee discussed Description A – SRC Input and decided which comments to the priorities, goals and strategies to submit for recommendations to Description L – State Goals and Priorities and Description O – State Strategies
	+ There was a presentation on the RSA State Plan redesign workgroup. This workgroup is gathering input on areas to streamline the 2024 State Plan
	+ Marcus expressed his gratitude to all for serving on the SRC.

Monitoring and Evaluation Committee Chair De Ocio shared:

* The Monitoring and Evaluation Committee met on August 26, 2021
	+ The committee discussed the qualitative comments to the communication and transportation including:
		- Consumers not hearing back timely from their counselor
		- 15 cent per mile reimbursement rate for consumers
* Inez expressed her gratitude to all for serving on the SRC.

Member Brisbane shared:

* In the DOR San Francisco Office, the State Internship Program (SIP). Successfully onboarded an intern. Best Buddies is the Community Rehabilitation Program has been involved in this process.

Member Guillen had no new items to share.

Member Hasak shared:

* The importance of customer service for DOR consumers. His student applied for DOR and wanted more follow-up and learning how to advocate for themselves. He hopeful this will be strengthened and expressed the importance of empathy and customer service is needed for DOR staff.

Member Wallace expressed her gratitude to all for serving on the SRC

**Item 19. Identification of Future Agenda Items**

The following items were noted for possible items for the upcoming SRC quarterly meetings:

* Communication with consumers what is the protocol for returning calls.
* Financial Planning for consumers.
* How is Benefits Planning addressed on the DOR website and sustaining benefits after employed.
* Transportation, low reimbursement per mile rate for consumers.
* Discontinuation of ISPs. How does the DOR come up with policy changes and decisions (ISPs and BAC stopped) – same for application

**Item 20. Adjourn**

The SRC quarterly meeting was adjourned at 12:30 p.m.



**Agenda Item 11**

**Thursday, January 13, 2022**

# Item Name: SRC Bylaw Amendments

**Item Type:** Information and Discussion. The proposed bylaw amendments will be reviewed. SRC members will have the opportunity to recommend any additional amendments

**Background:**

This agenda items supports, SRC Bylaws, Article VIII, Item 1 stating the SRC bylaws shall be reviewed annually by the Executive Planning Committee (EPC).

On December 8, 2021, the EPC reviewed the SRC Executive Officers suggested edits to the bylaws. The EPC did not have any additional edits.

Today, SRC members will review the proposed bylaw amendments. Members will have the opportunity to recommend any additional amendments. The vote on any amendments shall not take place until the next SRC meeting on

March 23 -24, 2021.

**Attachment(s):**

Attachment 1 : Proposed Amendments – SRC Bylaws

**Agenda Item 11, Attachment 1**

## Proposed Amendments – SRC Bylaws

 **CALIFORNIA STATE REHABILITATION COUNCIL**

**BYLAWS**

Article I Name

The name of this council shall be the STATE REHABILITATION COUNCIL, hereinafter referred to as the SRC.

Article II Authority

Title I, Part A, Section 105 of the Rehabilitation Act of 1973, as amended (29 U.S.C. 720 et seq.), and California Welfare and Institutions Code Sections 19070 - 19072, and federal and state regulations pertaining thereto. Should subsequent amendments to federal and state laws conflict with these bylaws, said laws and regulations shall prevail.

Article III Functions

The functions of the SRC are mandated in federal law as follows:

1. Review, analyze, and advise the Department of Rehabilitation (DOR) regarding the performance of the responsibilities of the DOR under Title 1 of the Rehabilitation Act, particularly responsibilities relating to:
	1. eligibility (including order of selection);
	2. the extent, scope, and effectiveness of services provided; and
	3. functions performed by State agencies that affect or that potentially affect the ability of individuals with disabilities in achieving employment outcomes under this title.
2. In partnership with the DOR:
	1. develop, agree to, and review State goals and priorities in accordance with section 101(a)(15)(C) of the Rehabilitation Act; and
	2. evaluate the effectiveness of the vocational rehabilitation program and submit reports of progress to the Rehabilitation Services Administration (RSA) Commissioner in accordance with section 101(a)(15)(E) of the Rehabilitation Act.
	3. advise and assist in the preparation of the vocational rehabilitation services portion of the Unified or Combined State Plan and amendments to the plan, applications, reports, needs assessments and evaluations as required.
3. Advise the DOR regarding activities authorized to be carried out under Title 1 of the Rehabilitation Act.
4. To the extent feasible, conduct a review and analysis of the effectiveness of, and consumer satisfaction with:
	1. the functions performed by the DOR;
	2. vocational rehabilitation services provided by State agencies and other public and private entities responsible for providing vocational rehabilitation services to individuals with disabilities under this Act; and
	3. employment outcomes achieved by eligible individuals receiving services under this title, including the availability of health and other employment benefits in connection with such employment outcomes.
5. Prepare and submit an Annual Report to the Governor and the RSA Commissioner on the status of vocational rehabilitation programs operated within the State, and make the report available to the public.
6. To avoid duplication of efforts and enhance the number of individuals served, coordinate activities with the activities of other councils within the State, including the following: State Independent Living Council; Advisory Commission on Special Education; Assistive Technology Advisory Committee**;** State Council on Developmental Disabilities; California Behavioral Health Planning Council; and the California Workforce Development Board.
7. Provide for coordination and the establishment of working relationships between the DOR and the State Independent Living Council and centers for independent living within California.
8. Perform such other functions, consistent with the purpose of Title 1 of the Rehabilitation Act, as the SRC determines to be appropriate, that are comparable to the other functions performed by the Council.

Article IV Membership

1. Pursuant to federal law [29 USC Section 725 (b)(3)], the Governor shall appoint all the members to the SRC after soliciting recommendations from representatives of organizations representing a broad range of individuals with disabilities and organizations interested in individuals with disabilities. In selecting members, the Governor shall consider, to the greatest extent practicable, the extent to which minority populations are represented on the Council.
2. The SRC, pursuant to 29 USC Section 725 (b), shall be composed of at least 16 members:
	1. At least one representative of the State Independent Living Council;
	2. At least one representative of a parent training and information center established under the Individuals with Disabilities Education Act (IDEA);
	3. At least one representative of the Client Assistance Program (CAP);
	4. At least one vocational rehabilitation counselor, with knowledge of and experience with vocational rehabilitation programs, who shall serve as an ex officio, nonvoting member of the SRC if the counselor is an employee of the DOR;
	5. At least one representative of Community Rehabilitation Program (CRP) service providers;
	6. Four representatives of business, industry and labor;
	7. Tworepresentatives of disability advocacy groups representing a cross section of:
	a. individuals with physical, cognitive, sensory, and mental disabilities; and
	b. parents, family members, guardians, advocates, or authorized representatives of individuals with disabilities who have difficulty in representing themselves or are unable due to their disabilities to represent themselves;
	8. At least one current or former applicants for, or recipients of, vocational rehabilitation services;
	9. At least one representative of the directors of the American Indian Vocational Rehabilitation Projects in California;
	10. At least one representative of the California Department of Education;
	11. At least one representative of the California Workforce Development Board; and
	12. The Director of the DOR, who shall be an ex officio member of the SRC.
3. A majority of SRC members shall be persons who are:
4. individuals with disabilities, and
5. not employed by the DOR.
6. Each SRC member shall be appointed to serve no more than two consecutive full three-year terms (except for the representatives from CAP and the American Indian Vocational Rehabilitation Projects). If a council member is initially appointed to replace a former member who did not complete their term, the new council member must be appointed for the remainder of the vacated term for which they are being appointed – not a full three-year term. Once that initial term is completed, the individual may be appointed to fill a second term of three years.
7. Any vacancy occurring in the membership of the SRC shall be filled in the same manner as the original appointment. The vacancy of one or more members shall not affect the power of the remaining members to execute the duties of the SRC.
8. SRC members shall notify the SRC Executive Officer if the member cannot attend an SRC meeting. If it is determined that a quorum will not be present, members will be notified.
9. Duties of SRC Members:
10. Prepare for, and attend, quarterly SRC meetings.
11. Serve on at least one SRC committee, taskforce or workgroup.
12. Review and comment on proposed DOR plans, policies and regulations.
13. Report to the SRC on successes/challenges/trends impacting the Member's category of representation.
14. Maintain cooperative and mutually supportive appropriate relationships with the DOR Executive leadership, local Regional Directors, and staff.
15. Meet quarterly with local Regional Directors as assigned.
16. Perform other duties as required.

Article V Officers

1. The SRC Officers shall be Chair, Vice-Chair and Treasurer, with duties and responsibilities as follows:
2. The Chair shall:
a. Preside as Chair of SRC meetings in order to facilitate discussion, planning and decision making;
b. Select and appoint, from among the SRC membership, Chairs and members of all SRC Committees and taskforces, with the exception of the Nominating Committee; and
c. Coordinate SRC activities and maintain communication with the SRC Executive Officer, DOR leadership and SRC leadership.
3. The Vice-Chair shall:
a. Preside at meetings of the SRC in the absence of the Chair;
b. Assume the Office of Chair if, for any reason, the Chair is unable to complete the term;
c. Serve as SRC Parliamentarian, ensuring that SRC meetings operate in accordance with applicable state laws and regulations and these bylaws; and
d. Carry out other duties as may be assigned by the Chair.
4. The Treasurer shall:
a. Work together with the SRC Executive Officer to ensure:
 1) Maintenance of accurate and timely financial records
 2) Appropriate development and allocation of SRC budget
 3) Periodic review of SRC expenditures/financial status;

b. Present a financial report to the SRC at each quarterly meeting; and

c. Carry out other duties as may be assigned by the Chair.

1. Officers' Election and Terms:
2. The election of Officers shall take place during the final full SRC meeting of the federal fiscal year (October 1 - September 30).
3. The Officers of the SRC shall be elected by a majority of the voting SRC members. The Nominating Committee's slate of candidates shall be provided to the SRC members at least one week prior to the Election of Officers. At the meeting at which the election is held, and subsequent to the announcement of the slate, the floor shall also be open to nominations.
4. The term of Office shall be for one year, from October 1 - September 30.
5. Officers may serve for no more than two consecutive full terms in any one Office.

Article VI Procedures

All meetings of the State Rehabilitation Council shall be conducted in accordance with California's Bagley-Keene Open Meeting Act (Government Code Section 11120, et seq).

1. Quorum.

In order to conduct any official business, a quorum shall consist of fifty-one percent (51%) of the current SRC voting membership, excluding vacancies. Pursuant to federal law, vacancies shall not affect the power of the remaining members to execute the duties of the SRC.

1. Voting:
2. Each member shall have one vote.
3. All decisions shall be made by a majority vote of the voting members present.
4. Unless a member needs accommodation, all votes will be conducted by a voice vote. At any time, a member can request a show of hands or a roll call vote.
5. Ex-officio members may not vote or present motions.
6. In accordance with the Bagley Keene Open Meeting Act, all votes occurring during teleconference meetings shall be by roll call vote.
7. Meetings.
8. The SRC shall convene at least four meetings per federal fiscal year (October 1 - September 30).
9. SRC meeting times and locations shall be set by the Executive Planning Committee (EPC) with input from SRC members.
10. Agendas.

Agendas for SRC meetings shall be developed by the SRC Executive Officer and Chair, with input from the EPC. Agendas for Committees shall be developed by the SRC Executive Officer and Chair of Standing Committees, with input from SRC Chair.The SRC may adopt procedures for requesting placement of items on agendas. The SRC Chair shall approve the meeting agenda before distribution. In the event that the SRC Chair is unavailable, the SRC Vice-Chair shall have approving authority.

1. Minutes.

The SRC Executive Officer has responsibility for ensuring that minutes of all committees and full SRC meetings are kept. Approved minutes shall be maintained in the SRC office. Such approved minutes shall be made available to the public upon request.

1. Conflict of Interest.

No member of the Council shall cast a vote on any matter that would provide direct financial benefit to the member or to the organization that they represent,or otherwise give appearance of a conflict-of-interest. The member shall abstain and publicly state the conflict of interest.

According to state law, all SRC members shall file a Fair Political Practices Commission Form 700 to file their statements of economic interests 30 days after initial appointment and annually thereafter.

SRC members shall adhere to all conflict-of-interest policies adopted by DOR and state law.

1. Accessibility Policy

The Council’s role is to promote the employment of people with disabilities, and as such, the SRC strives to include all people with disabilities in all aspects of its role. The SRC will provide accommodation to members of the public and the membership in accordance with the Bagley-Keene Open Meeting Act and other state law. Documents will be made available in electronic formats and alternative formats, upon request in accordance with the Bagley-Keene Open Meeting Act.

1. Public Comment

The opportunity for public comment shall be provided on each agenda in accordance with the Bagley-Keene Open Meeting Act.

1. Rules of Order

Absent a conflict in federal or state law and regulation, the most recent revision of Robert's Rules of Order shall govern questions of parliamentary procedure not otherwise specified by these Bylaws.

1. Compensation for services

Pursuant to Welfare and Institution Code Section 19092, any member of the SRC who is unemployed or required to forfeit wages from other employment shall be compensated one hundred dollars ($100) per day for each day the member is engaged in discharging their SRC-related duties. Certification of eligibility for said compensation shall be maintained by the DOR. It is the responsibility of the SRC member to notify the SRC Executive officer of any change in eligibility for said stipend and follow any policies related to the stipend.

1. Reimbursement for travel, per diem, childcare and attendant care services shall be in accordance with applicable state policy.

Article VII Committees

It is the intention of the SRC that the full SRC make key decisions pertaining to the fulfillment of its federal responsibilities, unless otherwise delegated. The purpose of the Standing Committees is to provide an opportunity for greater discussion, analysis and oversight of these mandated functions or to address certain administrative functions of the SRC.

1. Committee Quorums

Three voting members of the SRC shall constitute a quorum for purposes of conducting committee meetings.

1. Duties of Standing Committee Chairs;
	1. Agenda creation with the Executive Officer for Committee meeting,
	2. Provide input on the work of the Committee,
	3. Discuss work of the Committee with Chair of the SRC,
	4. Provide updates at each quarterly meeting,
	5. Facilitate meetings,
	6. Determine if additional meetings are needed, and,
	7. Provide the Executive Officer with the direction on Committee work products.
2. Standing Committees: The following standing committees are hereby established:
3. Executive Planning Committee (EPC)
	1. The EPC will be led by the SRC Chair, with the Vice-Chair, Treasurer, Policy, Unified State Planand Monitoring and Evaluation CommitteeChairs as members.
	2. The EPC shall schedule SRC meetings, establish agendas and select meeting sites while coordinating Council activities with other SRC Standing Committees, the DOR, and other entities responsible for, or concerned with, the provision of rehabilitation services within the State of California. (These duties are in practice delegated to the Executive Officer working in conjunction with the SRC Chair.)
	3. Create slate of candidates for the SRC to be appointed as Members of the Nominating Committee.
4. PolicyCommittee

The areas assigned to the Policy Committee are:

a) Develop the SRC Annual Report

b) Evaluate proposed regulations, policies and services.

c) Prepare recommendations for the SRC.

d) Receive issues from the Monitoring and Evaluation Committee and the Unified State Plan Committee to further evaluate and assist the SRC in developing recommendations to DOR.

1. Monitoring and Evaluation Committee

The areas assigned to the Monitoring and Evaluation Committee are:

1. Evaluate the Consumer Satisfaction Survey and its results.
2. Review and analyze trends in Appeal Hearing Decisions.
3. Review the progress of performance measures.
4. Review data as requested by the SRC.
5. May refer issues to other Committees to further evaluate and make recommendations for improvement of services.
6. Prepare recommendations for the full Council’s consideration.
7. Unified State Plan Committee
8. Collaborate with DOR in developing various aspects of the Vocational Rehabilitation Services Portion of the Combined or Unified State Plan.
9. Conduct and evaluate the Comprehensive Statewide Assessment.
10. Monitor the State of California’s Unified State Plan.
11. Review drafts of the VocationalRehabilitation Services Portion of the Unified State Plan.
12. May refer issues to other Committees to further evaluate and make recommendations for improvement of services.
13. Prepare recommendations for the full Council’s consideration.
14. Nominating Committee

The Nominating Committee shall make recommendations to the SRC relative to the annual election of SRC officers. The Nominating Committee shall:

* 1. Be composed of at least three (3) and not more than five (5) SRC members.
	2. Be elected by the SRC at the meeting preceding the meeting in which Officer elections are held, from a slate of candidates recommended by the EPC. The floor shall also be opened to additional nominations.
	3. Serve for one year. Should a mid-year vacancy occur in the office of vice-chair or treasurer, the Nominating Committee shall reconvene and recommend a candidate for vote at the next SRC meeting.
1. Ad hoc Committees/Taskforces/Workgroups

The SRC may, by majority vote, establish task specific entities as necessary. These entities are limited to acting on the issues for which they were created and within the time frame established for the assignment.

Article VIII Amendments

1. These Bylaws shall be reviewed annually by the Executive Planning Committee.

2. Bylaw amendments may be introduced, in writing, at any full SRC meeting. The vote upon such amendments shall not take place until the following SRC meeting. Amendments must receive a two-thirds vote of the voting membership present at the meeting. No amendments may be adopted which conflict with any applicable state and federal law or regulation. Subsequent changes to applicable state and federal laws and regulations shall supersede any portion of the bylaws in conflict with same.

**Dates of Revision**

Revised July 15, 2021

Revised August 15, 2018

Revised November 18, 2015

Revised May 27, 2015

Revised August 20, 2014

Revised May 16, 2012

Revised January 25, 2011



**Agenda Item 13**

**Wednesday, January 13, 2021**

# Item Name: Demand Side Employment Initiative (DSEI)

**Item Type:** Information.

SRC members will learn about DSEI engaging with stakeholders and businesses to create grants for business to increase hiring of individuals with disabilities.

**Background:**

DOR and Department of Developmental Services received $20 million in State funding to work in collaboration and implement strategic initiatives to increase the employment of indivduals with disabilities.

**Attachment(s):**

## Attachment 1: Demand Side Employment Initiative Fact Sheet



Provide small and medium sized businesses with

one-time grants to introduce and expand disability

inclusive hiring practices.

Develop and implement inclusive hiring strategies

for HR professionals.

Create positive culture change in recruiting

individuals with disabilities.

Work with businesses to create new earn and learn

opportunities i.e. apprenticeships, paid work

experience or internships.

Initiate a strategic multi-media marketing campaign

that highlights the benefits of employing individuals

with disabilities.

Campaign messaging will include people with

disabilities as a competitive consumer market for

businesses.

Business Incentives:

Human Resources Support:

W

ork-based Learning Opportunities:

Marketing Campaign:

**DEMAND SIDE**

**EMPLOYMENT**

**INITIATIVE**

**DEPARTMENT OF REHABILITATION**

**Jessica Grove, DSEI Executive Sponsor**

**Lauren Rasmussen, DSEI Program Lead**

**Toussaint Wade, DSEI Coordinator**

**Email: DSEI@dor.ca.gov**

**BACKGROUND**

In the recently passed 2021-2022 state budget,

the Department of

Rehabilitation (DOR), and Department of Developmental Services received a

one-time appropriation of $20 million dollars to collaborate and implement

strategic initiatives to increase the employment of individuals with disabilities.

The DOR has allocated $10 million dollars for its Demand Side Employment

Initiative (DSEI), an employer incentive program that will provide resources,

technical support and help with implementing equitable recruitment, training,

and retention practices for employers who hire people with disabilities.

The DSEI funding will be distributed to small and medium-sized businesses

through grants beginning in 2022 through 2024.

**DSEI ELEMENTS**

**QUICK FACTS**

Bu

siness Incentives

H

R Support

Work-based Learning

Targeted Marketing

Employment Initiative

Three Year Timeline

$10 Million Dollars

Areas

:

Campaign



**Agenda Item 15**

**Thursday, January 13, 2022**

# Item Name: SRC Officers, Members, and Executive Officer Reports

**Item Type:** Information

**Attachment(s):**

Attachment 1: SRC Member Roster

Attachment 2: SFY 20/21 Quarter 1 Case Load Data Report

**Agenda Item 15, Attachment 1**

## SRC Member Roster



**SRC Member Roster**

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| **Member Name** | **Term** | **Appointment Date** | **End****Date** | **Member Type** |
| Theresa Comstock | Second | Sep 8 2019 | Sep 7 2022 | Disability Advocacy Group |
| JoeXavier | Third | Sep 8 2019 | Sep 7 2022 | State VR Director (non-voting) |
| Chanel Brisbane | First(Partial Term) | Sep 25 2020 | Sep 7 2022 | Community Rehab Program  |
| Jonathan Hasak | First(Partial Term) | Sep 25 2020 | Sep 7 2022 | Business, Industry, and Labor |
| Susan Henderson | First(Partial Term) | Sep 25 2020 | Sep 7 2022 | Parent Training and Information |
| Benjamin Aviles | Second  | Sep 8 2020 | Sep 7 2023 | Applicant of or Recipient of VR Services |
| Nicholas Wavrin | Second  | Sep 8 2020 | Sep 7 2023 | State Education Agency |
| Kecia Weller | Second  | Sep 8 2020 | Sep 7 2023 | Disability Advocacy Group |
| Ivan Guillen | Second | Oct 11 2021 | Sep 7 2024 | Client Assistant Program |
| Vacant |  |  |  | State Independent Living Council |
| Vacant |  |  |  | Voc. Rehab Counselor(non-voting) |
| Vacant |  |  |  | Business, Industry, and Labor |
| Vacant |  |  |  | Business, Industry, and Labor |
| Vacant |  |  |  | Business, Industry, and Labor |
| Vacant |  |  |  | Workforce Development Board |
| Vacant |  |  |  | American Indian VR Project  |

**Agenda Item 15, Attachment 2**

## SFY 21/22 Quarter 1 DOR Case Data Report

**DOR Case Data Report**

Quarter 1

of

**State Fiscal Year (SFY) 2021/22**

(July 1, 2021 through June 30, 2022)

**HIGHLIGHTS**

Majority of the DOR’s caseload and expenditures have improved and may indicate coming back to pre-pandemic year operations.

**VR Cases**

* Compared to Q1 SFY 2020-21, New Applications are up by 32% and New Plans have increased by 19%.
* While In-Plan cases are down by 4% from 2020-21 (PY) it is up by 1% from 2019-20 (PPY).

**Student Services**

* PE New Applications are up by 2,223 (203%) compared to PY
	+ Current Year numbers are close to PPY numbers which may indicate recovery.

**SSI/SSDI Beneficiaries**

* Over the past several years we continue to see a decrease in SSI/SSDI beneficiaries in our caseload, which may reduce the amount of Social Security Reimbursement (SSR) program income.
* For this SFY, SSI/SSDI New Applications is 35% up from PY, but still 33% down from PPY.

**Successful Closures**

* Successful Closures are up 38% from PY.
	+ 13% of Successful Closures resulted in consumers gaining Customer Service Representative occupations. This occupation has remained number 1 in ranking for the past three years.
	+ Successfully closed consumers earned an average of $18 per hour.

**CASELOAD DATA (VR and PE case types)**

**Applications**

Those who applied for services, regardless of forthcoming eligibility status.

PE:

* SFY 2021/22 = 3,318, an increase of 203% from PY
* SFY 2020/21 = 1,095, a decrease of 68% from PY
* SFY 2019/20 = 3,413, an increase of 51% from PY
* SFY 2018/19 = 2,267, (PE was fully implemented in FY 18/19)

VR:

* SFY 2021/22 = 6,014 an increase of 32% from PY
* SFY 2020/21 = 4,545, a decrease of 42% from PY
* SFY 2019/20 = 7,855, an increase of 13% from PY
* SFY 2018/19 = 6,982, a decrease of 21% from PY

**New Plans**

Those with an Individualized Plan for Employment (IPE) initiated during the current SFY.

* SFY 2021/22 = 4,971, an increase of 19% from PY
* SFY 2020/21 = 4,194, a decrease of 28% from PY
* SFY 2019/20 = 5,832, an increase of 8% from PY
* SFY 2018/19 = 5,389 a decrease of 14% from PY

**Total Closed**

Cases that closed within the year.

PE[[1]](#footnote-1):

* SFY 2021/22 = 2,249, a decrease of 26% from PY
* SFY 2020/21 = 3,042, an increase of 46% from PY
* SFY 2019/20 = 2,080, an increase of 536% from PY
* SFY 2018/19 = 327, (PE was fully implemented in FY 18/19)

**VR:**

* SFY 2021/22 = 5,758, an increase of 42% from PY
* SFY 2020/21 = 4,061, a decrease of 54% from PY
* SFY 2019/20 = 8,853, an increase of 3% from PY
* SFY 2018/19 = 8,584, a decrease of 5% from PY

**Closed In-Plan – Successful Closures**

Those who completed their IPE, closed their case as status “employed,” and maintained stable employment for a minimum of 90 days. Also referred to as “Closed Rehab.”

* SFY 2021/22 = 1,692, an increase of 38% from PY
* SFY 2020/21 = 1,226, a decrease of 43% from PY
* SFY 2019/20 = 2,154, a decrease of 5% from PY
* SFY 2018/19 = 2,255, a decrease of 9% from PY

**Closed In-Plan – Not Employed**

Those who completed their IPE and closed their case not in “employed” status, including cases where an IPE was signed but services were never provided. Also referred to as “Closed from Service.”

* SFY 2021/22 = 2,742, an increase of 76% from PY
* SFY 2020/21 = 1,560, a decrease of 65% from PY
* SFY 2019/20 = 4,473, an increase of 13% from PY
* SFY 2018/19 = 3,964, a decrease of 0.9% from PY

**All Cases Served**

All open and closed cases that received service(s) in the year.

* SFY 2021/22 = 85,517, an increase of 8% from PY
	+ PE = 25,808, an increase of 39% from PY
	+ VR = 59,709, a decrease of 1.2% from PY
* SFY 2020/21 = 79,055, a decrease of 4% from PY
	+ PE = 18,620, an increase of 11% from PY
	+ VR = 60,435, a decrease of 8% from PY
* SFY 2019/20 = 82,195, an increase of 13% from PY
	+ PE = 16,852, an increase of 310% from PY
	+ VR = 65,343, a decrease of 5% from PY
* SFY 2018/19 = 72,771, a decrease of 0.2% from PY
	+ PE = 4,111, (PE was fully implemented in FY 18/19)
	+ VR = 68,660, a decrease of 6% from PY

**COMPARISON TABLES - CLOSURES BY DISABILITY TYPE**

(See [Attachment A](#_ATTACHMENT_A:_DISABILITY) for explanation of Disability Types.)

Closed Rehab

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| Disability Type | SFY 2021 Number | SFY 2021 Percentage | SFY 2020 Number | SFY 2020 Percentage |
| Blind/Visually Impaired | 68 | 4% | 55 | 4% |
| Cognitive Impairment | 122 | 7% | 90 | 7% |
| Deaf/ Hard of Hearing  | 99 | 6% | 63 | 5% |
| Intellect./Dev. Disability | 313 | 18% | 209 | 17% |
| Learning Disability | 299 | 18% | 176 | 14% |
| Physical Disability | 233 | 14% | 167 | 14% |
| Psychiatric Disability | 541 | 32% | 455 | 37% |
| Traumatic Brain Injury | 17 | 1% | 11 | 1% |
| TOTAL | **1,692** | **100%** | **1,226** | **100%** |

Closed from Service

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| Disability Type | SFY 2021 Number | SFY 2021 Percentage | SFY 2020 Number | SFY 2020 Percentage |
| Blind/Visually Impaired | 102 | 4% | 100 | 6% |
| Cognitive Impairment | 179 | 7% | 94 | 6% |
| Deaf/ Hard of Hearing | 134 | 5% | 67 | 4% |
| Intellect./Dev. Disability | 478 | 17% | 279 | 18% |
| Learning Disability | 402 | 15% | 246 | 16% |
| Physical Disability | 501 | 18% | 266 | 17% |
| Psychiatric Disability | 909 | 33% | 490 | 31% |
| Traumatic Brain Injury | 37 | 1% | 18 | 1% |
| Not Reported | 0 | 0% | 0 | 0% |
| TOTAL | **2,742** | **100%** | **1,560** | **100%** |

**ATTACHMENT A: DISABILITY TYPES**

The Budgets, Fiscal Forecasting, and Research Section (BFFR) merges 23 Disability Impairments and five Disability Causes within Aware into the nine Primary Disability Types.

Nine Primary Disability Types

1 - Blind/Visually Impaired

2 - Cognitive Impairment

3 - Deaf/Hard of Hearing

4 - Intellectual/Developmental Disability

5 - Learning Disability

6 - Not Reported

7 - Physical Disability

8 - Psychiatric Disability

9 - Traumatic Brain Injury

The following table shows how Disability Impairments and Disability Causes within Aware are grouped to synthesize the nine Primary Disability Types listed above.

**Grouping Breakdown of the 9 Primary Disability Types:**

| **Disability Type****(BFFR Grouping)** | **Disability Impairment****(Source: Aware)** | **Disability Cause****(Source: Aware)** |
| --- | --- | --- |
| 1 - Blind/Visually Impaired | Blindness - Legal | None specified |
|  | Blindness - Total |  |
|  | Other Visual Impairments |  |
| 2 - Cognitive Impairment | Cognitive (learning, thinking & processing info) | None specified |
|  | Communicative Impairments (expressive/receptive) |  |
| 3 - Deaf/Hard of Hearing | Deaf - Blindness | None specified |
|  | Deafness, Primary Communication Auditory |  |
|  | Deafness, Primary Communication Visual |  |
|  | Hearing Loss, Primary Communication Auditory |  |
|  | Hearing Loss, Primary Communication Visual |  |
|  | Other Hearing Impairments (Tinnitus, etc.) |  |
| 4 - Intellectual/ Developmental Disability | None specified | Intellectual Disability |
|  | None specified | Intellectual/Developmental Conditions |
|  | None specified | Autism |
| 5 - Learning Disability | None specified | Specific Learning Disabilities |
| 6 - Not Reported | Converted Data  | None specified |
|  | No Impairment |  |
|  | Null |  |
| 7 - Physical Disability | General Physical Debilitation (Fatigue, pain, etc.) | None specified |
|  | Manipulation/Dexterity - Orthopedic/Neurological |  |
|  | Mobility - Orthopedic/Neurological Impairments |  |
|  | Other Orthopedic Impairments (limited motion) |  |
|  | Other Physical Impairments (not listed above) |  |
|  | Respiratory Impairments |  |
|  | Both Mobility & Manip/Dexterity - Ortho/Neurologic |  |
| 8 – Psychiatric Disability | Other Mental Impairments | None specified |
|  | Psychosocial (interpersonal/behavior impairments) |  |
| 9 - Traumatic Brain Injury | None specified | Traumatic Brain Injury |



**Agenda Item 16**

**Thursday, January 13, 2022**

# Item Name: Debrief and Recommendations Discussion

**Item Type:** Action, Information, and Discussion. SRC Members will debrief from this meeting’s discussions and potentially adopt recommendations.

**Background:**

On August 26, 2021The SRC Monitoring and Evaluation Committee discussed the Consumer Satisfaction Comments qualitative comments.

For transportation, the top three topics in the transportation comments were:

1. Provide more money for transportation, gas, or bus pass
2. Assist with transportation needs
3. Be more understanding of transportation needs

Committee members reviewed the DOR policy from the Rehabilitation Administration Manual Chapter 12 1287.2 Consumer-Owned Vehicle Mileage Reimbursement. Two items of discussion were:

Areas of improvement the committee identified for transportation were:

* 15 cent per mile is an outdated amount.
* Alternative transportation needs such as Lyft and Uber to get consumer to employment should be used.
* Can transportation be used for longer during than one month in employment

**Attachment(s):**

Attachment 1: Rehabilitation Administration Manual, Transportation Chapter and Regulations

**Agenda Item 16, Attachment 1**

## Rehabilitation Administration Manual, Transportation Chapter and Regulations

**1287 Transportation Services (12/17)**

This service category includes the following procedure categories:

* [Transportation - DOR Consumer](https://indor/ram/ram12/ram-chapter-12-sections-1280-1289#1287.4)
* [VR WAP Transportation - DOR Consumer](https://indor/ram/ram12/ram-chapter-12-sections-1280-1289#1287.5)
* [Transportation - Service Provider](https://indor/ram/ram12/ram-chapter-12-sections-1280-1289#1287.6)
* [Driver Services](https://indor/ram/ram12/ram-chapter-12-sections-1280-1289#1287.7)

Transportation is defined as travel and related expenses that are necessary to enable an applicant or eligible individual to participate in a vocational rehabilitation (VR) service.  It also includes the travel and related expenses for a service provider, if necessary to enable VR service participation.

Transportation is the cost of consumer bus passes, airfare, trains, taxis, driver services, private vehicle mileage reimbursement, and specific elements of service provider travel, when these are incurred during the determination of eligibility, participation in an IPE, or receipt of post-employment services. This category does not include parking or bridge tolls (refer to [Section 1288 - Travel](https://indor/ram/ram12/ram-chapter-12-sections-1280-1289#1288)).

The Rehabilitation Counselor and designated district staff will refer to the following regulations for Transportation Services requirements:

* Client-Owned Vehicle Use (CCR 7162)
* Exemptions from Client Financial Participation (CCR 7191)
* Placement in Suitable Employment (CCR 7153)
* Privately Owned and Operated Modes of Transportation (CCR 7163)
* Readers, Notetaker Services, Attendants and Drivers (CCR 7169)
* Readers, Notetakers, Drivers and Attendants (CCR 7301)
* Transportation (CCR 7029)
* Transportation Services - General (CCR 7161)
* Transportation Services - Employed Clients (CCR 7161.5)
* Transportation Expenses for Permanent Relocation (CCR 7163.5)
* Administrative Review - Appellants (CCR 7353)
* Mediation (CCR 7353.6)

Transportation is a supportive service and is not, alone, a VR service.  Therefore, no record of services may remain open solely for the provision of travel or transportation services.

All transportation services are subject to comparable benefits. Consumers are exempt from financial participation for the following expenses: driver services, service provider transportation, private vehicle mileage reimbursement, and the most economical public transportation available which meets the special needs of the consumer.

The mode of transportation provided to a consumer shall be the least costly mode which meets the special needs of the consumer.

If a consumer wishes to use transportation services that cost more than the most economical type available, the DOR will pay only the amount of the most economical type, and any transportation costs in excess of these are subject to financial participation.

**1287.1 Transportation Allowances**

Transportation allowances are normally based on a 22-day month, at a monthly rate.  If the exact amount required each day for transportation is known, the Rehabilitation Counselor may authorize a daily amount rather than a monthly allowance.  In such cases, the claim must specify the amount per day and the number of days covered in the period.

The Rehabilitation Counselor will adjust a transportation allowance to reflect consumer absences that are in excess of four days in a month, as appropriate to the individual circumstances. Team Manager approval is required for transportation overpayment, due to absences, in excess of $50 per month.

If emergency cash is needed for authorized transportation expenses, the [DR252 Imprest Cash Claim](file:///G%3A%5CPublic%20Folder%5CInDOR%20Documents%5CForms%5CVocational%20Rehabilitation%20Programs%20%26%20Services%5CDR252%20Imprest%20Cash%20Claim.pdf) form may be used to provide consumers with cash for these purposes, up to $15 in any one day.  Refer to [RAM Chapter 16](http://indor/ram/ram16/ram-16-revolving-fund-imprest-cash-bank-draft) for more information on Imprest Cash for Consumer Services.

Contact the State Vehicle Fleet Coordinator, in the DOR Business Services Section, for information on the following:

* Instructions For Estimating Travel Costs For Off-Site Evaluation Services
* Standard Evaluation Hourly Rate Computation Worksheet
* Travel Cost Estimation Worksheet.
* A sample authorization for driver evaluation services.

Contact Central Office (CO) Accounting Services for further information on travel expense reimbursement.

**1287.2 Consumer-Owned Vehicle Mileage Reimbursement**

A consumer may be reimbursed for driving his or her own vehicle for the purposes of VR program participation.  Consumer-owned vehicles may be used as transportation for any of the following reasons:

* The consumer-owned vehicle is the least costly mode of transportation.
* The Rehabilitation Counselor determines that a consumer-owned vehicle must be used due to either of the following circumstances:
* The consumer is required to operate his or her own vehicle to complete an IPE.
* A publicly owned or contracted mode of transportation is not readily available or would cause undue hardship to the consumer, based on the proximity of the transport, the frequency of the transport at the times the consumer will be traveling, or the special needs of the consumer.
* Neither of the above apply, but the consumer elects to drive his or her own vehicle when traveling for VR program activities.

If a consumer elects to use his or her own vehicle and it is neither required by the IPE nor the least costly mode of transportation, the transportation allowance shall consist of the lesser of the following expenses:

1. Actual costs of gas, oil, and necessary bridge tolls and parking.
2. The least expensive rate charged by the local public transportation company for the mode of transportation accessible to the client.

Consumer-owned vehicle usage is paid at fifteen cents ($0.15) per mile, or at twenty cents ($0.20) for adapted vans.

The Rehabilitation Counselor should verify a consumer’s driver license, vehicle registration, and insurance prior to authorizing payment for usage of a consumer vehicle for transportation services. Verification should be documented in a case note.

**1287.3 Transportation - Employed Consumers**

If the consumer is employed, transportation services shall be provided only until he or she is financially capable of assuming the cost, or until the record of services is closed, whichever occurs first. Employed consumers are deemed financially capable of assuming the cost of transportation after having received one full month of salary or wages, unless there is evidence that undue financial hardship exists in accordance with CCR 7161.5(b) and (c).

If the consumer is receiving post-employment services, transportation services may be provided with the prior written approval of the Team Manager. Team Manager approval shall be based upon verification of the following criteria:

* The transportation services are necessary to support an overall program of PES.
* The services are requested within 12 months of record of services closure.
* Determinations on similar benefits and financial participation have been made.

If the consumer is not receiving post-employment services and has received at least one full month of pay, transportation services may only be provided with District Administrator approval. The District Administrator shall make a decision based upon the following elements:

* The mode of transportation being provided is the least costly option which meets the special needs of the client.
* Determinations on similar benefits and financial participation have been made.

Undue financial hardship exists for the consumer in accordance with 7161.5(b) and (c).

**1287.4 Transportation - DOR Consumer**

Transportation-DOR Consumer covers the costs of specific transportation expenses required for assessment, counseling, or participation in an IPE.

This procedure category includes the costs of an applicant’s or consumer’s bus pass, airfare, train ticket, taxi, and mileage reimbursement for private vehicle use.

Privately-owned and operated modes of transportation shall only be authorized when a publicly-owned or contracted mode of transportation is not readily available or would cause undue hardship, and the privately-owned option can meet the special needs of the consumer. In such a case, payment will be made directly to the transportation provider.

Transportation services may also be provided upon request for consumers attending an administrative review or mediation, who require such help and are unable to secure assistance through other sources.

**1287.5 VR WAP Transportation - DOR Consumer**

Vocational Rehabilitation Work Activity Program (VR WAP) Transportation-DOR Consumer is transportation services provided by Department of Developmental Services as part of a contract for group Supported Employment.

**1287.6 Transportation - Service Provider**

Transportation-Service Provider covers specific elements of service provider transportation, when the services of a personal care attendant, aide, or other provider are necessary to enable the applicant or eligible individual to participate in VR services.

This procedure category includes the costs of a service provider’s airfare, train ticket, taxi, rental car, and mileage reimbursement for private vehicle use.

In order to request payment, service providers must itemize their services on a [DR 296A Individual Service Provider (ISP) - Worksheet](file:///G%3A%5CPublic%20Folder%5CInDOR%20Documents%5CForms%5CVocational%20Rehabilitation%20Programs%20%26%20Services%5CDR296A%20ISP%20Worksheet.pdf) form and submit it with the [DR 296 Individual Service Provider (ISP) - Invoice](file:///G%3A%5CPublic%20Folder%5CInDOR%20Documents%5CForms%5CVocational%20Rehabilitation%20Programs%20%26%20Services%5CDR296%20ISP%20Invoice.pdf) form.

Refer to [RAM Chapter 12, Exhibit A](file:///G%3A%5CPublic%20Folder%5CInDOR%20Documents%5CRAM%5CRAM12%20Exhibit%20A%20Goods%20and%20Services%20That%20Require%20Prior%20Approval.pdf), for service provider rates for mileage reimbursement.

**1287.7 Driver Services**

Driver Services are services provided to drive a consumer, in either the consumer or provider's vehicle, as necessary and appropriate to the consumer’s VR program.

The driver must possess a valid California Driver’s License, an appropriate vehicle, and the minimum insurance coverage required by law, as well as $5,000 in medical coverage.

For drivers commuting long distances to transport consumers, the Team Manager shall ensure that the record of services contains documentation verifying no other form of local transportation is available for the consumer.

A driver may be secured in one of the following three ways:

Through comparable benefits.

Through a service provider.

Through the consumer’s family member or other closely associated person, who is able to provide these services without pay and volunteers to do so.



**Agenda Item 17**

**Thursday, January 13, 2022**

# Item Name: Identification of Future Agenda

**Item Type:** Discussion. The SRC members will provide input on future agenda items.

**Background:**

To help plan for upcoming SRC quarterly meetings, a list is compiled of standing/business items, information updates, or presentations requested by the SRC.

**Attachment(s):**

Attachment 1 – Future Agenda Items

**Agenda Item 17, Attachment 1**

## Future Agenda Items

**Future Information Updates/Presentations**

**1. Consumer Reimbursement of Goods and Services**

Presenter(s): To be determined

Item Type: For Information/Discussion

Item Details:

The SRC will learn about the process of consumer reimbursement of goods and services. The DOR fair hearing complaints were separated into categories, one category included the request for reimbursement for goods and services which were not previously authorized by the DOR. The SRC can learn of the possible factors that may lead up to those complaints.

**2. Self-Employment Program**

Presenter(s): To be determined

Item Type: For Information

Item Details:

The SRC will learn about the DOR process and guidelines to become employed in a self-employment setting. The concept of a "Self-Employment Setting" allows the individual to choose a vocational goal/occupation such as graphic artist, barber, accountant, etc., as an employment outcome in a setting where the individual can work as self-employed instead of as an employee.

**3. Independent Living**

Presenter(s): To be determined

Item Type: For information/Discussion

Item Details:

The SRC members will learn about the work of the Independent Living Centers, the State Independent Living Council, and of any policy and system issues.

**4. Employers**

Presenter(s): To be determined

Item Type: For Information/discussion

Item Details:

The panel discussion will allow the SRC to hear from the business, industry, and labor representatives. The SRC can help identify the topics they want to know more about. Some potential discussion areas can include:

* What are hiring mangers looking for when selecting an employee?
* What would be the best way for DOR to approach your company about hiring?
* What are some positive and/or negative experiences have you had while working with DOR?
* What fears do employers have the most about when hiring a person with a disability?
* What suggestions would you give DOR to help them develop long-term partnerships with employers?
* Are there ways to incentivize for and create employer demand to hire people with disabilities? Such as tax incentive?

**5. Competitive Integrated Employment (CIE)**

Presenter(s): To be determined

Item Type: For Information/discussion

Item Details:

The SRC members will learn about CIE opportunities for individuals with intellectual disabilities and developmental disabilities (ID/DD). The CDE, DOR, and DDS have worked together to create a proactive interagency plan utilizing available resources[[2]](#endnote-1) to increase opportunities for individuals with ID/DD to prepare for and engage in CIE, and to reduce reliance upon subminimum wage jobs and segregated work settings

**6. Career Pathways Grant**

Presenter: DOR Representatives

Item Type: For information/discussion

Items Details:

Members will learn about the grant creating sector-based caseloads.

**7. Individual Service Providers and Adult Work Experience**

Members will receive an update on ISP’s and the availability of Adult Work Experiences.

Presenter: DOR Representatives

Item Type: For information/discussion

Items Details:

Members will receive an update on ISP’s and the availability of Adult Work Experiences.

**8. Update on Blind Advisory Committee’s Taskforce on Allegations of Sexual Misconduct**

Presenter: DOR Representatives

Item Type: For information/discussion

Items Details:

Members will receive an update on the progress of the taskforce and DOR’s response to the recommendations.

**Items Not Ready Yet for a Presentation - Waiting for Updates**

**Consumer Payment Card Update**

Presenter(s): To be determined

Item Type: For information/discussion

Item Details:

The SRC will learn more consumer payment card updates after a request to bid is awarded including the provider and objectives.

**Social Media**

Presenter(s): To be determined

Item Type: For Information

Item Details:

The SRC will learn about how DOR engages with consumers and stakeholders through social media. How does the DOR respond to comments and questions from followers and keep followers/community informed, educated, and up-to-date? How do they choose what content to publish to attract attention from followers and encourage engagement?

1. Due to the Rehabilitation Services Administration (RSA) policy directive 19-03 released July 2020, Vocational Rehabilitation (VR) agencies are no longer allowed to close a PE Case unless the individual no longer meets the definition of a Student with Disability. A Student with a Disability is defined as an individual who: 1) is enrolled in secondary, postsecondary, or other recognized education program; 2) is not younger than 16 and not older than 21, or 22 if the student is participating in a special education program in secondary school; and 3) is an individual with a disability for purposes of Section 504 of the Rehabilitation Act. [↑](#footnote-ref-1)
2. [↑](#endnote-ref-1)