

Florida Rehabilitation Council

Andy Houghton, Chair

TEAMS Meeting Minutes-September 13, 2023

Members:

Andy Houghton, Brent McNeal, Delaina Parrish, Darlene Laibl-Crowe, Matti Wieczorek, Allison Klein, Christopher Romero, Matt Motko, Jose Morales

VR Staff:

Kim Thomas, Roy Cosgrove, Derrinita Walker, Libby Moody, Kathy Davis, Victoria Aguilar

Guests: Tess Crowder, Nicholas Cleary, Howard Bell

The following represents a summary of deliberations, advice, comments and motions that comprise this FRC meeting/Teams call.

Call to order-Quorum established

The council approved the agenda, action items and 8.8.23 and 9.6.23 minutes.

Florida Sunshine Law-Nicholas Cleary, DOE General Counsel

Nicholas discussed that the Sunshine Law protects the public from closed-door decision making and provides a right of access to meetings of public bodies. It applies to any meeting of 2 or more members of boards or commissions of any state agency in which there is discussion on matters that may come before the board. The four requirements are:

- Meetings must be open to the public.
Meetings include communication by phone, virtual meetings, texts or emails. Members can meet outside of the meeting but may not discuss matters that may come before the board. Meetings cannot be held in a place that discriminates, is not accessible or charges to attend. Communication between 2 members triggers the law. A member cannot use someone else as a conduit to communicate with another member and staff must not convey opinions from one member to another. Members cannot collaborate on a presentation if it may result in a matter coming before the council; disseminating information only is fine. It is ok to send something to a council member as long as they don't communicate back until the next public meeting.
- Minutes must be recorded.
Written minutes must be promptly recorded and available for public inspection.
- The public must be given reasonable notice that the meeting will occur.
Reasonable notice of meetings must be provided at least 7 days prior to the meeting so that the public has an opportunity to attend.
- The public must be given a reasonable opportunity to be heard.
Members of the public must be given a reasonable opportunity to be heard on a proposition before the board takes action.

Consequences for violations, including criminal penalties, can be incurred. Florida's public records law contains a right of access to public records and includes all materials made, sent or received to conduct business, e.g., documents, emails, recordings, etc. The focus is on the content; not the form or medium. Personal notes, not circulated, are not considered public records; however, minutes shared, even in draft form, are. Confidential records cannot be released to anyone. Public records must be provided upon request and must be maintained for specified periods of time, prescribed by statute. Personal devices shall not be used to conduct council business; public devices cannot be used for personal reasons. Material can be found in the "Government in the Sunshine" manual at www.myfloridalegal.com.

Regarding ethics:

- Members cannot accept gifts or anything of value if it could influence a council vote. It is always best practice to decline.
- Members cannot use their position on the council for a special privilege or benefit. It's always best to err on the side of caution; Brent agreed with the conservative approach.

General Council Business

Membership update: Andy reported that an individual submitted an application to the Governor's office. If any new members haven't joined committees, reach out to Roy/Kim.

Proposed new meeting format: The council approved eliminating full council meetings in between quarterlies and maintaining existing committee schedules. Committees will report out at the quarterly. The Director's Report will occur at 11a.m. The new process will take effect in 2024.

FRCB October meeting: Jose volunteered to attend, either in-person or virtually.

Client Assistance Program (CAP) referrals: Christopher discussed that eligibility determinations and Individual Plan for Employment (IPE) development is a collaborative process and one in which conflicts may arise. When a consumer faces conflict and requests help from CAP, the clock is still ticking (60 days-eligibility determination; 90 days-IPE development), so the consumer is pressed to move forward or have their case closed and an extension may not be suggested. He asked, 1. How are staff are educated about the issue; 2. Is there data outlining cases in which CAP was involved and the outcomes; 3. Do we understand why CAP was activated and can the data be used to make recommendations to improve the VR onboarding process; 4. How can communication between CAP and DVR be better mediated in those cases.

Brent said he is pleased with the relationship between VR and CAP. They have instituted quarterly meetings between the agencies, which have been productive and positive. He said he would devote VR resources to look into the issue. Allison agreed and said she and Howard Bell have been meeting with Area Directors and counselors in order to improve the relationship. If there are priority issues, clients should let CAP know there is a deadline so they can respond timely. She said they've had cases in which they feel they've been pushed but she doesn't feel it's a systemic issue. She will continue to provide data on the areas of concern at the meetings. Christopher would like more information on the relationships between the customer and counselor. He feels that customers don't know to ask for extensions and counselors may not be

trained to offer them. Brent thanked Christopher for bringing up the issue and said counselors should be letting people know about agreed upon extensions; he will propose to improve training in that area.

2024 Calendar: The council approved the draft 2024 calendar. Delaina asked if there will be special presentations from HQ staff at the February 7th meeting. She also suggested holding a brainstorming session to make sure the council is focused ahead of the year. Andy said the morning of the 7th could work. The meeting could also be combined with FRCB at some point. A poll on availability will be conducted. Brent had no concerns.

Customer Feedback Survey (CFS) statements included in the SRC section of the State Plan: Libby discussed that the State Plan includes a section with previous survey data which are no longer included in the new survey and she is recommending statements to replace them in the new State Plan. The question was tabled until the October meeting.

Evaluation and Planning Committee-Andy Houghton, Acting Chair

State Plan Materials: Members are encouraged to review all the documents, particularly the Aug. 23_FRC SP Recommendations Worksheet which includes the council's recommendations from 2022 and the agency's responses in April '22 and Aug. '23. Andy discussed how important it is to review the materials ahead of time so the council can decide whether to keep, modify or delete the items or if there are any new items the council wants to recommend, e.g., the issue that Christopher brought up. Andy encouraged all to come to the meeting with something that's important to each member.

Legislative and Public Awareness Committee-Andy Houghton, Acting Chair Quorum established
Business Outreach: Tabled until the next meeting.

Annual Report Topics: The annual report is a requirement in statute and is submitted to required reports by Dec. 30th of each year. It's included in legislative packets and is increasingly used as a marketing piece. Derrinita discussed that a cover was approved for the report, #4, which got the most votes by the council. She said the completed draft will be provided in October. Derrinita tasked the council with reviewing previous articles in the report and deciding whether to update them or report on new items. A "why" statement could go in for the draft in October. Delaina suggested a self-employment article could be added with statistics and a success story about a disability-owned business; also a visual timeline of the VR journey. Andy asked if AWARE or the ArtCIE grant should be included and Derrinita said those would be on the VR side. She suggested removing the REACH Act article because there's not a lot of new information and adding Adult Project SEARCH. Project SEARCH decision will be deferred until October. Darlene asked if a success story could be included about how a case can be resolved after it doesn't work out the first time and Derrinita said she would see if they have a job retention story that could be used. The council approved including an article on self-employment, statistics on disability owned businesses, a timeline of the customer's VR journey and a success story on an entrepreneur with a disability; also, removing the articles on the REACH Act and Order of Selection.

Constant Contact Article: Delaina suggested hyper-linking key terms for additional information, e.g., Customer Satisfaction Survey and Annual Report for the February Constant Contact article. The council approved Article 2 for the February mailout.

Public Comment: None

Adjourned