

**NEVADA STATE REHABILITATION COUNCIL (N.S.R.C.)  
STATE PLAN SUBCOMMITTEE MEETING MINUTES**

August 14, 2019

Vocational Rehabilitation  
3016 W. Charleston Blvd. Suite 200, Las Vegas, NV 89102

**SUBCOMMITTEE MEMBERS PRESENT:**

Bob Brown  
Julie Bowers  
Kacy Curry  
Shelley Hendren  
David Nuestro  
Jack Mayes  
John Rosenlund

**SUBCOMMITTEE MEMBERS ABSENT:**

None

**GUESTS/PUBLIC:**

Steven Cohen

**STAFF:**

Rosalie Bordelove, Deputy Attorney General  
Janice John, Rehab. Div. Deputy Administrator  
Javier Fernandez, VR Liaison to N.S.R.C.  
Mechelle Merrill, Div. Bureau Chief  
Kim Cantiero, VR District Manager  
Drazen Elez, Div. Deputy Administrator  
Heather Johnson, Div. Business Analyst

1. **CALL TO ORDER, INTRODUCTIONS, AND VERIFY TIMELY POSTING OF AGENDA**

Bob Brown, Subcommittee Chair called the meeting to order at 10:05a.m. Javier Fernandez NSRC Liaison called role.

Mr. Fernandez determined a quorum was present and verified that the posting was completed on time in accordance with Open Meeting Law.

2. **FIRST PUBLIC COMMENT**

Mr. Brown asked for any public comment. Steven Cohen emailed his public comments to the NSRC Liaison prior to the scheduled meeting and are listed at the end of the minutes. Mr. Cohen asked how do we get Competitive Integrated Employment as the standard is what his main point is on his written public comment.

Mr. Jack Mayes, Executive Director of the Nevada Disability and Law Center wanted to express his dissatisfaction with the application process to become a member of the NSRC. He has expressed his concern with VR Administrator Shelley Hendren as well as the Governor's office. He believes the council is out of compliance as mandated positions have not been filled. He believes the delay is at the Governor's office.

3. **OVERVIEW OF TITLE 34 CFR 361.17(h) FUNCTIONS AS IT RELATES TO THE RESPONSIBILITIES OF THE COUNCIL.**

Shelley Hendren, Rehabilitation Division Administrator began by providing an overview of the roles and responsibilities of the Nevada State Rehabilitation Council and council members. All council positions are appointed by the Governor. Ms. Hendren stated that all our open appointments have been submitted to the Governor's office and that is where the appointments currently rest.

There has been repeated follow-up with the Governor's office by Vocational Rehabilitation (VR) and the Department of Employment Training and Rehabilitation (DETR) Director directly with the Governor's office. There are currently about 400 appointments statewide pending. The responsibilities of the council are to attend quarterly meetings, volunteer for sub-committees, refrain from voting on any matters that could be a conflict of interest. Other responsibilities are to insure you follow open meeting law and Roberts rules for public meetings, understand the bylaws, and you should follow the section of law 361.17 and 361.16. The biggest responsibility is to work together on the annual State Plan and establish Goals, Strategies and Performance measures on how to reach the goals to see if the strategies are netting the results. Also, to assist with reports and Needs Assessment. The council voted on an (RFP) Request for Proposal to select a provider for the Statewide Needs Assessment and the Consumer Satisfaction Survey and Market Decisions Research was selected for the surveys. The council was actively involved in establishing the questions and creating benchmarks for the surveys.

4. **DISCUSSION/REVIEW OF THE COMPREHENSIVE STATEWIDE NEEDS ASSESSMENT REPORT (FFY) 2014, 2015, 2016**

Ms. Hendren began the executive summary review and that the full report is available on the Rehabilitation website. This assessment is done every three years. There are RFP's out to find a vendor to produce this report for next year when the Needs Assessment is due in 2020. The information in the summary are items noted for discussion and where trends exist. The first portion of the report is overall information about VR and Bureau of Services to the Blind (BSB). There are fewer people coming to VR and VR heard from the president for the Council of State Administrators of Vocational Rehabilitation (CSAVR) that this is a nationwide trend which could be related to the economy. While we have fewer people seeking services, we are still converting more individuals to plans. This could be due to the shorter time frame that (WIOA) The Workforce Innovation and Opportunity Act mandated. Ms. Hendren stated that this is on trend for our state, we are down a couple hundred applications for SFY18. VR serviced 4900 and previously it was at 5300 and this trend is going down. VR is working on a television commercial this year and the focus is on mental health. Hopefully the commercial will help drive people to our services.

In the next data point Nevada is below the National Average (NA) on average hours worked per week. However, VR is well above the NA on cases closed with 35 hours/week or more. Ms. Hendren thinks we are missing the client base with the most significant disabilities and are we helping them be able to obtain employment at the level they can be employed? Drazen Elez, Division Deputy Administrator thinks this could possibly be due to the change in law on what is required for an employer to offer insurance to an employee. The next section Ms. Hendren went over was the recommendation of looking for more under skilled higher paid jobs that coincides with WIOA and the change of getting people into careers and not just jobs. The data in the next assessment should show an upward trend. Looking at the data for in demand industries and where all the jobs are in Nevada, for example the jobs are in the north and the number one is retail which is opposite of west of the country. In the south where 75% of the population is the industry highs are food service and retail.

The next data point is Education and Training programs and it is recommended that VR utilize training and education programs more. VR's participating in certification programs has gone down slightly each year. VR's undergraduate participation has increased while the graduate education has decreased. More consumers are attending college, but spending is less. Which could be due to overall decrease in participation of consumers in graduate school.

42.6% of all consumers in VR are receiving Social Security Disability benefits which is a shockingly high number and we recognized the needs for benefits planning. We hope to launch a website for benefit planning in the next year. In each section there are barriers to achieving employment goals and they were put in in order by most popular:

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Not having education and training.  
Not having job skills.  
Mental health issues.  
Not having job skills.  
Employers' perceptions of individuals with disabilities.  
Transportation issues.  
Poor social skills.  
Impact on benefits.  
Little or no work experience.

The top Barriers for accessing VR services:

Limited accessibility to VR due to public transportation.  
Slow service delivery.  
Lack of options for use of technology to communicate with VR staff.

The slow service delivery could be due to cases being open longer and that could be due to us trying to focus on careers and not entry level positions. The technology barrier we agree with and we have training for GoToMeeting and GoToTraining and Zoom. This is being added to computer labs, so we can do a video conference between clients and counselors as well. VR did get the approval to move forward with DocuSign and this will allow the client and counselor to sign documents electronically and will allow for cases to move smoother through programs.

Some open-ended responses were:

Insufficient amount of VR staff. In the last legislative session for 8 positions were approved and 3 of those as counselor positions and 2 technician positions.  
VR needs more interpreters. VR has a deaf team consisting of 2 counselors and 1 technician who use American Sign Language.

Suggestions to improve:

Add an in-house developer. The legislature approved this position this session.  
Implement ongoing training. VR held an In-Service training this year we all VR staff gathered together in Reno for 2 days of training and team building. We had speakers that presented information about stress management, autism and equal rights regarding accommodations.

Overall recommendations:

Utilize telehealth.  
Creative use of technology.  
Increase range and types of jobs consumers obtain.

Consumers with the most significant disabilities is our Supported Employment program (SE).  
The wage of this population increased and was closer to the median as compared to other populations of individuals with disabilities. The cost of the case went up dramatically for the cases that closed successfully, which is a good indicator for future fiscal planning on cost.

Barriers to achieving employment goals:

Not having education or training.  
Not having job skills.  
Mental health issues.  
Not having job search skills.  
Employers' perceptions of individuals with disabilities.  
Transportation issues.

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Poor social skills.  
Little or no work experience.

This client population has the same types of barriers to services that you see in the overall VR experience.

Barriers to accessing VR services:

Limited accessibility to VR via public transportation.  
Slow service delivery.  
Difficulties completing application.  
Difficulties accessing training or education program.  
Inadequate assessments.

Some barriers include:

VR staff do not meet clients where they live.  
Inadequate accommodations.

VR has redone their application process to make it simpler to complete and it matches our new case management system.

Highlights from the key information interviews:

Need for transportation.  
Literacy challenges.  
Limited mental health services.  
More training programs.  
Develop relationships with employers and improve their perceptions of individuals with disabilities.  
Interpersonal training skills.

Recommendations to increase access to benefits planning, hiring a VR staff member to provide benefits planning, counselor training, contract with World Institute on Disability.

Ethnic Groups:

The needs assessment shows VR spends less per case on average for minority consumers that it does for the general population. This may be partially attributed to the low number of participants from these populations in higher education.

Recommendations include:

Recruit bilingual counselors and staff.  
Increase partnership with tribes.  
Investigate why ethnic minority consumers consistently obtain employment that pays below the average for all VR consumers.

Youth:

Percent of agency total is increasing. Average time from eligibility to plan is decreasing. Consumers in training and undergraduate programs is increasing each year. The number of successful case closures is increasing, as in the Rehabilitation rate. Median earnings for this population have increased dramatically.

The number of students and youth that VR is helping is increasing dramatically especially in Pre-Employment Transition Services (Pre-ETS). The average time from eligibility to plan is decreasing which is a good thing. There is also an increase in students and youth going on to post-secondary education programs. The number of successful case closures is increasing along with the Rehabilitation rate which means not as many students and youths are dropping off the books and the median earning for this

population dramatically increased as well. The barriers for this population are very similar to the other population barriers.

Barriers to accessing VR services:

Slow delivery service.  
Difficulties accessing training or education programs.  
Limited accessibility to VR via public transportation.  
Lack of options for use of technology to communicate with VR staff.

Highlights from the key informant interviews:

Assign rural transition counselor.  
Work with schools to develop more work-based learning sites.  
Focus on most pressing needs with youth including transportation, work experience, job readiness skills and soft skills.  
Teach appropriate social skills.  
Attend more Individual Employment Plan meetings.

Recommendations:

Time management and budgeting in Pre-Employment Transition Services (Pre-ETS).

Service Provider reasons why they are unable to meet consumers' needs:

Not enough vendors/service providers available.  
Low quality of services.  
Low levels of accountability for poor performance of service providers.  
Low rates of pay to service providers.

Some Highlights of the key information interviews:

Vendor pay rates too low.  
State's insurance requirements impairing the ability to recruit.  
Need for assistive technology evaluators in rural areas.  
Quality of documentation and reports submitted by providers consistently are lacking and of poor quality.

Recommendations:

Provide customized employment training to service providers.  
VR should consider and research whether it could adapt providers agreements for rural areas.

5. **DISCUSSION/REVIEW OF THE 2018 CONSUMER SATISFACTION SURVEY**

Ms. Hendren began the review with General Consumers and with the current bench marks. The survey shows a trend from each bench mark. The longer the case is open the lower the consumer satisfaction falls. The overall satisfactions are positive. The overall satisfaction and expectation were lowest with closed cases and might suggest the client base is not happy with their ultimate employment attained. Communications with staff the longer the case is open the breakdown starts to occur. VR is trying to change the culture with consolders that once the client has a job developer assigned communication should continue.

The next section Outcomes and Meeting Goals, this area had a dramatic drop on satisfaction on case closure to any of the other benchmarks. Mr. Brown stated that the 90 day follow up could possibly be more in depth with the client to help answer more questions about the skills in the work environment that may not be getting answered.

On Satisfaction with Current Employment, the lowest satisfaction came from clients in service from 16 to 17 months.

Communication with staff score was 75% this was the lowest score, while the rest seemed to be up in the 91% range.

The Older Individuals who are Blind survey results had no new trends reported. In this client base the lowest score that was seen is in the ease of application process. VR is ensuring there is proper staff and technology to assist in this process.

Youth in Transition Consumers results also had no new trends reported. The results closely mirror the totals of General VR survey where the longer the case is open the lower the satisfaction is. In this section the lowest totals are in the category Satisfaction in Current Employment.

6. **DISCUSSION/REVIEW OF THE CURRENT PROGRAM YEAR 2019 STATE PLAN GOALS, STRATEGIES AND PERFORMANCE MEASURES**

Ms. Hendren began the review and went over the existing goals and measures:

**Goal 1**

**Increase number of successful employment outcomes.**

**Strategies:**

- Training
  - Utilize person-centered career planning activities.
  - Identify key employers and increase partnerships with them to develop work readiness training programs.
  - Educate employers about the opportunities and benefits of hiring persons with disabilities.
  - Provide employers with training on disability related topics.
  - Ensure consumers are aware of travel training and transportation options and that they are able to utilize the appropriate options.
  - Explore the use of technology and training earlier in plan development.
  - Incorporate career-readiness content into educational curriculum, linking with colleges.
  - Support counselor continuing education training, including on assistive technology.
- Employer Engagement
  - Increase access to quality job development services.
  - Increase the utilization and promotion of the 700 hour list and Schedule A.
  - Identify federal employment opportunities.
  - Coordinate work based learning and utilize and contribute to OWINN's online repository for work based learning.
  - Explore apprenticeships.
  - Utilize Jobs for America's Graduates (JAG), Career and Technical Education (CTE) and other partners for work based learning.
- Advocacy
  - Continue to create and implement marketing strategies.
  - Consider self-employment and home employment options.
  - Provide access to resources in support of self-employment including business plan development.
  - Promote peer to peer support networks.
  - Determine the historical use of rehabilitation technology (assistive technology) and ensure continuity and access to equipment and services.
  - Utilize Business Development Team as a statewide workgroup to collectivize best practices and identify emerging practices; and to communicate and collaborate for increased cross utilization of resources.
  - Leverage resources from Governor's Workforce Development Board.

**Measures:**

Increase the number of Successful Employment Outcomes. The Division's performance goal in FFY19 will be at least 822 participants with cases closed successfully. (FFY17 total was 746, projected FFY18 is 768, chose a 7% increase to 822).

**Goal 2**

**Increase participation and increase successful outcomes in VR transition services and ensure participants receive as appropriate Pre-Employment Transition Services (Pre-ETS).**

**Strategies:**

- Collaboration between School Districts and BVR/BSBVI to assess, plan and deliver pre-employment transition services for eligible student-clients with disabilities, as required by the Workforce Innovation and Opportunity Act (WIOA), via the Social and Emotional Learning Program.
- Explore the utilization of social and Web-based media as a communication tool.
- Improve special outreach efforts to Transition Students, i.e. camps, Nevada Student Leadership Transition Summit, and trainings.
- Encourage successful transition students to provide peer support to those considering enrollment in Pre-ETS.
- Develop referral mechanisms with secondary schools, post-secondary institutions, charter schools, and private schools.
- Increase number of students who can attend summer camps.
- Focus on creative marketing to schools and students.  
Increase communication between Vocational Rehabilitation Counselor, Special Education Teachers, and 504 Coordinators.
- Educate teachers, parents, and youth with disabilities regarding the Vocational Rehabilitation process, programs, and referral services.
- Work with youth with disabilities, the Nevada Department of Education, local education authorities, parent organizations, and families to encourage early discussions with students about the expectations of employment and their skills, abilities, and talents that will empower them to achieve self-sufficiency.
- Vocational Rehabilitation participates in more Individualized Education Program (IEP) meetings.
- Expand Work Based Learning opportunities for students to explore employment options.
- Increase communication between Vocational Rehabilitation Counselors, Special Education Teachers, and 504 Coordinators.
- Explore a Job Shadowing and/or mentor program.
- Adopt career planning using an evidence based person centered planning model.
- Encourage and support family participation and make training material available.
- Streamline and clarify the referral process for transition students.
- Explore the use of technology and training earlier in plan development.
- Coordinate with Nevada Centers for Independent Living to explore options for participation in Transition Services.
- Work more closely with Community Rehab. Programs (CRP's) to explore customized employment options.

**Measures:**

- Increase participation of Transition Students in the Program to 1014 with open cases. (Participation in FFY17 was 749, projected for FFY18 is 874, chose a 16% increase to 1014).
- 400 Transition Students will either be enrolled in Postsecondary education programs or successfully employed. (Postsecondary Education in FFY17 was 156. Postsecondary projected for FFY18 is 104). (Successfully Employed in FFY17 was 148 projected for FFY18 is 180).
- Ensure Transition Students receive Pre-ETS. The Division's performance regarding delivery of Pre-ETS to students in FFY19 will increase by 10% over FFY18. (For FFY17 1,639 received Pre-ETS. For FFY18 to date 2,345 received Pre-ETS).

**Goal 3**

**Increase participation and successful outcomes of supported employment consumers in a competitive, integrated setting.**

**Supported Employment is:** competitive integrated employment (including customized employment, or employment in an integrated work setting in which an individual with a most significant disability, including a youth with a most significant disability, is working in a short-term basis toward competitive integrated employment) that is individualized and customized, consistent with the unique strengths, abilities, interests, and informed choice of the individual, including with ongoing support services for individuals with the most significant disabilities.

**Strategies:**

- Partner with existing public and private State entities that provide Supported Employment.
- Provide training to staff, State Rehabilitation Council Members and consumers on Supported Employment.
- Identify and support best practices that encourage high-wage/career track employment.
- Utilize the Vocational Rehabilitation Business Development Team to improve Supported Employment services outcomes.
- Continue participation in the Governor's Task Force on Integrated Employment, the Behavioral Health Planning and Advisory Committee and the State Employment Leadership Network.
- Develop a plan and collect data regarding the needs of individuals for Supported Employment to help drive future goals.
- Explore the use of technology and training earlier in plan development.
- Determine the historical use of rehabilitation technology (assistive technology) and ensure continuity and access to equipment and services.
- Provide job shadowing and/or mentorship programs.
- Increase access to quality job development services.
- Encourage employers to implement job carving, job sharing, and part-time/non-traditional shift offerings.
- Create customized employment options.
- Develop a pathway for long-term mental health support and services.
- Explore apprenticeship opportunities.
- Work more closely with Community Rehab. Programs (CRP's) to explore customized employment options.

**Measures:**

- The number of consumers participating in Supported Employment will be 660 participants in FFY19. (FFY17 503 participated in Supported Employment. FFY18 projected to be 572. 15% over FFY18 projected total).
- Increase Successful Employment Outcomes. The Division's performance goal in FFY19 will be that at least 166 Supported Employment cases are closed as successful employment outcomes. (FFY17 126 cases closed as successful employment outcomes. FFY18 projected to be 146 cases closed as successful employment outcomes).

**Goal 4**

**Collaborate with other resources to support participants with mental health disabilities to obtain and maintain successful employment. (May include: Depression and other mood disorders, alcohol abuse or dependence, anxiety disorders, eating disorders, drug abuse or dependence, mental illness not listed elsewhere, personality disorders, schizophrenia, and other psychotic disorders).**

**Strategies:**

- Increase collaboration with Southern Nevada Adult Mental Health Services, Northern Nevada Adult Mental Health Services and State Rural Mental Health Clinics.
- Collaborate with private mental health/substance abuse treatment facilities.
- Increase vendor base with private mental health practitioners for service/referrals.
- Outreach to major hospital mental/behavioral health programs.



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- Collaborate with Statewide Independent Living Council (SILC) and local IL centers.
- Collaborate with Juvenile Justice.
- Trainings and tools for staff on:
  - Dialectical Behavior Therapy strategies.
  - Substance Abuse.
  - Borderline Personality Disorders.
  - Positive Behavioral Interventions and Supports.
- Increase usage of tele-health for VR clients.
- Collaborate with Parole and Probation.
- Increase VR's social media postings on mental/behavioral health issues and associated Vocational Rehabilitation services.
- Develop a pathway for long-term mental health support and services.
- Explore collaboration with National Association on Mental Illness (NAMI).
- Participate in available mental health consortiums and related organizations.

**Measures:**

- The Division's performance goal in FFY19 will be that at least 330 individuals with Mental Health Disabilities are closed as successful employment outcomes. (10% over FFY18 projected).
- Individuals with Mental Health Disabilities will have a successful case closure rate similar to other Disabilities groups by FFY23. (Current successful closure rate is 37%. A similar rate would be 47%)

**Goal 5**

**Work with eligible government and community partners to maximize utilization of resources and federal funds.**

**Strategies:**

- Collaborate with Department of Health and Human Services, and State commissions related to populations concerned with sensory (blindness, deafness), mental health, intellectual and developmental disabilities; including the Governor's Council on Developmental Disabilities, the Nevada Commission on Services for Persons with Disabilities, the Nevada Commission on Behavioral Health and Community Training Centers (CTCs).
- Encourage discussion with DETR executive leadership, the Governor's office and Nevada legislators.
- Pursue alternate/complimentary funding sources such as through private foundations and grants and utilize grant writing resources across agencies.
- Participate in Disability Awareness Month activities.
- Collaborate with other agencies to hold Town Hall outreach meetings.
- Continue participation on appropriate taskforces, boards, committees and commissions.
- Collaborate with the Division of Health and Human Services for interagency transfers of funds to pay for services for joint clients.
- Continue marketing to inform about the VR program through vrnevada.org and VR's social media outlets.
- Dedicate a staff member to be responsible to TPCA partners as a single point of contact to provide technical assistance and oversight for those programs, and develop new TPCA partners.
- Master the contracting process in order to implement innovative programs more quickly and efficiently.
- Provide outreach to other government entities about the VR program and opportunities to partner with VR.

**Measures:**

Document additional financial resources brought into the program in FFY19 via collaborative efforts, and measure in dollars:

- Additional non-General Fund match.
- Federal Section 110 grant dollars generated from the additional match.

7. **ESTABLISHMENT OF RECOMMENDATIONS FOR PROGRAM YEAR 2020 (OCTOBER 1, 2019 THROUGH SEPTEMBER 30, 2020) STATE PLAN GOALS, STRATEGIES AND PERFORMANCE MEASURES**

Mr. Brown began the discussion with a question to staff for goal 2 since WIOA more people need services at a higher level so what are some partnerships that can be developed in order to get that done? Janice John, Division Deputy Administrator started by giving with an overview of the Transitional Camps VR has with the schools and colleges. Summer Camps ranged between 10 and 30 participants and were held at (UNLV) University of Nevada Las Vegas and (UNR) University of Nevada Reno. Camps were between one to two weeks long. VR also hosted a Summer Internship Program, which is in its third year, and this year 71 students participated. We had students participates from the rural areas as well. There were 8 Job hires that come from the internship program. There is also a partnership with Transition Coordinator's in three of the school districts which helps us reach a larger population as well.

Mr. Brown asked how many students are matriculating into age 22 and needing that job experience? Ms. John explained that VR offers Pre-ETS to students and schools are offer providing Pre-ETS. Ms. Hendren indicated that in SFY18 723 transition students were served and in addition to that 1,725 received Pre-Employment Transition Services and this is a dramatic increase from previous years. Julie bowers expressed her concerns with the (IEP) Individual Plan of Employment, that there is a huge gap in the quality of the transition plan. The Transition Counselors are key in ensuring services reach the rural populations. A statewide Transition Team has been established to meet with VR, school district representatives on how agencies can better understand the IEP. As the communication opens up it helps to better understand and establish the IEP to be more reflective of the work being done. With the passage in legislature of the Alternative Diploma it will give students more access to opportunities within the system. Ms. Bowers' office recently changed their name from the Office of Special Education to the Office of Inclusive Education. There is a change in their culture to ensure equal access to all exists.

Mr. Brown referenced Goal 3, under strategies, bullet point 2 regarding training. To ensure it indicates who is doing the training. Bullet point 4 referencing the Business Development Team, to ensure it indicates how many are on the team. Currently it is a team of 10.

Mr. Mayes suggested on Goal 3, under strategies, bullet point 5, remove the Governor's Task Force on Integrated Employment as it no longer exists.

Mr. Brown asked that the last bullet point on Goal 3 to become the first bullet point of the strategies.

Mr. Mayes referenced Goal 4, under strategies 2<sup>nd</sup> to last bullet point to indicate: Explore collaboration with National Association on Mental Illness (NAMI) and attend monthly speakers' presentations and annual conference, when able.

Ms. Hendren explained that the totals on the goals, and the goals themselves change every year and she proposed they remain consistent and see if the goals are working before their changed. The State Plan is due every 4 years with a modification every 2 years. What is being recommended is to maintain the goals for 2 years then discuss and modify if the goals are not being met.

Ms. Curry suggested to add a Goal 6 pertaining to a waiting list. Ms. Hendren clarified VR has no waiting list. Suggestion retracted. In Goal 3 a separate measure is to be added to read: Increase Successful Employment Outcomes for Transition age students with disabilities (up to age 22) who are Supported Employment clients.

A 10 minute break was called.

Ms. Curry suggested to add on to Goal 3, 2<sup>nd</sup> strategy to read: Supported Employment as provided using all modalities, as needed by the client. The same strategy to be added to Goal 4, last bullet point. Ms. Curry requested for VR to provide a flow chart on VR processes in the next scheduled meeting.

Mr. Brown asked Ms. Hendren to provide an overview at the next scheduled meeting of the strategies that are working and not working.

The Goals, Strategies and Performance Measures will be reviewed by VR staff to flush out strategy of improved communication. Ms. Curry asked to add a definitions page. Ms. Curry asked that in the performance measures for FFY20 to keep FFY17 data on the report to be able to show the trend.

### **Review of goals**

**Goal 1** to remain the same.

**Measure** to remain the same 822 participants with cases closed successfully.

**Goal 2** to remain the same.

**Measure 2a:** to remain the same as goal was not met for FFY19. 1,014 increase participation of Transition Students with open cases.

**Measure 2b:** to remain the same 400 Transition Students enrolled in postsecondary education programs or successfully employed.

**Measure 2c:** to increase by 10%. FFY18, 1,725 increase to 1,898 for FFY20. Transition Students receive Pre-ETS.

**Goal 3** to remain the same.

**Measure 3a:** to increase by 15%. FFY18, 523 participated in Supported Employment, FFY19, 684 increase to 786 for FFY20.

**Measure 3b:** to remain the same as goal was not met in FFY19. 166 Successful Employment Outcomes.

**Measure 3c:** No goal set, currently collecting data. Increase success employment outcomes for Transition age students with disabilities (up to age 22) who are SE clients.

**Goal 4** to remain the same.

**Measure 4a:** to remain the same as goal was not met in FFY19. 330 for FFY20. Individuals with Mental Health Disabilities with closed successful employment outcomes.

**Measure 4b:** Individuals with mental health disabilities. Update percentages. Currently 32% with only 3 quarters of the FFY19 reported. A similar rate would be 41%.

**Goal 5** to remain the same.

Mr. Mayes made a motion that the subcommittee recommend to the full council what the recommendations are on the Goals, Strategies and Performance Measures as documented to be brought forth. Ms. bowers seconded, all were in favor, no opposed, none abstained.

8. **SECOND PUBLIC COMMENT**


Mr. Brown asked for any public comment. Ms. John made a public comment stating that VR is have a job shadow day on October 15th.

9. **ADJOURNMENT**

Meeting adjourned at 1:25 p.m.

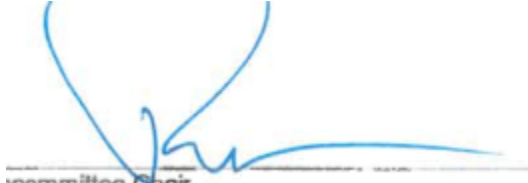
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Javier Fernandez, N.S.R.C. Liaison

**Approved By:**



Bob Brown, Subcommittee Chair

First Public Comment

My name is Steen Cohen, and I am a disability self-advocate. In the event questions arise based upon my comments, I am always more than happy to address questions offline at Steven.Cohen@Alumni.UNLV.edu. Council and Department staff are authorized, effective as of this revision, to share my recently updated cell phone number with legitimately interested parties to discuss any matter herein, with deference to Open Meeting Law requirements, Robert's Rules of Order meeting etiquette, etc.

In Summer 1998, my father took early retirement from an Accounting role in private industry. It was always his dream to relocate to Las Vegas. At that time in my life, we had known I was different than other age-appropriate children since preschool but did not yet have a diagnostic criterion to associate my idiosyncratic behaviors with. We did a thorough investigation of Clark County School District's resources, and ultimately determined that relocating from Central New Jersey to Southern would be a more appropriate decision at that time. It was there that I was formally diagnosed with Asperger's Syndrome, now known in the clinical manuals as Autism Spectrum Disorder, along with several other co-morbid diagnoses, such as Mood Disorder with Aggression, and in the 5 years we spent in Southern New Jersey, the local police department ended up knowing us by name, because we were struggling to cope as a family with this new terminology, which continues to affect all of us almost 20 years later. During the first 3 years, I was verbally and physically aggressive toward those that were closest to me, my parents, attempted to self-harm, and came within inches of being institutionalized for "mental health" reasons. As I entered high school, the disconnect from reality set in when my assigned social worker stated, "We had another Aspie, and they didn't do that," with that representing whatever "behaviors" I was experiencing at that moment in time. In lieu of suing that school district to provide a Free and Appropriate Education, or FAPE, as some educators may know it, we were lucky to have toured an alternative upper middle and high school environment in a suburb of St. Louis, where I ended up spending my junior and senior years. While said school was not where it could have been academically, in handling both local school district and private pay referrals for middle and high school aged pupils, without its robust, near immediate therapeutic model, I may not be here testifying before the Council today. The month after I graduated with "good grades," as some schools justify getting out of their legal responsibilities with, we were finally able to realize my father's dream to move to Las Vegas.

Since relocating to Southern Nevada, with accommodations, I am proud to report to the Council that I graduated with a bachelor's degree in Accounting from UNLV in Fall 2016. I will formally begin exploring the possibility of returning to school for further education in Autism Spectrum Disorders, Intellectual and Developmental Disabilities, and/or Applied Behavior Analysis and/or Special Education Law later this summer. Unfortunately, however, my attempts to "fit in" with mainstream society continue to be an issue, as recently as a few months ago. As an original 700 Hour program hire by Medicaid, I was released from my probationary period without much warning, after having entered the reasonable accommodation interactive negotiation process with the employer. Because most of Nevada's personnel statutes favor permanent employees, I appealed that wrongful termination as a whistleblower, but received a dismissal order less than 48 hours prior to trial, because the original complaint form wasn't filled out properly, or so the Hearing Officer said. I am in the

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process of initiating Federal mediation and settlement of that matter, to protect what I thought would have been a secure livelihood, State governmental employment. While recently passed Senate Bills 31 and 50 (2019) addressed some issues with the 700 Hour Program, and overall State governmental personnel processes, the common courtesies afforded to human beings with and without disabilities have disappeared in the current societal climate. If Nevada, or Las Vegas, will not provide me a sustainable retirement-capable livelihood for what society deems as necessity items, food, clothes, and shelter. As the wildest session in recent memory has unfolded, I have often been reminded of a quote I received as part of my high school graduation present, many moons ago. In part, "Life is not always black and white. Remember to embrace the grey." (Stork, 2006).

While interpersonal communication, as some of us in the room and on the phone remember it, free after 9:00 at night and on weekends, has gotten somewhat lost in the digital age, a few months ago, the nationally syndicated court show "Hot Bench," had a case with a witness with a hearing disability, for which CBS had the financial resources necessary to provide a sign language interpreter, based upon the witness' request. In the course of processing that case via my DVR, I clapped twice, once as Judge Patricia Di Mango expressed the very point that I have been trying to make since January, "Without opportunities for inclusion as a way of life, we may as well be back in the dark ages, when people in protected civil rights classifications, such as disability, could be discriminated against, just for the heck of it." As a long-standing client, when I want to go into Taurus tiger mode, I will utilize these recent experiences to sit on how I'm feeling in the moment for 1-2 business days. In closing the case, the Plaintiff shared this life lesson, which will transition nicely into the theme of my next paragraph. Whether Federal and/or State, systems change doesn't happen overnight. As much time as we have spent fighting over the past decade-plus sympathetic and thankful to Bureau staff, since the implementation of WIOA, Bureau staff's jobs have gotten much more difficult. While not quite person-first, the Plaintiff's take-away was words to the effect of, "Just because someone is deaf, they can still work." Tooting my horn has never been my true style, but, whether Legislatively and/or project-wise, I want to be Nevada's "Nothing About Us Without Us" test case to increase employer understanding of the concept of neurodiversity. In brief, everyone has their own unique gifts, and weaknesses. No human is perfect, even those who claim otherwise. When that dreaded question is asked in an interview, it is done for the employer to gauge a candidate's level of personal development and accountability. Sometimes, people make the same mistake more than once, before the epiphany turns on, and the intended lesson is learned (Section 107 fair use/FOIA request).

Nationally, estimates are that 75% of working age people with Asperger's or another autism spectrum disorder are either unemployed or underemployed. I can only provide the consumer perspective concerning New Jersey, Missouri, and Nevada's available Federally mandated social "welfare" programs, but, without one of the key indicators of a quality of life, competitive, integrated employment alongside people without disabilities, working aged people with Asperger's and on the autism spectrum is left to find other ways to occupy a 24-hour day. Unfortunately, with no 2 people with Asperger's or on the autism spectrum being identical, no "catch all" legislation can possibly meet every family's unique needs. Why this "rough draft memoir" document has been circulated through countless public meetings over the past half-year, and revised multiple times, has equally as much been about the most confusing Legislative session for Nevada policy veterans in recent memory, as to provide other families who have or will walk in our shoes with hope.

Unfortunately, without systems in place which can provide an appropriate quality of life, having been close to that point ourselves, one of these needs often involves the criminal justice system. In everyday life, many times, without the appropriate supports, such as family or close friends, people with Asperger's or autism spectrum disorder will provide a false sense of security regarding the subject matter being discussed, in that they will confirm understanding, when, in fact, they do not understand. In a criminal justice situation, I don't want to imagine the techniques that law enforcement officers have been trained to employ to ensure compliance. With the appropriate societal trainings, people with Asperger's and autism spectrum disorder, and intellectual and developmental disabilities more broadly, can live productive lives, free from the government's interference, whether in the "social welfare" or criminal justice context. As I have continued to dually refine these remarks throughout the past several months I am continually reminded of the traumas I experienced during the darkest 5 years of my life, our time in Southern New Jersey. Bullying is the word that is commonly thrown around in mainstream media, but, to this day, I will be the first to speak out against national attempts to abuse, neglect, exploit, etc. any person with Asperger's or autism spectrum disorder, or intellectual and developmental disabilities more broadly. Imagine, for just a moment, having your neighbor in your small community impersonate another individual, explicitly to torment the "different" new guy in the neighborhood. In conjunction with the below request for cameras in special education classrooms, now is the time for the Legislature to make these traumatic events criminals, from the very beginning. If any individual, governmental associated or otherwise, can traumatize an individual without felonious consequences, they will continue to do so, until someone takes an outspoken stance.

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In conjunction with the unofficial agency public meeting Legislative subcommittees/work groups/task forces statewide, the projects I hope to bring forward during session through Legislative and agency representative collaboration follow below. Some have come up in previous sessions, and/or have already been converted from BDR to either Assembly or Senate Bill. Where appropriate, I have added a historical status parenthetical by each project, to allow senior Legislators and/or agency staff an opportunity to locate or request historical information, which is often available via NELIS.

- 1) An additional appropriation for the Bureau of Vocational Rehabilitation, or BVR for short, to meet its Federal mandate to provide transition services from local public-school systems to “real life”
- 2) An appropriation to create State, city, county, and private industry employment opportunities for young adults with intellectual and/or developmental disabilities, known to consumers and Vocational Rehabilitation staff as the 700 Hour program, with a focus on customizing opportunities for young adults with autism spectrum disorder {700 Hour program - AB 192 (2017) and SB 50 (2019), SB 202 (2019); amended out}
- 3) A thorough review of the State Personnel and related statutes to ensure that protections exist appropriately for protected Federal civil right class individuals, which would include candidates with intellectual and/or developmental disabilities {700 Hour program - SB 202 (2019); amended out}
- 4) A joint resolution urging Congress to end the business practice of sub-minimum wage environments, previously known to senior Legislators, people with intellectual and developmental disabilities, and service providers, as sheltered workshops {700 Hour program - AB 192 (2017) and SB 50 (2019)}
- 5) A quality assurance review of the case management models deployed by the Department of Health and Human Services and Vocational Rehab to determine whether duplicity exists, and whether agencies may be able to consolidate/share case management personnel, etc.
- 6) An appropriation increasing the Registered Behavior Technician and related Medicaid service reimbursement rates, to reduce the waiting list of families for early intervention through young adult Applied Behavior Analysis services
- 7) An additional appropriation for the Autism Treatment Assistance Program, to permit for transitioning young adults from high school to “real life” to have a seamless transition from ATAP case management to Vocational Rehab and/or the geographically-appropriate Regional Center (Discussion has been occurring at least since 2014)
- 8) Functional cameras in special education classrooms, which can speak for those students with intellectual and/or developmental disabilities who may have limited functioning capabilities, and cannot say words to the effect of, “Parent, Johnny hurt me today, and here’s why.” (Currently SB 109)
- 9) A standard operating protocol concerning like-minded Gubernatorial appointments (See NRS 427A.
- 10) Regular training for all personnel Statewide who may interact with people with autism spectrum disorder, as well as intellectual and developmental disabilities more broadly, as well as technological investments in ensuring that interactions with people with autism spectrum disorder, and intellectual and developmental disabilities more broadly, are as smooth as possible. For example, it has been my long-standing understanding that the Metropolitan Police Department’s dispatch system is too old to allow for any autism spectrum disorder and/or intellectual and developmental disability information to be kept on file, for families who may regularly interact with law enforcement; by contrast, Northern Nevada has already been retaining this information for several years (School District training passed via SB 225 during 2017 session; community law enforcement training is currently AB 129)
- 11) An additional appropriation for the State to meet its Federal mandate to provide a free and appropriate education, or FAPE for short, to students with autism spectrum disorder, and intellectual and developmental disabilities more broadly, pursuant to the recent U.S. Supreme Court decision in *Endrew F. vs. Douglas County*, as well as the historical U.S. Supreme Court decision in *Olmstead vs. L.G.* (
- 12) An additional appropriation for the Autism Court

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- 13) A bill of rights related to the criminal justice system for people with Asperger's and autism spectrum disorder, as well as intellectual and developmental disabilities more broadly, including those persons who may not be able to communicate effectively
- 14) An appropriation to increase the minimum wage for direct support professionals who are certified through an agency, and largely paid by the geographically-appropriate Regional Center and/or Medicaid to provide independence skill development services to young adults with intellectual and/or developmental disabilities
- 15) An appropriation to or programmatic restructuring of the Aging and Disability Services Regional Centers and Medicaid, ultimately increasing the Home and Community Based Waiver, Supportive Living Arrangement, and Jobs and Day Training reimbursement rates
- 16) An annual Audit Division reporting of unduplicated caseload statistics concerning the Home and Community Based Waiver, Supportive Living Arrangement, and Jobs and Day Training, Rehabilitation, Employment Security, and programs
- 17) A joint resolution urging Congress to permit people with intellectual and developmental disabilities to exercise the same rights as people without intellectual and developmental disabilities, without risking their benefit eligibility (e.g., marriage)
- 18) An appropriation allowing for additional per-account holder savings in Achieving a Better Life Experience accounts
- 19) An appropriation to continue the Money Follows the Person program operations
- 20) An appropriation to transition Money Follows the Persons' positions from grant-funded to State-funded (Concept currently continued for 3 months by recent Congressional vote; status beyond 3 months unclear due to recently-suspended Federal shutdown)

People with autism spectrum disorder, as well as intellectual and developmental disabilities, are people first. Thank you for your consideration, and I look forward to working with relevant parties during the interim. Some of these subjects have been passed previously, but need improvement and/or protection, and some are newly conceived, or requested for review for the first time in many years, per the available Legislative historical functions available. I hope that the highlighted relevant subjects and narrative has been informative to the Council. I thank you for your time, and welcome any questions at my contact information provided at the beginning of these prepared remarks.