

# Meeting Minutes

**Rehabilitation Council of Texas**  
**July 20-21, 2015**  
**Criss Cole Rehabilitation Center**  
**Austin, Texas**

## **Present:**

- Joyce Taylor, Vice-Chair, Houston
- Bruce Hooper, San Antonio
- Cheryl Fuller, Austin
- Joe Tims, Justin
- Karen Stanfill, Houston
- Mark Schroeder, Grand Prairie
- Scott Bowman, Austin
- Troy Myree, Houston

## **Absent:**

- Roger Cortez, Arlington
- Martha Garber, Coppell, Chair
- Yvonne Bates, Tuscola
- Rene Gonzalez, McAllen
- Casey Hertel, Abilene
- Brent Pitt, Austin

## **DARS Reps:**

- David Norman, DRS Liaison
- Ron Ayer, DBS Liaison
- Shiloh Gonzalez, DARS
- Don Roy, DARS

## **DARS Staff:**

- Cassie Fisher
- Christy Lerche
- Corey Turner
- Don Roy
- Martha Bagley
- Michelle McCall

- Keisha Rowe
- David Johnston
- Ms. Carlene Geiger
- Cecelia Rodriguez
- Alma Cantu

## Guests:

- Kaki Leyens (TWIC)
- Tania Jordanova (UT)
- Reagan Miller (TWC)
- Susan May (TEA)

## Welcome and Introductions

Meeting was called to order at 9:00 a.m. by Joyce Taylor, Vice-Chair.

## Committee Meetings

The following committees met with their members: Policy, Procedures and Personnel Development, Membership and Education, and Consumer Satisfaction and Needs Assessment.

## Comprehensive Statewide Needs Assessment

Tania Jordanova, MSPH, Research Coordinator with the University of Texas provided a presentation on the progress of the statewide needs assessment.

- The assessment this year focuses on the transition needs of youth and students with disabilities, which were found to be an underserved population by the Child Family Research Institute, which was contracted to conduct the Comprehensive Statewide Needs Assessment by DARS in 2014.
  - The objective is to gain feedback from a variety of stakeholders including consumers, family members, community members involved in transition, educators and transition specialists about their needs and opportunities for improvement.
  - Key informant reviews and focus groups have been conducted; once that step is complete an online survey will be issued to solicit additional feedback.
    - The online survey will be available at [www.darsneedsassessment.org](http://www.darsneedsassessment.org).
    - Also available online is the 2014 comprehensive needs assessment report.
  - After gathering data, needs will be identified and recommendations made in a preliminary report to DARS which will be out on August 31, 2015.
- Themes that have been identified so far in the data collection process include that:
  - participants believe certain disabilities are underserved by transition services;
  - participants see a lack of diverse employment and career exploration opportunities;

- participants believe that the Department of Assistive and Rehabilitative Services (DARS) Division for Rehabilitation Services (DRS) transition services should begin at an earlier age;
- participants have said that they think caseloads might be too high in some areas, resulting in poor quality of services; and
- participants have noted that transition is unique and different from adult vocational rehabilitation and policies should reflect that difference.

Don Roy asked how many focus groups will be conducted in total.

Ms. Jordanova explained that eight focus groups have been conducted out of a total of fourteen.

Karen Stanfill asked Ms. Jordanova to expand on the lack of diverse employment and career exploration opportunities theme.

Ms. Jordanova explained that a few stakeholders feel that from a parent or student's perspective that the jobs available to them are not representative of their abilities and interest; and there are not connections in place in that community to explore those options.

Karen Stanfill asked what topic will be chosen for next year, and if it will be a different area.

Ms. Jordanova responded that the topic is negotiable.

David Norman added that because this process is continuous, it affords the opportunity to focus on areas that are identified through the process.

## **Public Comment**

There was no public comment.

## **RCT Committee Reports**

### **Consumer Satisfaction & Needs Assessment Committee, chair Joe Tims**

There are a few updates to review. Mr. Tims introduced Martha Bagley, Program Specialist, DARS DBS for an update.

Ms. Bagley announced that a contractor has been identified for the consumer satisfaction survey, and they will begin working in July 2015. They will focus on Vocational Rehabilitation surveys. One annual report will be available in October.

Mr. Tims introduced David Norman, Program Specialist with DARS DRS for an update.

Mr. Norman stated that the DRS survey process is in place and will continue through the end of the next fiscal year. The third quarter data collected is positive, and is an improvement in

some areas from last year. Next year, the survey might be focused on youth and students with a disability.

## **Policy, Procedure & Personnel Development Committee, chair Karen Stanfill**

The committee discussed the comprehensive statewide system of personnel development (CSPD). Historically, to become a vocational rehabilitation (VR) counselor, an applicant was required to have a Master's degree, or a Bachelor's degree with the requirement to obtain a Master's degree within seven years. Federal funds were available to help pay for the education. With the passing of the Workforce Innovation Opportunity Act (WIOA), that requirement has changed. A Bachelor's degree is now required, and a person may have a Bachelor's in business and still become a VR counselor. Texas, however has decided to retain the previous requirement. What funds will now be used to continue to pay for the training toward the Master's degree requirement?

Cheryl Fuller, Assistant Commissioner, DARS DRS noted that DARS DBS and DRS has elected to retain the requirement that if someone is hired with a Bachelor's degree, after their first year of training, they have seven years to complete their Master's degree. Financial assistance has been provided for many years through the in-service training grant. Although, this grant expires on September 30, 2015, DARS will continue to provide financial assistance through the basic VR funds and university grants.

Mr. Roy asked for clarification on how long an applicant has to complete the Master's degree program.

Ms. Fuller explained that if an applicant is hired who holds a Bachelor's degree, a year of training is required, and then after that year, the employee would have seven years to complete a Master's degree.

Ms. Stanfill added that the committee asked to be involved earlier in the policy making process. Martha Garber and I have met since with Mr. Bowman and Ms. Fuller and others to discuss how to implement this request. There will be ongoing communication regarding upcoming policies. Ms. Stanfill also requested a briefing from a program specialist regarding the implementation of the Autism program and the training providers are receiving to work with this population.

Ms. Fuller agreed and noted the request.

## **Education & Membership Committee, chair Mark Schroeder**

During the committee meeting, Raul Ortiz announce that he will no longer be attending the RCT meetings, and another representative will be attending representing the Texas Workforce Investment Council. Susan May will be sitting in for Brent Pitt as the representative for the Texas Education Agency (TEA).

Mark Schroeder noted the difference in age for transition services from state external agencies. The age for Texas is 16 and federal is 14.

Susan May noted that one significant issue that came out of the 84th Legislative Session is a bill regarding installing cameras in Special Education classrooms. It is not a requirement, but a parent can request it.

Mr. Schroeder also added that TWIC is working on the strategic plan, which takes place every eight years.

Ms. Taylor thanked the committee chairs for their reports and noted that there will be a change in the agenda and the IRI Chapter Review will be rescheduled for October. Additionally, Ms. Taylor introduced Reagan Miller, Director of Workforce Development Division, TWC and invited her to address the council.

### **Reagan Miller, Director of The Workforce Development Division, Texas Workforce Commission (TWC)**

Ms. Miller noted that VR will soon be transitioning to TWC, and leadership is excited about the opportunities the transition will present. TWC and DARS have been working closely over the past few months and are eager to learn about the RCT, and DARS issues and consumers. TWC's goal is to ensure a smooth transition that does not impact consumers. She noted that she looks forward to working with the RCT in the coming months and years.

Ms. Taylor requested that Ms. Miller provide an update to the RCT at the next quarterly meeting regarding transition and legislative implementation activities.

### **Legislative Update**

Keisha Rowe, DARS Government Relations Specialist provided an update to the Council regarding legislative issues.

The 84th legislative session ended on June 1, 2015. DARS tracked a total of 397 bills and 77 of those were finally passed, and became law. Some bills dealt with contracting, rate setting and enterprise functions and DARS will continue to work with the Health and Human Services Commission (HHSC) to implement those bills. Other bills include:

- House Bill (HB) 3337- requires that all employees successfully complete training prior to tuition reimbursement;
- Senate Bill (SB) 169 – requires all Health and Human Services agencies to maintain the pace of military personnel or their departments on any waiting list if they are deployed or transferred outside the state, but maintain Texas as their residency;
- SB 277 – abolished a number of task force and advisory committees that DARS is a part of including the Interagency Task Force for Children with Special Needs and the Task Force for Children and Families;
- SB 807 – requires agencies to waive license regulations and fees for military service members; and

- SB 1307 – gives military service members special rules and exemptions for occupational licenses.

Bruce Hooper asked how large the problem was regarding the use of money for education that was not complete.

Ms. Rowe explained that there were a number of incidents within state agencies where people were being paid for education prior to them either enrolling or completing classes, so it was a fairly large issue that was prevalent in the media.

## **DBS and DRS Assistant Commissioner Report**

*DBS Assistant Commissioner Scott Bowman provided these updates:*

### **Transition Update**

DARS and TWC continue to collaborate regarding the legislative mandate to transition Vocational Rehabilitation (VR) programs to TWC addressing issues such as leases, realignment of regional boundaries, technical and administrative resources, and data collection/case management systems.

### **Workforce Innovation Opportunity Act (WIOA)**

- DARS submitted their comments on the Notice of Proposed Rule Making (NPRM) process on June 11, 2015. It was mentioned that WIOA is operating without current rules. The final regulations should be available no sooner than January 2016
- Title IV of The Rehabilitation Act of WIOA went into effect July 2014 and the other titles went into effect this month July 2015.
- DBS is working collaboratively with TWC to submit a combined state plan.
- The second hearing is scheduled in Dallas at the American Foundation for the Blind facility on Thursday July 30<sup>th</sup>.
- Pre-employment Transition Services (Pre-ETS) - The new requirement is that all students aged 16-21 will receive services. The financial obligation is 15% of our basic grant funds go to this group.
- DBS will be increasing their case reviews to 10% as recommended by the Sunset Committee.
- The consumer satisfaction survey information for 2015 should be ready for the next meeting.

Karen Stanfill asked how is DBS tracking the 15% set aside for transition services/pre-employment? Are you counting just individual client services or is administrative cost and salary included?

Scott Bowman answered it is a combination of salaries and client services managers and some related costs.

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Cheryl Fuller added we can count the salaries of the staff that are providing those services as well as the associated benefits. We are working to provide a more clear understanding of what is included in the 15%.

Karen Stanfill asked is Texas already spending more than 15%?

Scott Bowman answered it depends on the definition of transition age.

*DRS Assistant Commissioner Cheryl Fuller provided these updates:*

- She deferred the DRS report for October, which is available in the Council binders for review and allowed David Johnston to speak.
- We are still working on the Sunset management actions. We have created a consolidated business relations team for both divisions that will go live on September 1, 2015.
- We have a core business relations team that will work together for DARS. They will go out into the community and work with the community partners to engage employers like Southwest Airlines.
- In fiscal year 2016 we will be implementing recommendation from the Quality Assurance and Quality Improvement joint work group.
- The majority of information will be submitted for the combined state plan in March 2016. Later in the summer a modification will be submitted to make the state agency change effective September 1, 2016.

Joyce Taylor asked what is the reason for doing it this way?

Cheryl Fuller answered, the plan will be submitted March 2016, with a modification in the summer of 2016 and a second modification sometime in 2017.

Karen Stanfill asked, do you know what the title of your agency is going to be?

Cheryl Fuller answered we will be a program within TWC.

*DRS David Johnston provided an update:*

- Purchasing
  - All internal purchasing staff were reconsolidated into HHSC a year and a half ago and this came with challenges. We went from having staff who are very familiar with our individualized and customized types of purchase, to staff that are used to buying in large volumes.
  - We need to be sure to communicate that we have the statutory or Federal authority for this request, as it may seem unusual for the purchaser.
  - We are also identifying opportunities to contract for both goods and services. This will help facilitate the acquisition of goods and services.

Don Roy asked do you expect the same transition issuing moving to TWC?

David Johnston answered TWC does not have the volume of purchasers that HHSC has. There were only three purchasers and that is my concern.

Stanfill asked will some of the FTEs for purchasing go to TWC?

Cheryl Fuller answered we will continue to communicate this need but the final assessments have not been made in terms of numbers.

Karen Stanfill asked if there are financial implications?

Cheryl Fuller answered yes there will be a financial implication to this decision.

- Vehicle Modification
  - The turnaround time for a vehicle modification is dependent on the extent of the modification.
  - Another factor in this time is whether or not has the equipment gone through our vetting process with Texas A&M.
  - I will look at the contract with Texas A&M and let you know turnaround time. If turnaround time was not included in the current contract I will be sure to add that next year.

Mark Schroeder suggested using only higher level experienced counselors to handle the significant / more difficult modification. Use the people that already have a relationship with everyone involved and know how/what to do.

David Johnston agreed that this is something to look into. This would be a resource staff in the units that could provide better support, not a case transfer. .

Ayer asked about adding to the standards and reporting on the standards to the policy manual, is still on the table?

David Johnston answered it will be posted for public review 30 days prior to implementation.

## Open Discussion

- July 21, 2015 4:00 – 7:00 pm 1<sup>st</sup> of 7 Public Hearing in this room.
  - Commissioner Durden and Chairman Alcantar will attend.
- July 30<sup>th</sup>, 2015 4:00 – 7:00 pm Dallas, TX 2<sup>nd</sup> of 7 Public Hearing

Karen Stanfill asked about updates on the consolidating and moving over to TWC.

Cheryl Fuller remarked that the Commissioner will talk on that tomorrow.

## **LIAISON REPORTS**

The following people presented reports or briefings from their agency, and reports were emailed to council members prior to this meeting:

### **DARS Council – Don Roy presented the report.**

The last DARS Council meeting was on July 9, 2015 where Commissioner Durden introduced Chris Traylor as the New Executive Commissioner for HHSC. He spoke about the consolidation of the agency and also announced Chris Adams as the Deputy Executive Commissioner of Transformation. Mr. Traylor urged the Council to provide Mr. Adams with any issues or comments good or bad from your area. Shiloh gave a briefing regarding the Americans with Disabilities Act. They will be commemorating their 25<sup>th</sup> anniversary on July 26<sup>th</sup>. We discussed several rule changes with recommending forwarding onto the executive for approval of publication in the Texas Register and this concluded our meeting.

### **CAP Council – Karen Stanfill presented the report.**

There will no longer be a need to provide one consumer with services from both DRS and DBS with the transition to TWC this will no longer be an issue. So, we have removed that from our table. DRS updated that they are still working on the problem of lack of weight loss programs options for persons who are receiving services. Karen met with people at DBS to work on the issue with JAWS and MAC/Apple and providing it support. The research came back that they think this is viable. The preliminary research was favorable. CAP Council has two openings one in Dallas and one in Lubbock. Some of the current cases that CAP working on include denial of application for services, eligibility for services, agreeing on a vocational goal, denial of care repair, denial of medical services or dental services, denial of prosthetic or braces for the legs or back and support for college toward a vocational goal.

### **TEA Council - Ms. May presented the report.**

DARS and TEA will partner up with transition services to identify the students with highest transition and transportation needs while providing consistent and minimum level of services through the transition. TEA is working on developing uniform statewide policies in affiliation with WIOA. There was a meeting on May 13-14, 2015 with representatives from DARS and Skilled personnel and DBS to discuss the transition. In our committee meeting yesterday we talked about data collection for transition in the schools. Ms. May went into detail about ARD process. She also talked about State Bill 507 cameras in the classroom. The devices would not be funded by IDEA Federal Funds. Local funds would be used for this equipment.

Roy asked, what's the legislation requirement? Is it Federal or State Statute?

May answered State. It was passed in the last legislative session and the Governor signed off on it.

The Texas transition and employment guide also known as Ricky's law was talked about. Someone from every district has to be identified as the designee to make sure they're the ambassador for transition in that district. We will be updating the guide. You can go through

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the guide and at the end you can put your comments. There is a link on the TEA website. Shiloh sent you the links and documents this morning. You can also email comments for each piece of the guide.

### *TWIC Joyce Taylor*

The council approved draft for System Strategic Plan was posted for public comment. No comments have been received for revisions. The Plan will be considered for final approval during September 11, 2015 meeting. The Council heard several briefing which included a report from the executive committee indicating that the Governor has elected to continue the Council's designation as the state workforce board under the alternative entity clause of the workforce innovation and opportunity act.

The Texas Workforce System Program directory is available on the council's website and includes

- New information related to the changes made due to the enactment of WIOA.
- Research plan and implementation timeline for a survey of Texas employers
- The requirements of the workforce system for regional planning as required under WIOA
- The results of the Sunset review of the council which included the abolishment of the Texas Skills Standards Board and the transfer of their responsibility to the council and the continuation of the council for another 12 years.
- Discussion on the council report on national best practices used to capture information and data for industry based certifications.

## **OLD BUSINESS:**

- A. April 20-21 RCT Minutes – Bruce Hooper made a motion to approve minutes, Joe Tims seconded. Minutes approved unanimously.
- B. Reviewed the January To-Do List
  - Executive Committee
    - DONE Send letter of concern to DARS re: contract procurement delays
    - DONE Participate in hiring process for new RCT support staff
    - CARRY FORWARD Prepare of October 2015 Strategic Planning meeting. Members think about what are internal and external factors impacting our ability to accomplish our mission.
    - CARRY FORWARD: Invite Dr. Suzanna Hupp Associate Commissioner for Veteran's Affairs at HHSC to speak at October or January RCT meeting.
    - ON-GOING: IRI Book Review - Review a chapter each meeting
    - ON-GOING: Discuss State Plan at every meeting
  - Planning and Review Committee
    - Set up and lead weekly conference calls to review state plan attachments
  - Consumer Satisfaction Committee
    - Continue to work with DRS and University of Texas on consumer satisfaction survey emphasizing transition services

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- ON-GOING: Continue to review consumer satisfaction results
  - Membership and Education Committee
    - CARRY FORWARD: Continue to work with Governor's Office on appointing new members
  - Policy Procedures and personnel Development
    - Committee requests earlier involvement in the DARS policy process
    - Committee suggests training for DARS Impartial Hearing Officers
    - CARRY FORWARD: Follow up on DBS policy manual re: Social Security Policy
    - CARRY FORWARD: Follow up on DARS policy on developing vocational goals
    - ON\_GOING: Review impartial hearing results
    - ON GOING: Continue to review all policy manual revisions

## NEW BUSINESS:

- A. RCT Annual Report submit your success stories to Shiloh Gonzalez.
- B. Election for Chair and Vice Chair. Elections were facilitated by Mark Schroeder, Education Committee Chair
  - a. Martha Garber was elected for chair unopposed.
  - b. Joyce Taylor was elected for Vice Chair unopposed.
- C. Budget Update – Shiloh Gonzalez noted that there were no concerns about the budget. Budget has been updated through June 30, 2015.
- D. **Mentors for new Council Members.** Add this to action items
- E. Give suggestions to DRS and DBS on the needs assessment from last year. **(action item for Norman will talk with Schwab and Tania and the research team right after September. Distribute the report to the Council.**
- F. Town Hall Meetings are a three year process, this being the first. UT may conduct these meetings but anyone can attend. This is in hope of getting better attendance. It was suggested that we go to the consumer instead of having them come to our meeting. This is open for further discussion. This is a good time to look at the process as we transition to TWC.

## DARS Debriefing – Content Deliverables for Combined State Plan

Presented by Ms. Carlene Geiger

- Comments on Comprehensive System of Personnel Development (CSPD) are due by Wednesday to Shiloh.
- The data for the cost of services annual estimates needs to be analyzed. It will be issued no later than Monday and you can send your comments by Wednesday.
- WIOA new guidance
  - Counselors being required to have a Bachelor's degree and at least one year of paid or unpaid experience working directly with people that have disabilities.

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- Qualified Staff will be required to have a Master's degree and specialized training regarding disabilities, counseling, case management and many other areas.
  - FTEs what are our needs? It appears that we will need additional FTEs to take us through 2021. TBRC's attrition rate is 50% higher than ours so we need to look into why this occurred.
  - Christy Recruitment Coordinator –
    - Policy will stay the same for now. With the transition to TWC we will be reviewing the policy within the next 24 months and any changes will be incorporated in 2017 plan modification.
    - Addressing individuals with communications needs.
  - DBS Cecelia Rodriguez and Alma Cantu, CSPD Coordinator
    - Alma Cantu reported the attrition rate and additional FTEs needed.
    - They like DARS work with Texas Universities for Recruitment.
    - They also offer a qualified candidate with a Bachelor's Degree to be hired, complete one year internal training then have an additional seven years to obtain their Master's Degree.
  - We would like the council to look over the revised document that you will receive by Monday and give feedback by Wednesday 29th. Send email to [RCT@dars.state.tx.us](mailto:RCT@dars.state.tx.us) and Shiloh will forward to Martha Garber and Karen Stanfill.  
Bruce Hooper asked how often do you hire someone that requires a seven year period?

Alma Cantu answered she would have to check on it. Ms. Cantu said that the majority are hired with a Master's Degree.

Bruce Hooper asked are they competing with people that are already certified.

Alma Cantu answered certified applicants would take preference to uncertified. This is just an option in case we don't have qualified applicants.

Don Roy asked those that need the additional seven years, is there a high degree of completion.

Alma Cantu answered yes.

## **DARS UPDATE – DARS Commissioner Veronda L. Durden.**

- The RCT Coordinator Position is in the process of being posted. Once posted it will remain open for ten days. The applications will be reviewed and the interviews will begin. Ms. Garber will be participating in the interview process.
- HHSC new Executive Commissioner Chris Traylor as of July 1, 2015
- 84<sup>th</sup> Legislative session decisions that will impact DARS and the RCT.
  - House Bill 1 the appropriations bill provided 17.1 million in additional funding for several DARS programs, including the autism program, the blind children's vocational discovery and development program, the office of deaf and hard of

- hearing, the independent living program and the comprehensive rehabilitation services program.
- Rider 28 directs DARS to enroll in additional children in the comprehensive applied behavioral analysis or ABA program services effective 9/2/2015.
  - STAR Sunset Bill, House Bill 2463
    - Directs DARS to integrate the independent living program for individuals who are blind or have visual impairments and the independent living services program for individuals with significant disabilities, into one program no later than September 1, 2016.
    - Directs that DARS contract our independent living services currently provided by our agency to the centers for independent living or SILC, no later than August 31, 2016
    - Directs the agency to evaluate the independent living services provided across the state and provide necessary training or technical assistance to help the SILC's expand their capacity to provide a full range of independent living services. If there is an area where on SILC services are available DARS may contract directly with an organization or person to provide services.
    - DARS is required to monitor the performance of each SILC in providing independent living services.
    - A cross agency project involving staff from all across the agency and will be engaging in the services of an outside consultant to assist with this transition.
    - Directs DARS to create guidelines for caseworkers and to develop and use a consistent method for case review in the agency's direct services programs as well as requiring that we monitor performance across our programs using a consistent methodology.
  - HHSC Sunset Bill, Senate Bill 200 – Directs the transfer of those programs at DARS that will not transfer to the TWC, into HHSC on or before September 1, 2016. This includes DADS, Dept of State Health Services as well as many administrative functions from the enterprise agencies into the HHSC
    - The remaining DADS programs will transfer into HHSC by September 1, 2017.
    - Requires HHSC Executive Commissioner to develop a transition plan and present it no later than September 1, 2016 to the transition legislative oversight committee.
  - TWC Sunset Bill, Senate Bill 208
    - Directs the transfer subject to federal approval of the vocational rehabilitation programs general and blind, including the Criss Cole rehabilitation center, the business enterprises of Texas, Texas program, and the independent living older blind program from DARS to TWC on September 1, 2016.
    - TWC is directed to integrate the vocational rehab, general and blind programs, into a single program subject to federal approval, no later than

October 1, 2017. In addition, TWC is directed to integrate the vocational rehabilitation staff into the commission's local workforce development boards, and centers, not later than August 31, 2018.

- Requires that the transition plan that's required in Senate Bill 200 include the transition of DARS programs to TWC. It asks that DARS Commissioner and the TWC Executive Director as ex-officio, non-voting members to the HHSC legislative oversight committee and as additional duties for the committee to facilitate the transfer of programs to TWC. Also, Senate Bill 208 transfers the functions of the RCT to TWC on September 1, 2016.

DARS and the TWC will conduct seven joint public meetings across the state to inform the development of the combined state plan for core workforce programs as required by the WIOA. This will also be an opportunity to receive feedback on the transition of the vocational rehabilitation programs from DARS to the TWC. The Council is invited to attend these meetings.

ADA 25<sup>th</sup> Anniversary Celebration – Empowerment, Independence and Access for all Monday July 27<sup>th</sup> 9:00am to 11:00 am at the Brown-Heatly building public hearing room.

Meeting adjourned at 11:15 am, July 21, 2015.