**Statewide Rehabilitation Council (SRC) Executive Committee Meeting Minutes**

**May 4, 2023**

**1:00-3:00pm EST**

**Attendees:**

* Statewide Rehabilitation Council Members: Inez Canada (SRC Chair), Joe Bellil, Naomi Goldberg, Doug Mason (Ex‑Officio) Sarah Wiles (Ex‑Officio), Ronaldo Fujii, Steve LaMaster, Christine Tosti; Cheryl Scott
* Massachusetts Rehabilitation Commission (MRC) Staff: Kate Biebel, William Noone, Amanda Baczko, Sahara Defensor, Amy Karr

Please Note: This meeting was held remotely.

**Meeting was called to order at 1:01 pm by the chair. Ms. Karr read off the list of the attendees from the participant list.**

**Approval of Meeting Minutes:** Chair Canada called for a motion to approve the April 2023 minutes. Mr. Bellil motioned to approve the minutes. Ms. Goldberg seconded. Chair Canada asked whether there were any corrections to the minutes. The April 2023 minutes were approved with no corrections.

**OLD BUSINESS**

1. Open Meeting Law Determination - Sahara Defensor

This was initially tabled and then discussed when Ms. Defensor was available.

The Open Meeting Law (OML) Division of the Attorney General’s Office (AGO) issued a decision regarding a filed complaint. The AGO found that the SRC violated OML in the sense that the topics discussed did not belong in Executive Session. The SRC has complied with the decision. It posted the Executive Session minutes and sent them to the complainant. The SRC will address how the minutes are recorded and record keeping. Want to make ensure the SRC is compliant with OML. Some information may not need to be in the posted minutes. Ms. Defensor stated she can be contacted for questions.

**Questions/discussion:**

* How does this determination interact with DEI-A, inclusion, creating a safe space to share?

Commissioner Wolf has asked if the SRC would like a facilitator to help participants to process the OML determination and discuss how to create a space to share openly without fear because what is shared will be public.

* Can the minutes not record details, so people feel they can share personal experiences without the information being made public?

OML only requires general information, such as decisions made, attendees, major topics discussed per the agenda. It is not necessary to record who said what, unless there is a roll call vote .

**NEW BUSINESS**

1. **MRC Updates – Kate Biebel and Amanda Baczko**
* The Springfield office just joined MRC Connect [which allows consumers to apply for MRC services through an online portal]. Still on schedule for all offices to join by June.
* Counselors are still working a hybrid schedule. They are in the office once per week. They should be able to meet consumers where the consumers wish.
* There are no office relocations in the next week. The lease for the New Bedford office is expiring.
* There are still the same three Area Director vacancies at Lowell, Hyannis, and Malden. It is possible that the Lowell and Malden positions will soon be filled but the Hyannis opening will need to be posted again. There are still interpreter positions to fill; these positions have been the most challenging to fill.
* NextGen enrollment is 268, which is amazing for only 6 months. The target is to have 1000 enrolled. There are about 10 new applicants a week, so surpassing enrollment goals. Of those enrolled, 13 were referrals from MCB. Two individuals have been placed in employment. One of the goals of NextGen is to enroll the underserved and unserved; almost half of those enrolled identify as non‑while. Most of those enrolled have autism or intellectual disabilities. The average age is 22. About half have at least a high school degree. 19 of 24 staff positions have been filled. Remaining openings are for a peer mentor, two specialty counselors and administrative staff. The specialty counselor for the deaf and hard of hearing is difficult to fill.
* The April quarterly forum focused on Mass Health eligibility renewal. MRC staff have been trained in how to respond to concerns about this issue. The next quarterly forum will be in July.
* The newsletter focused on the MassHealth renewal, and also highlighted the Massachusetts Office of Disability training on VR and rights of consumers receiving VR services. The next newsletter will come out in June or July and will focus on disability pride.
1. Committee Reports
* Executive Committee– Inez Canada

Chair Canada asked the committee chairs to help the SRC adhere to Open Meeting Law by ensuring meeting agendas and materials are posted to the SRC website at least 48 hours before the meeting. Chairs are encouraged to reach out to Chair Canada for assistance if they are having difficulty.

Chairs were also asked to send their draft meeting minutes for posting. Previously, draft minutes for committee meetings were not posted. However, now that the SRC has admin support the draft committee meeting minutes should be posted. The posted draft minutes can help those who were unable to attend a meeting see what occurred. It is the chairs’ responsibility to send the draft minutes to Alison Scher and copy Ms. Karr.

* **Policy Committee – Naomi Goldberg**

The Policy Committee last met on February 2nd. There is no new report. The committee is creating VR fact sheets for consumers. The next meeting is June 1st. Ms. Goldberg will not be there; Ms. Wiles will lead the meeting. Drafts of those fact sheets will be reviewed at the meeting.

* **Consumer Satisfaction and Needs Assessment Committee – Ronaldo Fujii**

The CSNAC last met on April 18th. The MRC Consumer Survey Report was discussed. Mr. Fujii is preparing an email for Ms. Baczko with questions about the survey. The next meeting is June 20th.

* **DEIA Council – Doug Mason**

The Council last met on April 18th. Two major topics were discussed.

* The most significant item was that the DEI Manager told the council that ethnicity demographics at all levels of the MRC are pretty much in line with the state demographics from the latest census. One concern is that while there has been some improvement with people with disabilities and veterans, there is still room for more improvement. That stat can be skewed because some people may not want to self‑identify as having a disability or being a veteran.
* The council has started to look at the work being done by the state bilingual council and the LGBTQ community. A major area of focus is the need for better communication by the MRC. Ensuring that the MRC respects all races, ethnicities, and religions is an ongoing project.
* **Business and Employment Opportunity Committee – Steve LaMaster**

Last met on April 13th. Finalizing State Plan recommendations. Mr. LaMaster will send four recommendations to Mr. Bellil in late April or early May. The committees may decide how to divvy up the recommendations. The next BEO committee meeting is June 8th.

* **State Plan Committee – Joe Bellil**

The last meeting was on April 5th before the Executive Committee meeting.

* + **State Plan**

Mr. Bellil thanked Ms. Baczko for putting online instructions for how the public can give input to the SRC. Ms. Biebel reported that no recommendations had been received.

On April 24th Mr. Bellil emailed committee chairs for recommendations. The list of recommendations was emailed to members before this Executive Committee meeting. **(See Draft- SRC FY24 Proposed Recommendations.docx.)** He also received 4 additional recommendations received from the BEO committee.

On May 25th Mr. Bellil will send all recommendations to State Plan committee members for review at the May 31st meeting. Then at the June 1 Executive Committee meeting the recommendations will be reviewed and approved.

A member asked for elaboration about self-employment vendors. These are intended to help consumers who have self-employment as a goal. Most consumers who want self‑employment do not have self‑employment knowledge or experience. Currently MRC only has two business consultants for this. A Request for Response (RFR) would ask for bids from more business consultants to help consumers with self‑employment.

Chair Canada reminded attendees to send recommendations to Mr. Bellil by May 24th and to ideally join the May 31st State Plan meeting.

Chair Canada wanted to remind attendees that recommendations should not be outside the scope of the work MRC does. To clarify what is within the scope of the MRC, it is necessary to look at what the RSA allows the MRC to do under the federal grant. These are things related to helping individuals to obtain and keep jobs. Generally, the MRC works within the limits of state agencies, with partnerships within state government or with organizations that are vendors within state government.

Ms. Baczko acknowledged that sometimes understanding what is within the scope of MRC can be confusing. Recommendations should adhere to the VR side of MRC, which provides support and services to help consumers access meaningful careers, to find and stay in work. MRC would be happy to conduct an information session if that is deemed to be helpful.

There was a discussion about whether a specific recommendation was within the scope of MRC. A member commented about what the recommendations mean in actual practice. We struggle with what action we take as a committee. Where does that leave us as a committee? Do we check back with MRC in a certain number of months to see if they have acted on a recommendation? We have tried to make recommendations clearer and more relevant to what MRC can do.

Mr. Bellil agreed with the concerns. He suggested that perhaps the MRC Liaisons can help the SRC draft effective recommendations. For example, a few years ago MRC stated that they were not assisting consumers with self‑employment goals, but now MRC is helping with self‑employment. The SRC should follow through and base recommendations on something.

Chair Canada again reminded attendees to send recommendations to Mr. Bellil by May 24th.

The next State Plan meeting is on 5/31 at 11 am.

1. RSA-TAC-23-02/Amending Executive Order 368 - Sahara Defensor

Chair Canada noted that technically Ms. Tosti and Mr. Fujii are the only two active voting members. Massachusetts allows members to serve past term expiration dates. But the Federal Government has said that that is not allowed. The SRC is out of compliance and is technically an inactive board since there are only two active members.

The Rehabilitation Services Administration (RSA) issued a Technical Assistance Circular (TAC). **(See RSA-TAC-23-02.pdf.)** Ms. Defensor noted that TACs are usually only sent out if there may be misunderstandings. Members serving past their terms is not just a Massachusetts issue. The Rehabilitation Act, while prescriptive about how to operate a rehabilitation advisory council, allows states to form the council’s framework. This is an opportunity to revamp the almost 29-year-old Executive Order that established the SRC. It is necessary to ensure that the Executive Order complies with federal law. The TAC explains and provides guidance as to what in the Executive order has to be updated. There are several changes through the Workforce Innovation and Opportunity Act (WIOA) and other laws, and other provisions in the Code of Federal Regulations (CFR), that were addressed by RSA. The TAC is essentially stating that Massachusetts and the other states that allow members with expired terms to serve without reappointment are not complying with federal law. There is a provision that states that a vacancy must not affect the ability of the remaining SRC members to perform their duties.

The MRC General Counsel Office is preparing a draft Executive Order to send to the Governor’s office as soon as possible. The Massachusetts Commission of the Blind (MCB) and the Massachusetts Statewide Independent Living Council (SILC) were able to update their legislation prior to the end of the last term of the previous administration. MRC was not a part of that process. The goals of the new Executive Order will be to make sure that the SRC is in compliance and to clearly delineate the duties of the SRC. Clarify language about quorum. If unable to secure a quorum what does that mean? Because language on quorum does not exist in the current Executive Order it falls to the default rule which is that a quorum is based on the total number of members for the council, regardless of whether seats are vacant. There are 21 members, 19 voting members. The SRC has some vacancies (which will now include people serving expired terms). This makes it difficult for the SRC to do its functions. The quorum that will be proposed would allow the council not to count vacant seats.

Ms. Defensor does not think there will be any other substantial changes to the Executive Order, just changes to comply with federal law. Constituting a new Executive Order is essentially reestablishing the council. This may be a good opportunity to review bylaws, maybe delineate what happens after the SRC sends recommendations to MRC, such as stating follow up will occur within a certain time.

A comment was made that people are serving with expired terms, which puts the SRC out of compliance. It seems that since reappointments must be approved by the Governor, the Governor does not understand the importance of the work the SRC does.

Delays in reappointments might be a capacity issue. In Massachusetts there are other boards and commissions with appointments; the appointment process may have a lot of red tape. Ms. Defensor encouraged attendees to contact the Governor’s office about making changes in the appointment process. Maybe as a draft Executive Order is sent to the Governor’s office, a request to modify the appointment process so that the SRC is not still out of compliance can be included.

Chair Canada stated that people who want to continue to serve may be able to be reappointed if they desire. The CAP director seat does not have a term limit, although paperwork does need to be submitted every three years. The same is true for Ex-Officio members, such as the MRC Commissioner. Perhaps a mass submission of reappointment applications can be done.

Mr. LaMaster stated he has a contact on the Commission on the Status of Persons with Disabilities. He can inform that contact that the SRC cannot do its job without reappointments and can ask for assistance in expediting the reappointment process. He will discuss this with Chair Canada. Chair Canada does want to make use of all avenues available to the SRC to work on the reappointments.

Ms. Defensor did agree that it may be important to reach out to legislators. Reaching out to one’s local representative and asking for help in following up on the submitted paperwork often can light a fire. The reappointment process is not controlled by MRC or EOHSS, but by the Governor’s office.

For the June Quarterly meeting, Chair Canada wants to figure out which members are past the allotted six years (two terms). Those people will not be able to be reappointed even if they want to be reappointed. Regarding the need for new people with new perspectives, some seats, such as the SILC and Workforce Investment Board seats, must be served by individuals associated with those agencies. Members in other seats like the disability representatives and business industry and labor do not need to be affiliated with a specific agency. Any person who is not eligible to be reappointed can still attend meetings; they just cannot vote. Ms. Defensor stated that the federal regulations state that an appointed member cannot serve two full consecutive terms, but a person can wait out a term and then return to be appointed to the SRC.

Chair Canada will discuss her stepping out of the chair role at the June Quarterly meeting. Because of her work and personal schedule, she cannot continue as chair. By December she will no longer be serving as chair but will continue to attend meetings as part of her job duties. In the email notice for the June Quarterly meeting, she will ask members to consider running for SRC chair, and to prepare a 30 second elevator pitch for the SRC. Members must vote to elect the chair.

A member suggested that committees have cochairs, particularly consumer cochairs. Chair Cananda suggested that the member approach committee chairs about becoming a cochair. Any chair or cochair must understand the limits of the SRC. Anyone in leadership must understand that the work must focus on what the council can do.

Chair Canada said that there have been no updates on the status of the two candidates submitted for membership on the SRC. She will be submitting the applications for Mr. Mason and AJ Pape within the week. A lot of the vacancies are for very specific seats. She will probably get Colleen Casey and COMS to create materials targeted towards the specific seats that will become vacant.

Chair Canada advised members to read the TAC. It may lead to additional ideas about how the SRC can come into compliance. Members were also encouraged to email Ms. Defensor to provide suggestions for the Executive Order update. Her email address is Sahara.Defensor@mass.gov

1. Open Mic
* Ms. Goldberg announced that on May 16th the Client Assistance Program (CAP) is giving a presentation to the public on understanding the basics of VR and how to navigate it.

<https://www.mass.gov/event/navigating-vocational-rehabilitation-for-applicants-and-consumers-2023-05-16t173000-0400-2023-05-16t193000-0400>

* Mr. LaMaster announced that there will be a webinar presented by the National Coalition for Mental Health Recovery about peer support ecosystems on May 10th. The presenters are Cherene Caraco of Promise Resource Network in North Carolina and Vesper Moore of Kiva Centers in Massachusetts. The Kiva Centers provide peer support training.

<https://ymlp.com/zTsGKooo5555vvvvvLLL99990000xxxjjjzzzzzzTTThhhhhhUUUSSSuuuIIIeeeWWWfffGGGqqqjjjQQQDDDhhhhhhhHHHLLLjjjJJJgggggxxxxxxvvvkkkmmm888DDD999bbbTTT000999555UUUUkkkhhhzzzhhhmmmyyykkkZZZ777hhh222AAPPPooiiiyyyXXXEEElllllllZZVVVIIInnqqqzzzzzzzooooUUUqqlllldddQQQuuuppQQQJJJOOORRUUUUxxxxqqqMMMCCCddddiiiiZZZZccAAAOOOOaaaaDDDDppppBBxxxxZZZ66hhhh666yyHHHHXXXkkkEEEFFFCCCCCC>

* Ms. Tosti shared a link that discusses financial privilege.

<http://www.wortsandcunning.com/blog/sliding-scale?rq=sliding%20scale>

Chair Canada called for a motion to adjourn. The motion was made by Mr. Fujii. The motion was seconded by Ms. Goldberg. The meeting was adjourned at 2:48 pm.