

**COMMISSION ON DISABILITIES
December 18, 2014, MINUTES**

Commissioners Present:

Luke Byram, Susan Dye, JoAnn Fritsche, Todd Holloway, Gerrit Nyland

Commissioners Absent: Esther Bennett, Don Izenman, Roxanne Miles, Krystal Monteros, Gary Peterson

Staff Present:

Sandy Davis, Saada Gegoux, Joy St. Germain, Vicki Walker

Guests Present:

Carol Wolfe, Community and Economic Development and Neighborhood and Community Services Departments

Call to Order: The meeting was called to order at 4:08 p.m.

Chair Nyland called for consent to accept the agenda for 12/18/14, also noting 10 minutes of public comment for Frank Gavaldon to discuss employment discrimination cases and related items in the public comment section. Commissioners consented.

Chair Nyland called for a motion to accept the minutes of the October 8, 2014, meeting. Joanne Fritsche motioned to accept the minutes. Luke Byram seconded, and the motion carried.

Public Comment

Frank Gavaldon, retired City of Tacoma employee, and founder of Tacoma Pierce County Human Rights Council, voiced concerns regarding the number of investigations performed by the City of Tacoma Human Rights Department. He explained that in the past year the Human Rights Commission has closed nine Employment Discrimination cases, and 15 Housing Discrimination cases. A handout was provided by Mr. Gavaldon that showed the average number of case closures for 2009-2014, reflecting a decrease in numbers.

Mr. Gavaldon feels the City numbers are not consistent with other local, state and national numbers, and the City needs process review, consistency, and discipline, and is asking the COD to press the issue regarding case closures. Mr. Gavaldon said his Council is ready to assist, and is also requested HUD and State audits.

Discussion followed. The COD is working to bring Marya Gingrey to a future meeting to



review some of the data and concerns voiced.

Presentation

Engaging Neighborhood Councils and Business Districts – Carol Wolfe, Community and Economic Development.

Carol Wolfe reviewed options for bringing neighborhood stakeholders into COD processes (such as Chapter 1.29 revision to lower number of employees to 'one' for complaints to be investigated for employment discrimination). Ms. Wolfe provided information on the Eight Neighborhood Councils, the Community Council, Five Councilmanic Districts, Business Districts, Police Sectors, Safe Streets and Hilltop Action Coalition, as well as reviewing some of the 64 registered neighborhoods. Ms. Wolfe discussed the various mapping layers and census data available that could help focus COD activity, and reviewed ways to reach out to establish a dialogue, and establish alignment. Ms. Wolfe will provide contact information for Community Council to Sandy Davis for distribution. Discussion ensued. Ms. Wolfe is available if commissioners need additional information, and also recommended Nancy Grabinski -Young of Community and Economic Development, to visit the Commission regarding data available from various sources.

REPORTS

TACID Report:

- Joan Eads was not present but did provide information on TACID for Chair Nyland to share. Chair Nyland read some statistics, and will email this out at a later date.
- JoAnn Fritsche reported out on the 'United by Music' program and upcoming auditions from 2:00 to 5:00 p.m. at TACID on January 10. JoAnn will provide fliers to Sandy Davis for distribution to various neighborhood councils/groups.

Human Resources Director Report: (Joy St. Germain)

- Director St. Germain said that there are monthly meetings with various department directors to talk about work of the Commission and what the City can do to support them, and the subcommittees as well. There are also monthly meetings between Chair Nyland and Human Resources.
- Director St. Germain touched on one element of the departmental meetings regarding the Comprehensive Emergency Management Plan and a possible registry, or means of helping people with disabilities in an emergency, and methods of prevention and education. Commissioner Holloway noted that there are already models in place, and we should review best practices that have already been established, and how we can support those. He will be meeting with Fire Department staff in January.



- Director St. Germain talked about facilitating a COD meeting to develop a Team Charter, implement by laws, outline purpose/mission, decide how decisions are made, methods of communication, conflict resolution, purpose of sub-committees and staff support level and mutual expectations, nominations for vacancies, and budget for the Commission. Director St. Germain thinks this would take a day for the Commission to hammer out with the help of Human Resources staff for facilitation and compilation of the work. Discussion followed, with overall agreement that this would be helpful, and useful to scope out at a future meeting.
- Director St. Germain noted that it is the 25th anniversary of the Americans with Disabilities Act. Other entities are spearheading this, and while the City is supporting, it is not playing a lead role. Discussion followed. Director St. Germain will provide written notes for future Director Reports, and also a list of employee contacts from the November retreat.
- Director St. Germain explained that Gwen Schuler asked if the Commission would be willing to change the name of Sub Committee 'Media and Communications' to lessen confusion between Media and Communications, and the Sub Committee.

Center for Independence (CFI) Report: (Todd Holloway)

- Commissioner Holloway distributed handouts for the Center for Independence (attached), and National Council for Independent Living.
- Regarding the Center for independence, he introduced Commissioner Luke Byram to talk about his recent experience with the CFI Youth Transition Program going to New Mexico and being involved in the April conference having to do with rural independent living.
- Commissioner Byram gave highlights on the experience, including the Youth Leadership Academy and Youth Advisory Council. Discussion followed.

ADA Coordinator Report: (Sandy Davis)

- Sandy Davis explained we are updating our American Sign Language contracts.
- We are working with Chair Nyland to fill Linda Moran's position and developing a press release for next month. Discussion followed.
- Ms. Davis expressed Kudos to Commissioner Byram for finding a new member for the Effective Communication Sub-Committee; Thu-Ha Le who is with the Hearing, Speech & Deafness Center.

BUSINESS

Review Commission's 2015 Goals, City department alignments, and Committee Structure

- Chair Nyland requested that if possible, for next month's meeting, there will be



public comment, we will skip reports out, and concentrate on a 2015 plan, having Kathy Journey of Human Resources come and talk with Commissioners, and look at the structure of each Sub Committee, working to align with City functionality, and confirm connections with Directors.

Effective Approaches

- Real world demonstrations as a catalyst for change – Gary Peterson.
Commissioner Peterson was absent so this topic was not covered.

COMMITTEE REPORTS

Built Design and Policy

- Chair Nyland discussed getting the City Building Code more compliant with ADA, brought up some case studies, and requested this be a future agenda topic to see where some change could happen in the building community and permitting process. It was noted that there is a meeting set up with David Johnson and Sue Coffman.

Good of the Order/Announcements

- None.

The meeting was adjourned at 6:02 PM.

Next Meeting – Thursday, January 8, 2014, 4:00 to 6:00 PM





Workforce Innovation & Opportunity Act (WIOA) Frequently Asked Questions

July 15, 2014

Q. When will WIOA go into effect?

A. The effective date is October 1, 2014. However, the bill allows for two years of transition.

Q. Is it true WIOA has amendments that lower the requirements for vocational rehabilitation counselors to no longer need a master's degree?

A. WIOA will take away the requirement to have a Masters in Rehab to become a VR Counselor. This was also in S. 1356. NCIL does not have a formal position on this issue; however, NCIL has always had concerns with this. We see the need to have a Masters in Rehab as a barrier to people with disabilities being hired as staff at VR, especially when they all but refuse to pay for anyone to get a master's as a recipient of VR services.

We believe if they hire more people with disabilities (thereby role modeling for other employers) and provide a more peer-based model and less "rehab", people would be served better.

Additionally, we believe this will help reduce the high turnover rate of VR counselors while offering longevity in the job.

Q. I need clarification of the new fifth core service: transition. How it will be funded?

A. The 5th core service has 3 components of transition: (i) facilitate the transition of individuals with significant disabilities from nursing homes and other institutions to home and community-based residences, with the requisite supports and services; (ii) provide assistance to individuals with significant disabilities who are at risk of entering institutions so that the individuals may remain in the community; and (iii) facilitate the transition of youth who are individuals with significant disabilities, who were eligible for individualized education programs under section 614(d) of the Individuals with Disabilities Education Act (20 U.S.C. 1414(d)), and who have completed their secondary education or otherwise left school, to postsecondary life.

The bill does contain the following **authorizing** language to increase funding: \$78,305,000 for fiscal year 2015, \$84,353,000 for fiscal year 2016, \$86,104,000 for fiscal year 2017, \$88,013,000 for fiscal year 2018, \$90,083,000 for fiscal year 2019, and \$91,992,000 for fiscal year 2020. While that sounds great, it doesn't mean that we will actually get that funding. Keep in mind that **this is not an appropriations bill** and all of our federal funding comes through an appropriations bill.

NCIL has been advocating for increased funding regardless of WIOA, but we knew we were taking a risk adding an additional core service. It was not a decision NCIL membership made lightly. Many CILs are already providing the transition services that are required in WIOA.

Q. Is there a new definition of CILs in WIOA? Would this prevent fee for services arrangements?

A. The definition of CILs remains the same and would not impact fee for service arrangements. The only change made is the addition of a fifth core service: transition. CILs will now be the **only** organizations mandated to perform such services as transitioning persons from institutions to community life or assisting persons with disabilities to avoid nursing home or institutional placement.

Q. How will the change to HHS impact those part B CILs that are currently receiving funding from the state VR agency?

A. Part B funds will be administered by the Designated State Entity (DSE). The Designated State Entity will be determined by the State Plan for Independent Living (SPIL) and depending on what your state decides, may still be VR. The use of Part B funds will also be determined by your SPIL as they are now, and may still be used for the same purposes, including "Supporting the General Operations of a CIL".

- ❖ NCIL realizes there are still many unanswered questions. Rules and Regulations will need to be written to clarify many of the details. This may take up to one year. NCIL will be involved in this work and continue to communicate with our members.
- ❖ *Meanwhile*, everything remains the same; CILs will continue to receive their funding and contracts, CILs will continue to turn in their 704 Reports, and SILCs will continue to operate under their currently approved State Plan for Independent Living (SPIL). It will take some time to "unpack" Independent Living from RSA and move into Health & Human Services (HHS) under the Administration for Community Living (ACL).

12/18/2014

Tacoma Area Commission on Disability

Center for Independence update

- Events:**
- January 5th 2015: Statewide planning for emergencies involving vulnerable populations, PWDs or AFNs.
 - January 8th & 9th, 2015: State Independent Living Council (SILC) Quarterly meeting in Olympia.
 - January 19th, 2015: Accessible Community Advisory Committee of Pierce County. (ACAC PC) January 2015 meeting.
 - February 25th, 2015: Vulnerable Population Disaster Planning (VPDP) training/workshop, Mt Vernon Best Western.
 - March 26th, 2015: Vulnerable Population Disaster Planning (VPDP) training/workshop, Shelton Civic Center.
 - June 29th & 30th, 2015: Vulnerable Population Disaster Planning (VPDP) Statewide Conference, Yakima Convention Center.

CFI, ACIL-WA and SILC are continuing a partnership with the Department of Health (WA) and other peer organizations to increase awareness of hazards in WA communities. CFI will lead trainings with our newly formed statewide taskforce to inform peers throughout the state concerning a **whole community concept and inclusive planning and preparing**. The VPDP project is currently narrowing down a location for another training in April 2015.

CFI, SILC-WA, and Seattle's CIL, the Alliance of People with disAbilities, traveled to New Mexico for the annual APRIL Conference. APRIL addresses issues in Independent Living in rural areas. Transition Youth Leaders from both CILs participated in the entire conference and represented the largest number Youth Leaders in the U.S. Luke Byram will share more details.

CFI and ACIL-WA are developing a best practices model for effective communications training for city, county, and state employees who interact with commissions and councils, or disability, and IL organizations as part of their job description.

The Center for Independence (CFI), North and South, will remain a single non-profit 501C3. We will report to ILA/ACL/HHS separately between N counties and S counties i.e. the Lakewood and Bellingham offices. CFI is responsible for 8 counties total under our funding agreement with the ILA/ACL/HHS. However, we are active in 19 counties in WA.

A grant has become available through the National Council on Independent Living (NCIL) for a spinal cord injury based program. CFI has applied for this grant and the project will be based on a dream held by Chuck Porret, a former employee, advocate, and friend. Chuck Porret passed due to cancer in October of this year. CFI will create an SCI education program in his name. I would like to make a motion to the commission that we consider a program or initiative to accomplish in 2015 that may also bear his name. Chuck Porret did, after all, dedicate time to this commission.

Chuck Porret

December 11 1969 - October 14 2014



**Our friend, coworker and
Perfect example of
Independent Living.**

Always in our hearts.