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**Suffolk County Disabilities Advisory Board
February 27, 2008 Meeting Minutes**

A meeting of the Suffolk County Disabilities Advisory Board was held on February 27, 2008 in the Conference Room of Building 158, North County Complex, Hauppauge at 2:15 pm. Chairwoman Beverly Cody presided.

PRESENT:

GROUP A

Bruce G. Blower	Representing County Executive Steve Levy
Linda O'Donohoe	S.C. Department of Social Services
Gerald Andreus, RA	S.C. Department of Public Works/Building Design
Barbara Falkman	S.C. Department of Health/Division of Services for Children with Special Health Care Needs
Alice Young	S.C. Department of Labor
John Murray	S.C. Department of Public Works/Transportation Division

GROUP B

Beverly Cody	Member, Secretary & Acting Chair
Debbie Epple	Member, S.C. Department of Civil Service/Public Info.
Valerie Lewis	Member

GROUP C

Teresa Strum	Member, Western Suffolk BOCES
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GROUP D

Glenn Campbell, Esq.	Member
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STAFF: Heidi Zeitler, Clerk Typist, Suffolk County Office of Handicapped Services

EXCUSED: Legislator Elie Mystal, Legislature Presiding Officer William Lindsay, Judy Record, Frank Krotchinsky, Esq., Joseph Sanseverino, Edward Ahern, Paulette Bartunek, Cliff Hymowitz, Tom Harkins, Kleo King, Ingo Gloeckner, Roy Probeyahn, Mitchell Shapiro, Jim Sorrentino

APPROVAL OF MINUTES OF DECEMBER 6, 2007

Beverly asked if there were any changes to be made to the minutes as distributed. There were none. Debbie made a motion to accept the minutes and John seconded the motion. All were in favor and the minutes were unanimously approved.

CORRESPONDENCE: None

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CHAIRPERSON'S REPORT: Beverly had nothing new to report.

CORRESPONDENCE: None

COMMITTEE REPORTS:

Architectural Barriers - Gerald reported they have a capital fund which is used for upgrading buildings for accessibility and they haven't been using it much. They are reaching out to Parks to see if there are any small projects they have to allocate the money towards to upgrade facilities. If anything comes up Gerry will let us know.

Beverly asked which departments were eligible for the monies. Gerry said right now it is available through buildings, but Parks Dept. is separate. Pretty much any department, either through building or parks would be able to come in and they would be able to tap into that funding.

Beverly asked approximately how much is in the fund and Gerry responded about \$400,000.

Bruce mentioned that a structural engineer from Austin, Texas contacted OHS regarding a ramp that was built in Cupsogue Beach County Park. He was very interested in how it was built and wanted to come see it. Bruce gave him Tom Harkins telephone number to find out more information.

Bruce mentioned the other thing the Parks Dept. is looking to do is use some of the \$400,000 to re vamp the access in West Sayville, particularly the Clubhouse where the restaurant is. There was a problem with getting some patrons in wheelchairs into the facilities during the holidays.

Barbara asked if the money is only for county facilities and Gerry replied yes.

Community Partnership - Bruce mentioned OHS has given several presentations about SCAT and JEEP (Joint Emergency Evacuation Program). One presentation at the request of the Town of Huntington Senior Citizens and it was at the John J. Flanagan Senior Center, and the other one was for the Suffolk County Veterans Advisory Board. They had a lot of questions on disabled veterans and the wounded soldiers which are just coming back from the war.

Beverly asked if Suffolk County has any extra measures in place for post traumatic stress & counseling services for these war veterans.

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Bruce replied that the Federal Dept. of Veterans Affairs (VA) has geared up their programs. There are people assigned to follow-up in the community to get the veterans into these programs. Once contacts are made these combat veterans are put into Northport VAMC clinics within 2 months. The Vets Center at Babylon, also operated by the VA, takes care of military veterans with PTSD. The Vets Center is an outside walk-in clinic separate from the VA Northport Medical Center. Bruce feels we are in better shape than other parts of the country, probably because there has been a large number of veterans' living on Long Island since the end of WW II. Between the two counties Nassau/Suffolk there are over 500,000 veterans.

Bruce said Congressman Israel who sits on the Armed Forces Committee keeps a close eye on the VA hospital in Northport. A new hospital director was just appointed at the Northport VA Medical Center this week.

Education - Teresa reported that when "No Child left Behind Act" came out it wasn't the most popular piece of legislation because of the additional burden placed on school districts; however one of the good things that came out of it in conjunction with IDEA 2004 regulations was to measure student outcomes. One of the regulations in IDEA stated that States have to adopt criteria to determine whether or not a student is learning disabled that differs from the model which had been previously used which was based on a criteria of discrepancy. This was done by comparing the child's IQ to actual achievement. This often resulted in waiting for the child to have enough discrepancy between IQ and their actual achievement before being classified by CSE. One of the regulations in IDEA stated that states have to adopt a process where you determine a student's learning disability based on the fact they have not responded to numerous attempts to remediate using multiple different interventions. What this means it that CSE cannot classify students as learning disabled based solely on the fact that they are failing. The previous method that was used is referred to as the discrepancy model, and what most people call the 'wait to fail' model. This is when a child comes into the school system, their not doing well and you have to wait until their achievement falls significantly below the expected achievement based on their IQ. Most students, who come into the school system, even if they have a disability, may initially be on par with their peers. It's not until later, as they grow older and fall further behind their peers that you see a discrepancy between achievement and IQ. By the time students were identified as having a possible disability, often times it was many years into their education. By this time, students often have already learned negative behaviors, learned to dislike school and think of them selves as 'unable.'

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This previous model has been replaced by the Response to Intervention model; it's not new and districts have been putting this in place for several years. More and more educators are buying into this system. It promotes high quality research based instruction. The model is on the tier level so that every child is administered assessments; every child is looked at in the beginning and throughout their educational career to see if they fall into an at risk category. If they are determined to be in a at risk category where their not performing up to standards they would be in what we refer to as tier 2 and would be receiving scientifically based remedial instruction. Response to Intervention modes ensure the use of strategies that are tried and true, periodic and frequent assessments to see if the intervention is working and differentiated instruction to ensure that if the first strategy isn't working that you quickly shift to a new strategy so that you don't perpetuate any problems. This group is usually 15% of the student population. If the students aren't responding at that level they are moved to tier 3 where they would receive more individualized instruction and academic intervention services, which is an additional educational service which is not part of the normal school day. Districts put in place additional remedial strategies to bring the student back to a level where they are functioning with their peers. If they are still not performing, which is generally 5% of the student population; they would then be referred to CSE. At that point and time the CSE would have had a history of interventions put in place and assessment data on the response to intervention. A student who is not responding to intervention would be considered for Learning Disabled classification. That is when the student receives special education services.

Response to Intervention initially went into practice to prevent districts from labeling students as learning disabled simply because they weren't succeeding but what actually has come of this across the board is that most students are performing better, even those students who were never at risk. This is attributed to the fact that school districts are bringing in the scientific based programs for math and reading and implementing them earlier with all their students.

Valerie asked how this correlates to a child who is assessed for assistive technology. Valerie's experience has been that many visually impaired students are not given a computer with a screen reader until the third grade; the process is so delayed over time that they now have developed a learning disability because they can't keep up with their peers. Valerie wanted to know how it correlates to a child being assessed for assistive technology. Teresa replied, when a child is assessed they are not only discovering whether or not the child has a learning disability but also discovering whether or not there is a child with some other disability which might be holding them back from succeeding. Teresa said this is just one piece of the law that talks specifically about learning disabilities, and they wanted the agencies to develop different ways of classifying students as learning disabled. The reason

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they did this was the fear that districts might be using the label of learning disabled so that they could justify why students weren't performing well. Another concern was that there might be families that were insisting students be classified as learning disabled because they felt their students would receive better services. A disproportionate amount of the population was being classified as learning disabled.

Valerie said she feels there is an equal wait to fail model for children who have physical and visual impairments because they are not getting the equipment they need when they start school. Barbara said its two different issues, when you have a child with a visual impairment that child needs adaptive equipment. Valerie said yes, but you can't access that child without the adaptive equipment. Barbara said it would go on the IEP and then the school is responsible for it and decide if the child might need a Braille writer right from the get go. Valerie said many of the parents she speaks to complain that the schools don't want to pay for equipment and the Commission for the Blind doesn't want to get involved because it's the schools responsibility. Barbara said the parent always has the option to request an impartial hearing. Valerie wanted to know how this correlates because there is an absolute delay from when the child is initially assessed to when they are given the equipment. Valerie said it enhances the possibility of creating learning differences and learning challenges because you can't first off access a child need without the appropriate adaptive equipment and secondarily they can't keep up with their peers. Barbara replied it's the responsibility of the school district; they put it on the IEP when they are evaluated and you put it back onto the school district. As far as the discrepancy theory, this is specific to a learning disability. Barbara said if you read the regulations, Article 89, it says a Learning Disability is an imperfect ability to understand not based on any of the other disability including blindness or mental retardation and there is no particular reason. This is why districts previously used the discrepancy model so they could have some type of justification for classifying the student. Barbara continued that, as Teresa explained, the model results in waiting for the child to fail. Valerie wanted to know how this correlates because it's only addressing that one issue. Barbara responded because a visually impaired child is not learning disabled. Barbara also mentioned there is a wonderful resource titled, Assistive Technology - How to Get the Equipment That You Need by James Sheldon

Housing - Vacant. Bruce mentioned that he made a presentation February 26, 2008 before the County Legislature's, Seniors & Veterans Committee, Chaired by Legislator Steven Stern, on Visitability and Universal Design in terms of housing. OHS has been working with our Nassau County counterpart Don Dryer's office and Kleo King from United Spinal Assoc. They tried to get a Visitability housing bill introduced into the State Legislature. This bill would mandate that on all new construction, even for single family homes, must have 3 basic things built into the plans. 1) Ground level wheelchair accessible entrance 2) Large enough

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bathroom on the ground floor so that a person in a wheelchair would be able to turn around in it 3) All the hallways and door openings on the ground level would have to be wide enough for wheelchair access with a min. on the door with an open clearance of 32 inches. Bruce mentioned then State Assemblyman (D-Nassau County) Tom Dinapoli almost introduced this bill a year ago, but because he became State Comptroller it was not introduced. We are hoping to get a bill introduced for discussion this year. Bruce spoke to Jim Morgo who is now Chief Deputy County Executive who is also in favor of it. Bruce said the reason it has to be done on the state level is because every community on Long Island, all the towns and the 2 cities in Nassau County use the New York State Uniform Fire Prevention and Building code as the building code that they enforce. Beverly asked if there has been any difficulty trying to get a sponsor? Bruce said the fear of the state elected officials is that the real estate industry and building industry may oppose it because of cost factors. Bruce said we want to make sure that the whole disability community is behind it. All the baby boomers are getting to retirement age and are starting to think about this and we have large numbers of veterans coming home that are in need of accessible homes. It has already been done in a few other communities with the City of Chicago being the largest one and Atlanta, GA also has it in their building codes.

Legislation - Frank was excused. Bruce reported a bill was passed by the County Legislature on Christmas Eve that requires OHS to issue notice in writing to all SCAT paratransit riders any time there is a significant change in the operation of SCAT. We have 30 days to do this from the date of the significant change which means there would be a mailing to about 12,000 eligible SCAT riders. Bruce still has to go before the Legislature to report on how OHS will be handling this. Bruce said it will probably be done by an outside mailing house. Bruce will keep us informed about it. Beverly asked how much in postage would it cost the county. Bruce replied about approx. \$8,000.00 or less. Valerie asked if OHS keeps on record who is visually impaired because some of those mailing should be done in a different format. Bruce said yes we have that information in our records and it would have to be done in an alternate format. Bruce said in the past they posted notices on all the main-line buses and paratransit vehicles. This time the SCAT paratransit reservation system has a message system we could put the information on there so that when they call for a reservation they would hear the notice. Valerie brought up a good point that not everyone calls the reservation number because some people are on subscription service. Valerie mentioned maybe the SCAT application could be modified to how a person would like to be notified. Bruce said one of the proposals they have been trying to do is to increase the service area. This proposal is instead of going ½ mile each side of the public bus route extend it to ¾ of mile. Bruce said other issue is the money for the notice mailing, there hasn't been any money appropriated and we don't have any money in the budget. Valerie said as long as OHS isn't sending an advertisement we could send it free matter for the blind.

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Bruce said we tried that before, but it wasn't allowed because the applications regulations stated the fare was \$3.00 each way and the USPS said listing the fare doesn't qualify as free matter for the blind even though it was a federally mandated program and we had to charge.

Transportation - Cliff and Judy were excused.

WOTC - Alice brought some information over from the S. C. Dept. of Labor One Stop Employment Resource Center for everyone to take a look at. The One Stop covers employment, mental health, community agencies, volunteer opportunities; they educate people concerning social security and they have a whole section on youth and transition. They have pamphlets available and binders for people to educate themselves with. They also have free standing information about colleges in their community with the disability resources that they offer. This all came about because many people utilize the One Stop, but do not want to disclose that they have a disability. Because the One Stop is getting many more people who have felonies in their backgrounds as well as mental illness they have become the new target population. The One Stop has been doing a lot of research and devoted a new section to job seekers who are ex offenders. They also have a new flyer from the New York State Dept. of Labor called "A Guide to Preparing for the Job Seeking Ex Offender. Alice said there are also people who come to the One Stop that need layers of service regarding employment. They also provide information about the Mental Health Association of Suffolk County and supply copies of mental health association support groups which are free and open to the public. The Long Island Parent Center, which is in Lindenhurst, provides all info and training for parents of children in special education in Nassau and Suffolk County. You can call them, they are bilingual and have one on one consultation and can help with as another resource for assistive technology. Another area deals with employment tips from job accommodation network. Many people are not aware of the Job Accommodation Network, it allows the consumer, the employer, the professional to talk to a person toll free about reasonable accommodation and adaptive employment. They are separated by categories. It might be cognitive impairments, an employee needing an accommodation. Another area deals with Medicaid, Medicaid buy-in and the spend down, all the information is there. They also have information on dealing with small business and right now they have a free training in customer service provided by Suffolk Community College which is a certificate program. Alice also mentioned she has worked with Glenn Campbell on the Advocacy Empowerment and Employment group which Glenn was facilitating. Since Glenn is now working at SILO, they hope to partner Ed Ahern as well as Glen to bring about this information as a focus group to the One-Stop. They do plan to be meeting with VESID in the future to blend more funding and training of more people. They do have VESID on site at the One Stop and have experienced positive results. The One-Stop

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Employment Center is located right here in the North County Center Hauppauge, Building #17 and all the literature they supply at the One-Stop is available in alternate formats.

Valerie asked if the One-Stop works with the jails and if they offer any tutoring to inmates who are learning disabled through volunteers. Alice said no they don't, so Valerie suggested that maybe this is something that can be looked into.

Teresa wanted to know if the One-Stop does job coaching because that is one of the things Special Education is looking into for their population of students. Alice said it's something that can be looked into because people do inquire about it. Bruce said VESID and CBVH provide job coaches.

COUNTY DEPARTMENTS:

Suffolk County Office of Handicapped Services - Bruce mentioned an article in the New York Times dated February 24, 2008 which had a story about the Governors of both parties opposing Medicaid Rules. In the article it says one of the rules would ban the use of federal Medicaid money to help pay for the training of doctors, a use that has been allowed since the inception of Medicaid more than 40 years ago. Another would set new limits on Medicaid payments to hospitals and nursing homes operated by states, cities, counties and other units of government. This would have a direct negative affect on John Jay Foley Nursing Home, SUNY Stony Brook University Hospital and the State Veterans Home in Stony Brook and the (2) State Veterans Homes upstate. A third rule would limit Medicaid coverage of rehabilitation services for people with disabilities including serious mental illnesses. These rules are scheduled to take effect in the next few months. This is very bad in light of SSI and Medicaid managed care recipients. The national state governors' association is opposing those rule changes.

Suffolk County Parks - Tom was excused.

S. C. Department of Social Services - Linda reported that there were 278 CDPAP active cases. DSS recently had free on site training for staff at L.I. Head Start with about 60 people in attendance. They had training on MA Access Managed Care. DSS will be having additional training on May 15th and 16th and June 3rd and 4th at the H. Lee Dennison Building in Hauppauge. Linda will be sending the information out soon.

Beverly mentioned the recent article in Newsday about the mother who killed her three children and it mentioned how the agencies don't communicate with one another. Beverly

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wanted to know if Suffolk County DSS is in the same boat as Nassau County. Linda replied, no, Suffolk County has a different procedure in place which Linda couldn't elaborate on. Bruce explained that various federal and state privacy laws prohibit agencies from sharing such information.

S. C. Office of Public Information - Debbie informed the board that she will be drafting the 2007 SCDAB Annual report. She will work with Heidi and Bruce to use the information from the minutes, but if anyone has information they would like included in the Annual Report to please email her. Once draft is completed everyone will get copy for review.

Glen/SILO - Glen mentioned that SILO has obtained the waiver for the Nursing Home Transition Diversion Waiver. They will be having a presentation at SILO on March 18, 2008 and Bonnie Hope is the administrator for it.

Glen will e-mail Heidi the notice so Heidi can forward to all the board members.

S.C. Department of Health/Division of Children with Special Health Care Needs-
Barbara had nothing new to report.

S.C. Department of Public Works/Transportation Division - John Murray reported the following figures:

SCAT PARATRANSIT January 2008

<u>Total Trip Requests</u>	35,714
<u>Requests Approved</u>	35,461
<u>Trips Denied</u>	253
<u>Percentage of Denial</u>	less than 1%

John said the only change coming up is that on March 1st & April 1st they will be adding a morning bus and afternoon bus like they usually do. John said he would e-mail Heidi the annual numbers for 2007.

S.C. Human Rights Commission - Paulette was excused.

S.C. Community Development - Joseph was excused.

S.C. Library System - Valerie mentioned Talking Books will be having their Assistive Technology Fair on Friday May 16, 2008 for people who are visually impaired. They will be

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distributing flyers about it in April. They will have about (20) and service providers. They have one every other year and have been holding them for about 12 years now. They usually attract 300-400 people during the all day event.

Valerie also wanted to remind everyone that when we have programs for the public and need to put together materials for it, Talking Books Library can do the mailing through the library system and they can get the information out to 56 libraries in Suffolk County. Valerie also mentioned the on going relationship they have with S.C. Dept. of Labor where the public libraries are holding job fairs. The next job fair will be this Friday 2/29/08 at the

Copiague Public Library from 4-7pm. There is also going to be a job fair at the Marriott Hotel on the same day.

OLD BUSINESS – Bruce mentioned the article in the handouts called “Today on the Blog”. The State Board of Elections finally approved the type of electronic voting machine which will be throughout New York State and we were the last state to decide. We are going to invite the S. C. Board of Elections to our next meeting in March so their representatives can explain how this will work in the November general election. They chose the Sequoia voting machines.

NEW BUSINESS - None

ADJOURNMENT: Teresa made a motion to adjourn and Linda seconded the motion. All were in favor to adjourn the meeting. The meeting adjourned at 3:45 pm. The next meeting will be held Wednesday March 26, 2008 at 2:00pm in the conference room, Building 158, Veterans Memorial Highway, Hauppauge.

Respectfully submitted,

Heidi Zeitler