

THE GOVERNOR'S ADVISORY COMMITTEE  
FOR PEOPLE WITH DISABILITIES

**MEETING MINUTES**

November 29, 2018

Location: PA Department of Education's Heritage Room  
333 Market Street  
Harrisburg, PA 17126

Members in Attendance:

Margie Austin	Ellaheh Otarod
Frank Bartoli	Stephen Pennington
Charles Giambrone	Roseann Polishan
Sarah Goldstein	Peri Jude Radecic
Michele Hammersla-Quick	Terry Roth (Chair)
Elizabeth Hill	Madelaine Sayko
Mary Jones-Furlow	Katherine Seidl
Lynn Keltz	Rev. Sally Jo Snyder (Vice-Chair)
Ken Oakes	Heidi Tuszynski

Absent Members:

Rodelyn Alcidonis (Excused)	Jessica Molczan (Excused)
Josie Badger (Unexcused)	Tim Moran (Excused)
Everett Deibler (Unexcused)	Shirley Walker (Excused)
Kim Doan (Excused)	

Representatives of the Governor's Cabinet for People with Disabilities:

Dept. of Aging: Amanda Black  
Dept. of Banking & Securities: Becky MacDicken  
Dept. of Community & Economic Development: Autumn Anderson  
Dept. of Education: Keith Focht  
Dept. of Human Services: Tara Williams  
Dept. of Labor and Industry: Melissa Hawkins (ODHH), Cindy Mundis (OVR)  
Dept. of Military and Veterans Affairs: Richard Hamp  
Dept. of State: Norman Bristol Colon, Elissa Dauberman, Sindhu Ramachandran, Rachel Boss  
PA Housing Finance Agency: Roberta Schwalm  
PA State Civil Service Commission: Paula Marinak  
Governor's Policy Office: Samantha Koch

Also in attendance was Devon Grant, Executive Director.

### Welcome and Call to Order

Executive Director Devon Grant called the meeting to order. Members and guests then introduced themselves.

### Review and Approval of May 25, 2018 and September 7, 2018 Minutes

After confirming no comments or corrections to the draft of the May 25, 2018 minutes previously distributed to the members, **Peri Jude Radecic made a motion to approve the May 25, 2018 minutes, and member Charles Giambrone seconded the motion. The motion carried unanimously.**

After verifying a correction to the September 7, 2018 draft minutes and confirming no other comments or corrections to the September 7, 2018 minutes, **Charles Giambrone made a motion to approve the September 7, 2018 minutes, and Ken Oakes seconded the motion. The motion carried unanimously.**

### Presentations and Feedback

#### **Voting Update:**

Gabe Labella, Disability Rights Pennsylvania (glabella@disabilityrightspa.org, 215-238-8070 ext. 218), attending today's meeting by phone, provided an overview of the advocacy work taking place as it relates to voting and people with disabilities. She addressed issues such as voting technology, voter registration, security, accessibility, and absentee ballots. We want to make sure that voting security doesn't come at the expense of individuals with disabilities. We want to make sure that the rights of individuals with disabilities to vote privately and independently are protected. We have worked well with the PA Dept. of State as part of their stakeholder workgroup. The Dept. of State has reached out to the disability community to test voting machine accessibility before the machine is certified by the Dept. of State. The ACLU has filed a lawsuit challenging PA's absentee ballot rules as unconstitutional. The election day hotline received a few calls around accessibility of polling places.

Elissa Dauberman (edauberman@pa.gov, 717-787-1515), Rachel Boss (rboss@pa.gov, 717-265-7635) and Sindhu Ramachandran (sramachand@pa.gov, 717-525-5743) from the PA Dept. of State then provided updates on the Pennsylvania Online Voter Registration Web Application Programming Interface, poll workers, and accessibility testing of voting machines.

Elissa Dauberman first discussed the Pennsylvania Online Voter Registration Web Application Programming Interface (API), which is a secure interface between the Dept. of State's voter registration system and the various systems of voter registration agencies under the National

Voter Registration Act (NVRA) that are required to offer voter registration. Since November, 2017, nearly 8000 individuals have submitted voter registration applications through Web API. Currently, only the departments of Human Services, Health, and Labor & Industry, are certified to use Web API. It takes approximately three months for an agency to register and each agency must develop its own interface. Agencies can register affiliates to use the same interface; for example, the Dept. of Education could develop the interface and register individual school districts as affiliates. Currently, agency participation is voluntary.

Steven Pennington recommended the registration application service system be adopted or incorporated throughout the state agencies.

**Steve Pennington motioned that he be given the authority on behalf of the Governor's Advisory Committee for People with Disabilities to contact the Governor's Office of Administration (OA) to look into the issue of whether or not it is prepared to include Web API within the general template for all state agencies, and further, Mr. Pennington will have this done before the next meeting of the Governor's Advisory Committee for People with Disabilities, and in anticipation of a response, invite someone from OA to attend the next meeting. Charles Giambrone seconded the motion. All were in favor and the motion carried.**

Next, Rachel Boss discussed the recruitment and retention of poll workers. The Dept. of State has an election stakeholder group that meets quarterly. Both Gabe Labella and Devon Grant participate on this stakeholder group. There are two workgroups within the stakeholder group. One of the workgroups is focusing on poll worker recruitment and retention, and developing recommendations that would include legislative changes. One of the specific issues to be addressed is poll worker training, especially in regards to assisting voters with disabilities. It was reported that the training video developed previously with input from the Governor's Advisory Committee for People with Disabilities is still available on the Dept. of State's website.

Rachel also reported on the Dept. of State's Language Access Plan. The Governor's office has been looking at how to make sure agencies are adequately providing channels to communicate for people who may speak languages other than English, including American Sign Language, or have low literacy. The Governor's office convened a workgroup over the past two years to come up with guidelines for agencies to use to develop a language access plan that lays out what steps the agency will take to ensure language access. It also includes a variety of legislation. The Dept. of State is the first state agency to develop its own Language Access Plan. The Dept. of State is hoping to have a draft plan ready in January to present to the Governor office workgroup. Liz Hill commented that the deaf community would prefer, when possible, to have direct access and communication rather than only through an interpreter. For example, it is better to have a poll worker who uses sign language rather than having to communicate through an interpreter. Rachel then explained that plain language principles help to address some of the issues that individuals with low literacy may face regarding written materials. For example, public facing documents should be written at or below eighth grade reading level.

Next, Sindhu Ramachandran reported on the Dept. of State's voting machine accessibility testing efforts. All 67 counties are required to replace their current voting machines. The Dept. of State is testing new machines prior to certifying them for use by the counties. As technology has changed the newer machines have better accessibility better accessible options. The accessibility testing team is a unique team with three specific skills. There is an accessibility expert who is an expert in assistive technologies, a usability expert who is actually expert in software usability, and an election expert. The testing also involves three steps: The testing team use the system find out what they should watch for when testing the system, then voters are invited to use the assistive devices by voting a general ballot like they would on Election Day and then giving feedback, and then individuals who manage the systems on Election Day test the machines to make sure that they can deploy the machine for voters who use the accessibility devices. The accessibility report is then provided to the manufacturer so that any needed changes can be made prior to certification and use in an actual election. So far, four systems have been tested. The great news is that all the voters that came for the testing were able to work independently and privately, even though they did identify some issues. However, everyone commented that the new machines are far better than the machines in use today.

Peri Jude Radevic then thanked the Dept. of State for all the work that they have been doing, and the inclusion of people with disabilities in testing the machines. Also, for holding strong on the issue, of accessibility, and not succumbing to the pressure of those who just want a paper ballot without the accessibility features. It is important to note that the Dept. of State is insisting upon the accessibility features for our communities. Also, for how the Dept. of State has remained calm in the face of some hysteria out there that the elections are hackable. Pennsylvania has no incidence of any county having a machine that's been hacked. We have to make sure we also deliver the message that our elections have not been hacked and that our Secretary of State and the staff are doing an incredible job of insuring secure elections for us.

**Employment First Act (Act 36 of 2018) Update:** Samantha Koch (sakoch@pa.gov, 717-772-9005), Governor's Policy Office, provided an update on the status of implementation of the Employment First Act. The Employment First Act passed unanimously in both chambers, which was a huge accomplishment, the Governor signed the Act in June of this year, and the Act went into effect in August. It includes a number of different deliverables that are spearheaded by two different groups that's are established and codified within the legislation. The first is the Governor's Cabinet for People with Disabilities, which is similar to the cabinet established in the 2006 executive order, but is now permanent under the Act. In addition, the Act establishes an independent Employment First Oversight Commission, comprised of 4 members appointed by the General Assembly (one from each party in each chamber) and 12 members appointed by the Governor. The Governor has finished appointing all of the members, and the first quarterly meeting of the Commission will probably be held within the next month or so.

The first deliverable, which is due next June, is development of a three-year implementation plan. Currently, a group of agency policy offices, as well as other staff tasked with work force issues, is looking at the 2016 Employment First Executive Order report and quarterly progress reports to see what if anything should be updated given some of the requirements in the statute. Other deliverables include quarterly meetings, annual reports, measurable outcomes, and interagency data sharing agreements.

Various members expressed concern that making the Governor's Cabinet for People with Disabilities permanent under an employment law will mean that employment will overshadow other disability issues, and that the relationship between the Governor's Cabinet for People with Disabilities and the Governor's Advisory Committee for People with Disabilities will be affected. Samantha responded that there is certainly an effort to make sure that no one makes the assumption that the Employment First Act covers all of the issues that need to be addressed throughout state government. The Governor's Advisory Committee for People with Disabilities is going to continue to be looked at as a champion of a variety of issues. The Governor's Office is committed to ensuring that stakeholders, including members of the Governor's Advisory Committee for People with Disabilities, have a voice in this process, and would welcome any feedback, ideas, or suggestions from members as we undertake this collective work.

***[Post-meeting Follow-up from Samantha Koch:***

***The Employment First Act establishes the Governor's Cabinet for People with Disabilities comprised of cabinet members/designees and representatives from the following agencies/organizations:***

- 1. Secretary of Human Services***
- 2. Secretary of Labor and Industry***
- 3. Secretary of Health***
- 4. Secretary of Education***
- 5. Secretary of Transportation***
- 6. Secretary of the Budget***
- 7. Secretary of Aging***
- 8. Secretary of Military and Veterans Affairs***
- 9. Secretary of State***
- 10. Secretary of Policy and Planning***
- 11. Secretary of Community and Economic Development***
- 12. Executive Director of the PA Human Relations Commission***
- 13. Executive Director of the State Civil Service Commission***
- 14. Executive Director of the PA Housing Finance Agency***
- 15. Executive Director of the PA Developmental Disabilities Council***
- 16. Executive Director of the PA Council on the Arts***

***The Governor’s Cabinet is responsible for developing recommendations to the Governor and Secretaries of Education, Human Services, Labor & Industry, Administration, and General Services for policy changes necessary to implement Employment First, including the consistent collection and sharing of data. The Cabinet is also charged with identifying potential legislative changes needed to support and implement the act.***

<b><i>Implementation Area</i></b>	<b><i>Responsibilities</i></b>
<b><i>Policies</i></b>	<ul style="list-style-type: none"> <li>• <b><i>Gov’s Cabinet must conduct a detailed review of existing regs, policies, and procedures relating to goal of competitive integrated employment, as well as a review and alignment of service definitions, policies, and payment structures within/across state agencies.</i></b></li> <li>• <b><i>State and county agencies + providers must review respective policies re: payment of service providers, including supports coordinators, to align with Employment First requirements. (p. 2)</i></b></li> <li>• <b><i>Financial incentives, when allowable, shall be granted to providers who support placement and continued employment of individuals with a disability in competitive integrated employment. (p. 2)</i></b></li> <li>• <b><i>State agencies must designate and publish on their websites a complete list of “employment champions” (providers who demonstrate commitment to Employment First).</i></b></li> </ul>
<b><i>Staff</i></b>	<b><i>Staff at state and county agencies + providers must be trained and certified and in compliance with governing statutes/regs of each state agency.</i></b>
<b><i>Assessment</i></b>	<b><i>State + county agencies and providers must develop clear outcome expectations for employment including:</i></b> <ul style="list-style-type: none"> <li>• <b><i>Annual baseline employment data</i></b></li> <li>• <b><i>Specific percentage goals for individuals with a disability gaining competitive integrated employment</i></b></li> <li>• <b><i>Annual review + report (published on websites) from state agencies on progress toward goals</i></b></li> </ul>
<b><i>Data Sharing</i></b>	<b><i>State agencies authorized to share general/non-individualized data and information across systems.</i></b>
<b><i>Collaboration</i></b>	<b><i>Gov’s Cabinet is also responsible for encouraging the development and adoption of agreements between local entities to promote interagency collaboration at regional and local levels.</i></b>

***In addition to the Governor’s Cabinet, The Employment First Act also establishes an independent Employment First Oversight Commission. The Commission is comprised of 4 members appointed by the General Assembly (one from each party in each chamber) and 12 members appointed by the Governor, including:***

1. **Senate Majority Appointment:**  
**Matthew Campion**
2. **Senate Minority Appointment:**  
**None**
3. **House Majority Appointment:**  
**None**
4. **House Minority Appointment:**  
**Zach Hicks**
5. **Individuals with a disability:**  
**Josie Badger, Heidi Tuszynski**
6. **Individuals knowledgeable about employment of individuals with a disability:**  
**None**
7. **Parents/family members of individuals with a disability:**  
**Amiris Dipuglia, Richard Edley**
8. **Individuals representing organizations that provide services to high school students/recent grads with a disability:**  
**Mary Hartley**
9. **Representative of Disabilities Rights Pennsylvania:**  
**Koert Wehberg**
10. **Representative of the PA Rehabilitation Council:**  
**Cindy Duch**
11. **Representative of the PA Statewide Independent Living Council:**  
**Rob Oliver**
12. **Representative of the PA Client Assistance Program:**  
**Stephen Pennington**
13. **Representative of a state association of orgs that provide competitive integrated employment services for individuals with disabilities:**  
**Stephen Suroviec**
14. **Representative of an organization that partners with private businesses and/or state agencies to deliver services that create competitive employment opportunities for individuals with disabilities:**  
**Vincent Loose, Paul Stengle**

**The Governor's Office and state agencies are responsible for providing support to the Commission, as needed, including having members of the Governor's Cabinet participate in meetings. Commission members serve three year terms.**

**Key Deliverables, Action Items, and Dates**

<b>Date</b>	<b>Office(s) Responsible</b>	<b>Action/Deliverable + Description</b>
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<b>August 18, 2019</b>	<b>Governor’s Office</b>	<b>Initial three-year plan based on info provided by state agencies; identifies specific policies and implementation dates for state agency compliance with the Employment First Act.</b>
<b>October 1, 2019 + annually</b>	<b>Employment First Commission</b>	<b>Annual report from the Commission detailing progress made in the preceding fiscal year submitted to the Governor and General Assembly.</b>
<b>October 1, 2019 + annually</b>	<b>State agencies, county agencies, providers</b>	<b>Assessment information compiled and reported to Governor’s Office of Policy and Planning by state and county agencies and providers, plus any other information deemed necessary. Information is for consideration and inclusion in the annual report submitted by the Governor’s Office to the General Assembly. Information should document “continued and improved State agency compliance with this act.”</b>
<b>January 31, 2020 + annually</b>	<b>Governor’s Office</b>	<b>Annual report from the Governor’s Cabinet submitted to General Assembly.</b>
<b>Quarterly</b>	<b>Governor’s Cabinet + Commission</b>	<b>Quarterly meetings for the Gov’s Cabinet; Commission must meet at least four times a year.  **The Governor must designate one member of the Commission to convene and organize the first meeting; at the first meeting, the Commission will elect a chairperson and other officers.</b>

***Oversight Commission’s first quarterly meeting was January 30.]***

Strategic Planning Workgroup Organization

Chairperson Terry Roth began the discussion by informing the group that the Executive Committee recommends the formation of the following four workgroups: 1) Budget and Funding, 2) Education, 3) Employment, and 4) Transportation. The workgroups would identify the priority issues and develop recommendations for the full Advisory Committee to adopt.

It is expected that the workgroups would meet by phone between the regular meetings of the Advisory Committee. Each workgroup should be chaired by an individual who is a member of the Advisory Committee, but the workgroups could also include individuals who are not

members of the Advisory Committee, including representatives of the Governor's Cabinet for People with Disabilities and public individuals.

**Member Ken Oakes motioned that the Advisory Committee accept the formation of the following four workgroups: 1) Budget and Funding, 2) Education, 3) Employment, and 4) Transportation. The motion was seconded. Charles Giambrone abstained. The remaining members voted in favor of the motion with none opposed. The motion was approved.**

The following members then volunteered to serve on the workgroups:

1. Budget and Funding:  
Elizabeth Hill, Lynn Keltz, Terry Roth, Madelaine Sayko (Temporary Co-Chair), Katherine Seidl
2. Education:  
Mary Jones-Furlow, Ken Oakes, Ellaheh Otarod, Roseann Polishan, Becky McDicken (Dept. of Banking & Securities)
3. Employment:  
Charles Giambrone, Ellaheh Otarod, Madelaine Sayko (Chair)
4. Transportation:  
Margie Austin, Frank Bartoli, Ellaheh Otarod, Peri Jude Radevic, Sally Jo Snyder

The discussion then turned to the process for addressing rising issues that don't fall under the broad topics of the four workgroups, but warrant immediate attention. Those issues should be added to the agenda of the next regular meeting of the Advisory Committee for discussion by the group as a whole.

#### Public Comment

Harry Barnum, Liberty Resources, discussed two issues. First, he wondered whether the IEP meeting is the proper time to register students to vote. Are they educated enough in politics and the voting system? Perhaps more education is needed in that area first. Someone clarified that the discussions of voting don't occur until the students are 17 years old. Harry agreed that at 17 the discussion would be appropriate. Second, he commented that he would like to see more representation of the deaf and hard of hearing communities at these meetings.

Jeff Iseman (jiseman@cilncp.org), Center for Independent Living of North Central PA, reported that the next meeting of the Transportation Alliance is December 18<sup>th</sup>, at 1:30 pm. The discussion will be around Community HealthChoices and transportation. Also, the Human Services broker program that was passed in last years budget. There will be a big impact to the existing transportation systems. Also, in October the U.S. Congress passed and President Trump signed the FAA reauthorization, which included a lot of issues that were updated relating to aircraft and accessibility.

Adjournment

**Charles Giambrone motioned to adjourn. Lynn Keltz seconded the motion. With none opposed, the meeting adjourned.**