



STATE OF NEW JERSEY  
DEPARTMENT OF HUMAN SERVICES (DHS)  
COMMISSION FOR THE BLIND & VISUALLY IMPAIRED (CBVI)

STATE REHABILITATION COUNCIL (SRC)  
MEETING MINUTES  
OCTOBER 6, 2023 - HYBRID MEETING  
130 LIVINGSTON AVE | NEW BRUNSWICK, NJ 08901

**Voting Members Present:** Ronda Banks(Williams), Vito DeSantis, Alice Eaddy, Clarke King, John O'Connell, Wanda Williford

**Members Awaiting Appointment Present:** James Good, Gwen Orłowski, Dr. Amanda Philp

**Absent:** Donald Campbell, Katie Donnellon, Sioban Leahy, Steven McCoy, Kathleen Spata, Lauren Weishaar

**Ex Officio Present:** Dr. Bernice Davis, Pat McKenna, John Tkacz

**CBVI Staff:** Selina Gooden, Angel Rivera

**Members of Public Present:** Lori Adams, Haley Carney, Elisa Cohen, Dawn Corbett, Kathy Ferejohn, Susan Head, Gary Robinson, Janna Sheiman, Maryann Tiesler

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Vito DeSantis, SRC Chairperson, welcomed everyone, calling the meeting to order at 9:30 a.m. Vito announced that the meeting was being held in compliance with Section 105 of the Federal Rehabilitation Act 1973 as amended; and in compliance with the New Jersey Open Public Meeting Act, NJSA 10:4-6.

Vito reminded members of the public that they are welcome to be at the meeting, to take notes, and if they have questions they can send those via email to Charles Pat McKenna {[Charles.McKenna@dhs.nj.gov](mailto:Charles.McKenna@dhs.nj.gov)} for a response. A reminder was made for those participating to announce themselves prior to speaking and to keep themselves muted until speaking.

## **Approval of Meeting Minutes**

The minutes of the June 9, 2023 meeting were acknowledged as received and reviewed. A motion to accept the minutes was made by Wanda Williford and seconded by Lauren Weishaar. All were in favor, none opposed. These minutes will be put into the permanent record of the SRC.

## **Next Meeting Date:**

December 8, 2023 (hybrid)

Pat McKenna suggested to the SRC to please notify him of how they plan to attend just prior to the meeting, either in person at the Joseph Kohn Training Center (JKTC) or virtually via Zoom, so that the logistics of arranging the meeting room can be planned accordingly.

## **New Business**

### **SRC Vacancies and Nominations / Status of Appointments**

Vito notified the SRC that CBVI is accepting nominations to join the SRC, there are vacancies that can be filled. If anyone knows of potential candidates SRC Members can check with the candidate and submit their name for consideration.

Vito asked if there were any updates on pending appointments. There were none.

Vito explained that in the Combined State Plan there is a requirement to submit a chart of all the SRC Members, their appointment dates, and their term ending date. Rehabilitation Services Administration (RSA) must see this as a very important issue since they have this so far up front in their requirements listed in the Combined State Plan that must be submitted by the Agency. Vito then stated he feels that it is time for the Council to express its concerns to the Governor's office, on their ability to do their job as required under the Rehabilitation Act (due to the length of time members are waiting for the appointments) via letter to the Governor.

- Gwen Orłowski acknowledged this plan and suggested that someone from CBVI reach out to the NJ Council on Developmental Disabilities who also have the same problems with getting appointments but have also had some effectiveness.
- Vito's suggested letter would be for one letter that the Council can review and adjust and Vito would sign as the Chair of the SRC.
- Jim Good also mentioned that he is in agreement with the idea to put a letter together.
- Gwen Orłowski made a motion for the council to put together a joint letter to send to the Governor's Office. Wanda Williford seconded the motion. All were in favor, none opposed. The motion was passed and a letter will be drafted.

## RSA Announcement Regarding Pre-ETS

There have been changes around how the State of New Jersey is going to be viewed by RSA. For NJ, in the past, DVRS and CBVI were judged separately as to whether or not they were meeting their 15% set aside requirement for Pre-ETS. Now they will be viewed together; RSA will be judging the state as one entity.

- *Federal Requirement Explained:* Each VR Agency around the country has to set aside 15% of its basic grant monies for VR, specifically for transition aged youths.
- *Why this is Significant:* Around the country, Agencies for the Blind have found it much easier to spend the 15% than the General VR Agency.
  - Viewing the 2 Agencies together now means that if the General Agency does not meet its 15% requirement but the Blind Agency does, or vice versa, then the State is not meeting its federal requirement.

Dr. Davis added that the Pre-ETS services are geared towards consumers who are aged 14-22. There are 5 categories of the transition services that are necessary for meeting compliance:

1. Job Exploration Counseling
2. Work-based Learning
3. Post-secondary Education Preparation
4. Workplace Readiness Training
5. Instruction in Self-Advocacy

RSA decided to redefine the term “Recipient” to mean State rather than Vocational Rehabilitation Agency. There is currently a Corrective Action Plan for Pre-ETS for the State of New Jersey. Dr. Davis and team with CBVI has been in contact with Kevin Carol who is the Director at DVRS. DVRS has been taking the lead on this Corrective Action Plan because of their not meeting the required 15% is what has put the state in this spot. The Corrective Action Plan extends beyond 3 years, and is committing to ways that the State is going to meet its 15% Pre-ETS mandate collectively.

- DVRS is looking at duplicating some programs that are done by CBVI.
- DVRS and CBVI are looking into ways at partnering in other programs.
- CBVI is a much smaller agency and receives a smaller grant and would be hard pressed to spend enough to counterbalance what DVRS is spending.
- The Deputy Commissioner of DHS was informed that assistance is needed from other Divisions and other Departments to help DVRS in spending the 15% of grant monies.

Vito then opened for questions on the topic:

John O’Connell asked if the requirement is that each agency must still meet their 15% Pre-ETS, or is it a combined 15%. Dr. Davis answered that there is one grant given to the state, which is

then divided between the two agencies at a rate of roughly 80/20 – the larger portion going to DVRS. The 15% Pre-ETS mandate is a collective amount to be achieved, which is accomplished by both agencies meeting its individual 15%. If only one agency reaches the 15% there will still be collective repercussions since RSA is viewing the “Recipient” as one, the State of New Jersey.

### **Dr. Bernice Davis – Executive Director’s Report**

Dr. Davis has had conversations with DHS Commissioner Sarah Adelman and Deputy Commissioner Elisa Neira regarding these items surrounding the definition adjustment of “Recipient.” It was also noted that Elisa Neira will be leaving DHS next Friday, October 13<sup>th</sup> and moving to Connecticut with her husband. A replacement has not yet been selected. Her counterparts in DHS will be the ones Dr. Davis will be speaking with in Elisa Neira’s absence.

Items requested by CBVI in the budget has been granted.

One item was an increase funding for Braille books, and this has allowed the agency to not be required to move monies around to cover the Braille book needs this year.

Another request was for Recruitment money because of the national shortage of Teachers of the Visually Impaired (TVI). CBVI has made significant headway in filling the agency’s need, although not filling all vacancies. The recruitment money is used to help offset the cost for the second certification needed, as well as in hiring retired TVIs willing to return to service.

There was another request granted, that of increasing the fees being paid to Low Vision Doctors for their services.

The BLAST on the Boardwalk was recently attended by Dr. Davis which was held in Atlantic City, NJ. This national conference is geared towards the Randolph Sheppard managers. The Randolph Sheppard program is still struggling because of the cost to do business and the increase of telework. CBVI’s Randolph Sheppard unit is looking at partnering with Community Colleges, also looking at potential opportunities at hospitals.

October is Blindness Awareness Month (BAM) or Blindness Equality Month. CBVI likes to celebrate with community outreach to increase the community’s awareness that CBVI is here and helping to inform the community about the services provided.

In November, Dr. Davis will be attending the New Jersey State Convention of the National Federation of the Blind (NFB). She will be giving a presentation there along with a representative from DHS. CBVI is also going to be participating in the job fair that will be held.

Dr. Davis then opened for Questions:

Vito mentioned that along with the shortage of TVIs there is also a national shortage of Rehabilitation Counselors. This is a concern of the SRC. There are two reasons: Many are leaving and going to better opportunities around the country also the Universities where they were getting their Counseling degree has been turning their attention more towards mental health counseling. This is impacting VR Agencies from hiring new VR Counselors with the appropriate credentials.

Vito's question then to Dr. Davis was: Is CBVI finding it difficult in filling the needs for VR Counselors. Dr. Davis noted that this is not a challenge for the agency. The Civil Service Commission will be certifying a list soon and providing it for filling the few open vacancies.

### **Pat McKenna, Assistant Division Director - Vocational Rehabilitation (VR) Update:**

Pat McKenna thanked the members who emailed to him updates and comments because he does forward them along to be included in the minutes and encouraged them to continue to do so.

It was noted that there are also a few open seats on the SRC, and if a member would like to nominate a person, they should email Pat with the information: [Charles.McKenna@dhs.nj.gov](mailto:Charles.McKenna@dhs.nj.gov).

CBVI will be filling the vacant VR Coordinator role at the agency in a few weeks. There were various summer programs that were run at The College of New Jersey (TCNJ) and JKTC, five in total. Three Pre-ETS programs were run at TCNJ; LIFE 101 for HS students 14-16 years of age and the program PUMP was run at JKTC. The turnout exceeded expectations.

### **Employment Development Guidance and Engagement (EDGE) Updates:**

The EDGE program, now about one year in with a new vendor, now has 85 referrals at present and are continuing to expand. Also, transition Pre-ETS programing will be running through Sky's The Limit - The ACE Academy Program, an advocacy program for college students aged 18-21, covering areas of networking, balancing time between life/academics/job hunting, etc.

### **Business Relations Unit (BRU) Updates:**

BRU is working closely with JKTC on the progressive employment model and progressive employment model opportunities. These have been integrated into the JKTC program. This has included tours, job shadowing opportunities, informational interviews and more. Consumers have indicated that they are very pleased and have found these aspects extremely beneficial. BRU has also launched its Job Club.

### Business Enterprise of New Jersey (BENJ) Updates:

BENJ had a grand opening recently for a new micro market opportunity at the Department of Community Affairs (DCA) on September 13<sup>th</sup>, which went well. BENJ recently had its BLAST on the Boardwalk Event, a national convention featuring training and similar opportunities. BENJ and the EDGE programs partnered to offer 6 Internships to Edge students through BENJ locations. It was successful and efforts to expand it for this summer is being looked into.

### Joseph Kohn Training Center (JKTC) Updates:

Referrals to the center are going well. The program offerings are still the traditional model, the commuter model, and are available virtually. The agency continues to look for ways to develop and expand its virtual programming.

Regarding staffing, there is a national shortage on Orientation and Mobility (O&M) professionals. CBVI is always looking for opportunities to connect with good O&M staff. If you know of someone who has contacts, leads, or someone in the O&M field, please send an email to Pat.

### **Old Business:**

#### Discuss Core Standing Committees:

Vito acknowledged that he was unable to complete the work needed to present a vote for amending the bylaws to establish the core committees.

Vito then asked if Alice Eaddy, who worked with Vito previously on the original bylaws subcommittee, to chair this Bylaws Subcommittee, in order to look at changing the bylaws to define the core standing committees and to define who can serve on those standing committees and any subcommittees, and then finally to make a recommendation to the SRC.

Alice was willing to serve as the Chair and accepted the role. Others on the SRC can volunteer to work with Alice, and/or Alice can select members to work with.

#### Discuss SRC Training:

Vito inquired of the Council if all were able to complete the training?

James Good acknowledged that he did half of the training so far, John Tkacz has recently returned from leave and has not completed the training, but has started it.

Vito reminded the council that if it has not been completed to please take the training and be sure to inform Pat once completed.

## CAP Review and Update by DRNJ:

The CAP Report was presented by Janna Sheiman, the CAP Coordinator of Disability Rights New Jersey (DRNJ), on behalf of Gwen Orłowski. At the conclusion two questions were asked of the Council for consideration.

- What priorities do you see for CAP?
- What information would you like to receive from CAP at these meetings?

Vito asked if any from the Council would like to comment or respond to those two questions. There were none initially.

Vito commented that he appreciates the training and thinks it is extremely important for the consumers to know about and be educated on their rights and the CAP program. He also stated that the regulations require CAP to get involve with Dispute Resolution and was wondering if the CAP report can include comments about those. For example, how many of the cases mentioned were resolved locally by sitting down with the agency.

- Janna answered that most of the cases are resolved with the VR Counselor, Manager of the facility, or Executive Director, before entering the more formal Dispute Resolution proceedings.
- Gwen Orłowski then commented to make clear that DRNJ, in these resolutions, are not a neutral mediator, but are representing the interests of the VR Client. All efforts are first put into negotiations to resolve these in a more informal setting.

The full report will be appended after the conclusion of these meeting minutes.

## Subcommittee Reports:

- **Comprehensive Statewide Needs Assessment (CSNA) – Chaired by Vito DeSantis**
  - Vito asked for an update regarding the Agency producing the CSNA report.
  - Pat McKenna confirmed that the data has been updated and sent the information to the agency's partners, the University of Wisconsin – Madison (UW) who compiled the report, sent it back for review. Updates were made and sent back to the UW and received a final copy this morning, but it will be reviewed one more time.
  - Vito asked if the report can be shared with the Council, and Dr. Davis confirmed that yes it can be shared once the report has been finalized.
- **Business Engagement Committee – Chaired by John O'Connell**
  - John O'Connell was unable to make the meeting today and a report was not received.

- **Policy and Procedures – Chaired by Lauren Weishaar**
  - Previously Ida Behreini was the chair of this very important committee but was no longer able to serve on the SRC. Lauren Weishaar has accepted the role of Chair.
  - Lauren expressed appreciation and looks forward to the opportunity.
- **SRC Annual Report Committee – Chaired by Katie Donnellon**
  - Katie Donnellon was not able to be present for today’s SRC Meeting.
  - Katie shared with Pat that she and Wanda have been already working on the success stories that will be going into the SRC Annual Report.
  - Wanda, also serving on this committee, added that her and Katie split the 12 success stories between them and have been working on these inspiring stories, to edit and polish them while keeping the voice of the writer.
  - Pat has also been working on reaching out for other aspects of the report such as items from the JKTC, a need for the letter from the SRC Chair, and the letter from the Executive Director.
- **Quality Assurance Committee – Chaired by Clarke King**
  - Clarke King was able to meet with Nikki Tabron in June of this year and discussed the reports that are needed to compile for RSA.
  - The 60-day and 90-day IPE reports were provided in August 2023.
  - Clarke was able to review the reports and noted that the Agency, which needs to be at 90%, are compliant and are meeting that requirement over the 6-month period.

Vito noted that individuals who are Social Security eligible has a presumption of eligibility and inquired if the Agency / VR Counselors are taking advantage of that presumption which could limit the time it takes to qualify an individual for services.

Pat will follow up and have an answer for the Council at the next SRC Meeting.

### **Member Updates:**

Members were called to see if there were any updates to provide.

- Dr. Amanda Philp
  - Presented an updated from the NJ Department of Education (DOE). This update from the New Jersey Department of Education provides information on the progress reporting for the Memorandum of Agreement (MOA) between The NJ Department of Education and The NJ Department of Human Services (CBVI). The report covers the period of June through



August 2023. During this time, NJCBVI teachers provided in-person school-based services to students who are Braille learners and those participating in Extended School Year programs. They also provided training and professional development to parents and school personnel in small groups. The training activities focused on meeting the needs of preschool and kindergarten students who are Braille learners. Additionally, newly referred students underwent initial assessments to determine their abilities in various areas of the Expanded Core Curriculum of Visual Impairment Skills. Referrals were made as needed for Orientation and Mobility assessment and instruction as well as technology assessment and instruction.

- John Tkacz – presented a report for DVRS
  - In September, the Lead Transition Meeting was combined with CBVI at the JKTC. DVRS had their very first CBVI Project Search participant and they met to discuss how to handle this joint case.
  - CBVI attended DVRS’ Project Search Statewide Meeting last month, which was the very first. The collaborations between the agencies are growing stronger.
  - DVRS and CBVI are presenting at the “Facing the Future” Conference, and the Autism New Jersey Conference with the Board of Education.
  - DVRS had a joint meeting with CBVI and the transition counselors, lead transition counselors, and the Deaf language specialists at JKTC.
- James Good
  - Presented updates regarding attending the BLAST Conference in September, also the EDGE program internship opportunity during the summer.
- Lauren Weishaar
  - Gave a brief update on the organization that she is working for, Hudson Community Enterprises (HCE), in Jersey City.
  - HCE has recently hired 2 visually impaired persons now working in their document preparations department. HCE is continuing to hire others; they are willing and are able to meet their accommodations need. So, if anyone is aware of persons looking for employment, they may get in contact with Lauren so she can setup an appointment for an interview.

## Announcements

Dr. Davis mentioned there will be a Blindness Awareness Month Community Outreach Event sponsored by CBVI that will take place on October 12, 2023 at the Cheesequake State Park and Vito will be present at the event, representing the SRC. This event is open to the public.

## Adjournment

Wanda Williford made a motion to adjourn the meeting. James Goode seconded the motion. All were in favor. The meeting was adjourned at 11:50am.

The next SRC meeting is scheduled for December 8, 2023.

Respectfully Submitted,

*Bryan McClain*

Bryan McClain

Executive Secretarial Assistant

## DRNJ Report to State Rehabilitation Council Client Assistance Program (CAP)

**Reporting Period:** 10/1/2022-9/30/2023

**Report Prepared by:** Janna Sheiman, Managing Attorney – Employment Team and CAP Coordinator

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### **Brief introduction or scope of Program**

The Client Assistance Program (CAP) provides education, advice, and advocacy to people with disabilities applying for or receiving services funded by the Rehabilitation Act, including vocational rehabilitation and independent living services. CAP also provides education, advice, and advocacy about Title I (employment rights) of the Americans with Disabilities Act.

### **Highlights and Summary of Accomplishments**

- **Trainings/Outreaches/Resource Development**
  - **Extended Employment outreach:** Disability Rights NJ began an outreach and information sharing project aimed at reaching participants in the state Extended Employment programs, to advise them about their rights and to discuss competitive integrated employment
  - **Education on seeking VR sponsorship:** Disability Rights NJ held a three-day webinar series aimed at educating individuals with disabilities of their right to seek vocational rehabilitation services. This series focused on an understanding of rights to VR services, how to apply for VR services, and how to seek VR sponsorship for tuition on an IPE. The webinars were held the week of May 15-19, and are available on the Disability Rights NJ website for viewing.
  - **Transition Law Day:** On June 3, 2023 Disability Rights NJ held a Transition Law Day in its office located in Trenton, NJ. This Law Day provided information on rights to transition services from the Local Education Authority, the VR agencies, and from DDD, as well as training on the importance of self-advocacy for individuals with disabilities.
  - **Additional trainings/outreaches during this time period include:**
    - 10/5/22: Workshop about Transition Services with the Newark Redefining Access Collaborative
    - 10/6/22: Training on Work Incentives available to individuals with Disabilities who receive SSI or SSDI benefits with the Mental Health Association of New Jersey
    - 10/13/22: CBVI Community Outreach Event
    - 10/28/22: Presentation for Rutgers on “Incorporating Advocacy in Community Support Services”
    - 11/1/22: Presentation to Rutgers University Rehabilitation Counselors graduate program
    - 11/3/22: Capitol County Children’s Collaborative Resource Fair for Educators regarding Transition services
    - 1/18/23: Presentation regarding Workability presented by staff in connection with APSEC
    - 3/2/23: The Systemic Advocacy Efforts of Your Client Assistance Program
    - 3/13/23: Mount Laurel Special Needs Resource Fair regarding Transition

- 4/19/23: Rights to Transition Services presentation with the NJ Center on Tourette Syndrome
- 4/26/23: Deptford Township School District Community Resource Fair
- 5/16/23: Children’s Interagency Coordinating Council’s Intellectual/Developmental Disability Transition Fair

- **Serving individual clients.**

- Number of client cases based on DRNJ’s fiscal year (October 1 – September 30):

Program	Carryover from 2022	New as of October 1, 2022	Closed as of September 30, 2023	Current cases being carried into FY 2024
CAP	18	47	44	18 DVRS 3 CBVI

- Examples of client cases:
  - Closure letters being sent due to “no contact”
  - Communication breakdowns where DVRS clients and DRS counselor do not have a shared understanding of DVRS customer needs
  - Clients not getting timely response after submitting referral
  - Cases closed by VR agency without any written notice to client
- Number of active appeals (administrative, mediation, and fair hearings)
  - Administrative: 4
  - Mediation: 0
  - Fair Hearing: 1
- Specific examples of outcomes for clients:
  - DRNJ represented A.F., a 50-year-old man with epilepsy seeking to attain a master’s degree in data science to advance his career and find financial stability. Because of his disability, he was no longer able to continue working as a lab assistant. The NJ Division of Vocational Rehabilitation Services (DVRS) refused to provide sponsorship in his graduate program in data science. After Disability Rights NJ advised the client on his right to an individualized plan of employment and how to request graduate school sponsorship, DVRS only approved up to \$7500 per semester, significantly less than the full tuition. Because the client had no means to pay the balance of tuition and costs, Disability Rights NJ advocated on the client’s behalf, writing to DVRS demanding payment of the client’s full cost of attendance. In response to our advocacy, DVRS agreed to pay the full tuition, books, fees, and bus transportation for semesters the client had already completed and going forward until he completes the master’s program. Now the client has full financial support to progress his career in the field of data science and improve his financial independence.
  - Disability Rights NJ assisted a client of the CAP program regarding his placement in a six-year pharmacy program in Long Island and obtaining sponsorship at the in-school tuition rate of Rutgers University, the flagship school in New Jersey.
  - Disability Rights NJ settled a Fair Hearing request for a client of CAP for full sponsorship of his Doctor of Osteopathic Medicine Program at the only in state school offering the program.

### **Systemic Issues observed by DRNJ**

- The graduate school fee schedule utilized by CBVI is still unduly low, as it utilizes the per credit tuition rate of Jersey City University, the lowest cost public university in the state, which is in the middle of a financial crisis and had to reduce its programs by 26 during the past year, many of them graduate programs.
- CBVI is not properly identifying or providing services to individuals who are SSI/SSDI beneficiaries. The Rehabilitation Services Administration has issued guidance that beneficiaries of SSI/SSDI will have NO COST for any service contained in their IPE, however in practice it has been brought to the CAP's attention that CBVI requires some additional criteria before it will consider full sponsorship for services for these beneficiaries.

### **Goals and Objectives for Next Quarter (October 2023 – December 2023)**

- Disability Rights NJ began a new goal-setting cycle for the fiscal year which started on October 1, 2023. In preparation for the development of those new goals and objectives, Disability Rights NJ distributed surveys and conducted focus groups of people with disabilities, their families, professionals, health care and service providers and others about the needs of people with disabilities and the barriers to addressing those needs. These have streamlined the goals and objectives for the work that Disability Rights NJ engages in and sets forth the level of representation and intervention strategy that the organization will be using, and will be completed and published by the end of December 2023.
- Work with DVRS and CBVI to have updated information available on how to contact the Client Assistance Program on their websites.
- Developing and delivering posters regarding the Client Assistance Program to DVRS and CBVI to be displayed in the field offices.
- Provide outreach and training to the CILS and their participants on their employment rights.

### **Questions**

- What priorities do you see for CAP?
- What information would you like to receive from CAP at these meetings?