

Meeting Notes

March 14, 2019
Iowa DD Council Meeting
700 2nd Avenue, Suite 101, Des Moines, Iowa 50309

Members Present:

Kristine Dreckman
Robert Fisher
Jean Willard
Rick Samson
Roxanne Cogil
Drew Manatt
Jennifer Olson
Al Fagerlund
Kelley Rice
Brian Majeski
Brian Wines
Kittie Hedderich
Hugh Kelly
Thomas Mayes
Kristen Aller
Jane Hudson

Members Absent:

Jason Goulden
Jen Jacob
Elyn Holton-Dean
John Kleigl
Russell Wood
Judy Warth

Staff Present:

Lindsay Leonetti
Brooke Lovelace
Rik Shannon

Visitors: Matt Buley, Marsha Fisher, Julie Adams,
Ceci(with Reach for Your Potential) Connie
Fanslow

Call to Order: Dreckman called the meeting to order at 10:30 a.m. Attendance was taken by introductions and a quorum was present. Motion to approve the January 10, 2019 Meeting Minutes and the January 10, 2019 Executive Committee Meeting Minutes by Kelly, Samson second. Motion passed.

Executive Committee Report: Dreckman gave an update about the events in the Executive committee meeting. First order of business was to form an Election Committee to develop a slate of candidates who will run for the Executive Committee (Chair, Vice Chair, and member at large positions). Dreckman asked for volunteers to be on the Election committee which will be responsible for determining how to run an election, discuss job responsibilities with candidates. The election will take place at the May 9, 2019 meeting. Drew Mannatt and Robert Fisher volunteered to be on the election committee.

Several Council members' terms will be coming to an end, and some are ending their first terms. Council Staff will reach out to members whose terms are ending and are eligible to reapply.

Sheryl Matney with Information & Technical Assistance Center for Councils on DD (ITACC) will be visiting for the Council meeting in May. The Executive Committee put together some items that they would like to discuss such as council engagement and recruitment, new guidance on finances and budgeting, as well as the procedures for making better use of meetings and meeting time.

Lovelace gave an update on a new possible project with new project with Disability Rights Iowa (DRI) and Center for Disabilities and Development (CDD) starting in August of 2019. This is a mentoring pilot project with people who have lived in an institution or have been involved with Money Follows the Person (MFP). This project would train them to be mentors and/or provide some options counseling to people currently living in a facility and helping them transition out. In the May Council meeting, a budget will be presented to the Council for approval and vote to move forward. The contract will be with CDD.

Dreckman explained that the Executive Committee approved a proposal from Visionary to make some changes to and update the DD Council website. This project is under \$5,000 and Council staff will move forward with this project.

Bylaws and Mission Statement: Bylaws were distributed in February 2019 via email to Council members with some proposed changes that the Executive Committee had recommended. Lovelace went through the bylaws with the proposed changes. Changes proposed are as follows:

- The Purpose was shortened – was not changed in substance.
- New Section: Duties of Council Members was added.

- Added information about how the Council elects the executive committee and the formation of an election committee.
- Added additional and clarified the duties of the executive committee. Specifically about recruitment of new members, giving the executive committee the power to approve council expenses of \$5,000 or less, monitor financial statements, review requests for proposals and special projects and make recommendations to the full council, recruit new Council members, and assist with orientation of new members and also review website.
- Added portion stating that the Executive Committee Chair will serve as the Past Chair of the Executive Committee if they still serve on the committee.
- Added that the newly elected Chair or the Vice Chair must have served on the Executive Committee in the past.
- Added section giving the Executive Director the authority to be able to approve conference sponsorship up to \$1,000.
- Added language that the Bylaws must be reviewed at least every **five** years by the full Council.
- Added language that members must attend meeting in person. Hudson asked if this precludes someone from attending via telephone as a reasonable accommodation. Lovelace commented, yes, it does. Dreckman noted that the committee discussed this at length, and determined that it's difficult to run a successful meeting without in person attendance, so the Council has tried to provide reasonable accommodations in other ways such as assisting with transportation. Dreckman also stated that part of being a Council member is to be able to attend meetings in person. Hudson asked that this be modified and voted upon, because as a State Agency we must provide reasonable accommodations upon request. Schneider noted that the Council is to listen to all of the proposed changes, and before we have a final vote, discussion will be open to the full council on any changes or amendments. Then after the changes and amendments are made, then the Council will go back and vote on the bylaws as a whole. Cogil asked if the Council would provide money for a cab ride if someone lived across the state and could not find other transportation. Lovelace said that we can pay \$0.39/mile and we also have the ability to pay for trips within reason. Leonetti added that we try to explore other means of travel such as ride share, before we would pay for a cab fare. Dreckman noted that in the past we have paired up council members who live near each other, and we work through these on an individual basis, because it is difficult to accommodate everyone while on the phone. Aller noted that she has been on other State boards where they use microphones. Lovelace noted that since we do conduct business on the DHS network, and we are limited because of that, and we would have to consider cost of equipment, and services such as Zoom and GoTo Meeting, which also limits certain people because of the availability of the technology that Council members would have. Dreckman recalled that last year, the Council had tried to do a couple of meetings via conference call, and there were a lot of complaints about it, and a lot of Council members felt that they could not participate, and that it is difficult to balance everyone's needs and still have a successful meeting. Willard said she appreciated this conversation, and that she does work with an agency where a lot of business is conducted via teleconference, and she said its difficult to feel like you can participate, and noted that it's important to work through this because there are exceptional circumstances for people with disabilities. Schneider made the suggestion that perhaps we should form a reasonable accommodation committee to examine this. Hudson reiterated that if someone requests a reasonable accommodation, the council should provide that, and cost should not be a factor. Dreckman said that council will need to examine what constitutes a reasonable accommodation. Is it someone who cannot get a ride for a meeting? Anybody who had a schedule conflict? If we do have people who request a reasonable accommodation, do we need to switch the entire meeting to a phone conference? Hudson said that the law states that we need to give an equal opportunity to participate in the benefits of the council and the only defense is undue financial hardship. Aller stated that weather should count. Lovelace stated that if weather is an issue, Staff or the Executive Committee will cancel the meeting. Kristine proposed that we move forward and finish the rest of the proposed changes to the bylaws, and council agreed. Lovelace asked the council if they have had sufficient time to review that changes and vote on the changes. Lovelace went over the proposed changes again for further clarification.

Willard inquired about the *Section II, B. Council members shall: Hire, support, supervise the Executive Director*. Willard asked if this was a new section or something we must now abide by. Dreckman and Lovelace explained this is the full Council's responsibility, and it more a change in practice. Hudson proposed adding the language "and terminate...." And also adding "recommend". Dreckman proposed the following change: "*Support, supervise, and make the recommendation to hire or terminate the Executive Director*" Aller moved to approve this change, Olson seconded. Motion carried.

Schneider motioned, and Fisher seconded to approve the remainder of the changes discussed except for the meeting attendance section (Article VII Section IV). Motion carried.

Dreckman asked the council if anyone had any ideas on how to move forward with the attendance policy portion. Hudson made a motion that we follow the Americans with Disabilities act in regard to attendance. Schneider seconded. Willard commented about Schneider's earlier suggestion about forming a reasonable accommodation committee to determine requests. Hudson amended her motion to state that we follow the Americans with Disabilities act and if there is someone who requests a reasonable accommodation, that it will be considered by a reasonable accommodation committee. Kristine suggested that instead of forming a new committee that the Executive Committee or DD Council staff could make determinations. Hudson said that the Executive Committee has demonstrated that it is against providing reasonable

accommodations so she would like a different committee. Dreckman said that this perception is unfair, and doesn't want to get combative. Hudson stated that she made her motion. Willard asked if there could be guidelines, so it would be clearer what a reasonable accommodation is. Mayes noted that as a public meeting, we are subject to the open records law, and if an entire meeting is going to be held via teleconference, how is the public going to participate? Mayes continued by saying that there might be non-disability reasons to have a meeting telephonically or via ZOOM and there are outside factors that should be considered. Hudson repeated her motion: The attendance policy follow the Americans with Disabilities act in regard to attendance, and that the entire council appoint a 4 members reasonable accommodation committee to consider requests. Rice seconded. Schneider suggested that we instead have a committee made up of an odd number. Hudson accepted this amendment, and changed 4 to 3 committee members. Cogil wanted to leave language that was in the original amendment about "in case of emergency or unusual circumstances. Cogil went on to add that she believes that it should read "Council members *are preferred* to attend meetings in person" instead of "must". Dreckman noted that this language is moving away from reasonable accommodation language. Willard noted that unusual or emergency situations are moving away from reasonable accommodation request language. Aller asked that if she does not have a ride – because she cannot drive- that she can request a reasonable accommodation. Hudson said yes. Dreckman suggested that we put the proposed language in black and white to be written down so that everyone understands what the council is voting on. Hudson wrote down the proposed change to this on paper so that everyone could see and understand. Proposed change would read "Members are encouraged to attend meeting in person, however, members with disabilities may request a reasonable accommodation at least 24 hours before the meeting if they cannot attend meetings in person. Every year the council shall appoint 3 members to evaluate requests and decide whether the persons will receive the requested accommodations." Cogil questioned if 24 hours was enough time to evaluate. Aller suggested 3 days, and Hudson accepted the change. Dreckman noted that is this reasonable accommodation committee is elected at the same time as we elect other members, that we will then need to go back and change that portion of the bylaws that had already been approved, and we will need to go back and amend that. Wines suggested that we keep the word "must" because it applies to members of the committee without disabilities, who must attend all meetings in person. Fagerlund and Majeski noted that members of the Council are required to attend meetings in person, as required by Federal Law. Dreckman suggested that we have had a lot of discussion and Hudson now has proposed language ready for a vote: "Members must attend meetings in-person, however, members with disabilities may request a reasonable accommodation at least 3 days before the meeting if they cannot attend meetings in person." Cogil seconded. Motion passed

Dreckman made a motion to add this new subsection after the attendance paragraph explaining that the reasonable accommodation committee shall be elected annually, in the same time and manner as the executive committee. Fisher seconded. Motion passed.

Mission Statement: Schneider went over the Mission Statement and explained that we started off with about 6 examples, and then narrowed it down from there. Two recommendations to vote on:

- 1) To advocate with and empower persons with developmental disabilities to live a life of their choice as an engaged and equal community member.
- 2) To create change for persons with developmental disabilities so they can live, work, learn and play in the community of their choosing.

The council did not have questions on the two choices. Schneider motioned that we adopt #2. Aller seconded. Willard suggested that "create change" be replaced with "assure change". Mayes added that he preferred the first one because "persons with disabilities" is the subject (rather than the object) of the sentence. Schneider noted that he disliked the word empower because that implied that people with disabilities have no power and we are giving it to them. He went on to say that people with disabilities already have power, we are not empowering and it signals that we are giving them power. Fagerlund commented that he likes the simplicity of the wording and this option is easy for all people to explain what the Council does, and is more clear and more easily understood by all people. Mayes suggested amending #2 to read " To create change with and for." Cogil said that her problem with #2 was that when there are barriers to creating change, the barrier is usually funding. So is the DD Council creating funding? Schneider accepted Mayes' friendly amendment so the proposed Mission would read "**To create change with and for persons with developmental disabilities so they can live, work, learn and play in the community of their choosing.**" The motion passed by majority (Rice opposed)

Public Policy Update and Discussion: Shannon gave an update on legislative priorities. The first funnel date was March 8, 2019 for the legislature. Several pieces of legislation did not pass through the funnel and are now ineligible for consideration this session. Legislation that did make it that pertains to the DD Council's policy priorities are as follows:

- The DD Council's first priority, *Establish a stable, long-term funding stream for the Regional MHDS system.* House File 691 changes the rates that counties may reserve for cash flow, which provides some additional flexibility and funding for new required core services, but it does not adequately address the issue of the long-term sustainability of funding for the regional MHDS system.

- Priority #2: Adequately fund and administer a state Medicaid program that ensures access to an array of services for Iowans with developmental disabilities. Shannon stated that there are at least 5 bills that proposed significant changes to the privatized Medicaid system, but none of them made it past the funnel date.
- Priority #3: *Implement development of a statewide Children's Mental Health system that continues the recommendations from the Children's System State Board Strategic Plan submitted to the General Assembly on November 15, 2018.* Two pieces of legislation, HSB 256 & SF 479 that were introduced based on recommendations by the governor's office remain eligible for consideration. This does make changes that were recommended by the strategic plan and implements new service requirements such as crisis services. Neither of these bills includes an appropriation to fund the new system but Shannon reported that may appear in other legislation.
- One additional bill of note was Senate File 575, an election bill that includes provisions that may negatively affect the accessibility of elections for people with disabilities by shortening polling place hours and making changes to absentee balloting and opportunities for satellite voting.

The Revenue Estimating Conference will meet on 3/14/19 and Shannon expects budget discussions to begin following that. Shannon encouraged the Council to make use of InfoNET, check Facebook for updates, and connect to the monthly public policy calls hosted by the Council.

Lovelace provided update on some federal legislation. Autism Cares 2019 – this will reauthorize Autism Cares Act that will expire in September 2019. This bill helps expand research and coordination, increase awareness and encourage public awareness of people with Autism. Iowa Reps have not sponsored this as of right now. Mayes inquired about the breakdown of partisan support for this. Lovelace thought it was bipartisan.

Lovelace talked about Able Age Adjustment Act Senate File 651. This allows certain individuals with disabilities the opportunity to save resources in a tax advantaged savings account (an ABLE account) which can cover disability-related expenses. They are trying to increase the age for eligible account-holders from 26 to 46.

Also, the Disability Integration Act which allows people to receive services in their home. There is a handout provided in the meeting packet that provides more information.

Wines talked about the MFP Extension program passed which extends the program for another 3 months. They are going to start taking new referrals through the end of 2019 and 2020. They are also going through the waitlist, and helping them transition as well.

Hudson said that the DD Council members may want to consider meeting with their Congressional delegates to share their support for these bills. Hudson made a motion that the DD Council adopt a position of support for the Autism Cares Act, Able Adjustment Act, and Disability Integration Act. Dreckman asked for clarification, and asked if there should be a letter written in show of support? Hudson replied yes, DD Council Staff should write letters to our Senators and Representatives stating support for those bills, and requesting meetings as well. Schneider seconded. Motion passed. Lovelace stated that she is scheduling meetings with legislators when she is in DC in April. Hudson asked for volunteers on the council to meet with lawmakers. Aller volunteered. Cogil suggested talking points to help member talk to lawmakers. Jane volunteered to help set up the logistics of a group visit with our reps. Shannon suggested using the InfoNET Grassroots Action Center as well for helping to create change and interact with legislators.

Financial Update: Lovelace updated the Council on Financial Status. Lovelace noted that the personnel costs may go over the budgeted amount because past administrative assistants were not full time. However we may be able to use 2018 funds to cover this. Conference sponsorships were given to Iowa Braille and Sight Saving School, and will be given to the Parent Empowerment group. Sheryl Matney will be visiting in May for the Council meeting and will be able to better explain why we have to use the different awards for certain costs.

Iowans with Disabilities in Action Update: Till went over the annual survey report that was done by Capture Marketing. 312 respondents out of over 9400 sent out. Hudson inquired about the next steps after the survey. Till shared that the State Sweep was going to be starting. 2 events already scheduled to come to communities and chat about what individuals need, what is good, and what can be worked on. Also, while there, they will be scheduling meeting with providers and stakeholders to develop a relationship that is beneficial to individuals with disabilities.

Till, along with the Council, are working on scheduling a free screening at Drake of the "Intelligent Lives" movie, possibly at the end of April. The screening will be offered as part of the State Sweep, and they partnering with Community Colleges to make this happen. Lovelace stated that they had a synopsis of Intelligent Lives in their handouts and encouraged council members to attend once we have a date set and we can reimburse travel.

March is DD Awareness month and numerous campaigns are underway on social media and the website.

Advocating for Change day is April 10. We already have 140 individuals. Training will take place in DSM at Wallace Building and then head to the capitol to meet with and chat with their legislator. Registration is available online.

Local Capitol Day Grants are available for providers or organizations to sponsor a day at the Capitol. Information is on the Iowans with Disabilities in Action website. There is a short training, and then groups will go to the Capitol to talk with legislatures.

Projects/Priorities Update: Vocational Rehabilitation Project. The Council is supporting customized employment training taking place in Story, Marshall, and Boone County. The kickoff meeting was last week, and the training will start next week with providers to train on customized employment. Each provider is working with three individuals. Part of the project is to also see if the individuals were able to obtain employment after the project. Hudson asked who the providers are that are participating. Lovelace stated that she knew Genesis, Progress Industries and Goodwill were. She will send out the complete list to the member. Lovelace believes that Vocational Rehabilitation will want to extend this for an additional year in a different area of the State.

Shannon gave a short update on the Iowa Department of Human Rights projects. The first, the 2020 Data Report, will fund the development of a report that will provide data about underserved populations, and look at key indicators of success for individuals, including persons with disabilities, within those populations. The second of the projects involves the development of a Talent Bank that, when completed, will provide opportunities for members of those under-represented populations to communicate their interest and qualifications and to become a formal part of decision-making processes by serving as members of state and local government boards and commissions.

Website update: Cogil updated the Council on the efforts of the website committee to update the DD Council website. The committee looked at other Council's websites, and determined what needed to be changed. Some of the changes will be making the site more accessible to people who have sight impairments by incorporating screen readers, and also making the website mobile friendly, better organized, and keeping the content updated and pertinent. Cogil asked the Council if they had any other suggestions. The Executive Committee approved the cost for this today and work will begin soon.

Council Member/Staff updates: Willard stated that Title V will be starting a needs assessment, and she may be in contact with the DD Council for information. Cogil shared that May 23, 2019 is the Iowa Transportation Summit, and people with disabilities are encouraged to attend.

Public comment: None

Survey: Dreckman encouraged the Council members to fill out the surveys, and if they need assistance to let someone know. The answers will be used to help improve the meetings.

Meeting was adjourned at 2:05.