

Suffolk County Disabilities Advisory Board

September 30, 2015 Meeting Minutes

Approved

A meeting of the Suffolk County Disabilities Advisory Board was held on September 30, 2015 in the Large Conference Room of Building 158, North County Complex, Hauppauge at 2:00 pm with Roy Probeyahn presiding.

PRESENT:

GROUP A

Frañk Krotschinsky	Rep. County Executive Steven Bellone
Valerie Smith	Rep. Presiding Officer DuWayne Gregory
Traci Barnes	Rep. S.C. Department of Social Services
Chris Chatterton	Rep. S.C. DPW Transportation Division
Timothy Carew	Rep. S.C. Department of Labor
Mary Porter, Esq.	Rep. S.C. Human Rights Commission
Barbara Falkman	Rep. S.C. Dept. of Health Services/Division for Children with Special Needs

GROUP B

Valerie Lewis	Member
Marian D. Reid, Rep. Michelle S.	Member

GROUP C

Joseph Delgado/Alice Young	Member
Teresa Strum	Member
Carolyn Schick	Member
Joani Madarash	Member

GROUP D

Roy Probeyahn, Chairperson	Member
Douglas King	Member
Beverly Cody	Member
Robin Mayr	Member
Diane Gaines	Member

GUESTS: Don Friedman, Esq. & Ellen Krakow, Esq., Stephanie Baldwin-FREE, Erin King, Jeanine Boselli-SILO Intern, Juanita Smith, Meesha Johnson, Devin Fernandez

STAFF: Heidi Zeitler/Principal Clerk, Office for People with Disabilities

EXCUSED: Terry Maccarrone, Robert Hardie, Mitch Shapiro, Sandy Silver

APPROVAL OF MINUTES OF MAY 27, 2015 & JUNE 24, 2015: Roy asked if there were any changes to be made to the May 27, 2015 or June 24, 2015 minutes as distributed. There were none, Frank Krotschinsky made a motion to accept the minutes as distributed and Robin Mayr seconded the motion. All were in favor and the motion carried.

CORRESPONDENCE: None

CHAIRPERSON'S REPORT: Roy who is Vice President of the Suffolk County Community Board reported they have submitted their county plan for mental health, alcohol and substance abuse, intellectual and developmental. They were asked to prioritize which is the greatest need in the county. The IDD Committee which Roy Chairs found that the number problem is lack of group home development by the OPWDD, second hub site based day rehabilitation services and last diagnosing the needs of people with dual diagnosis.

In the arena of OPWDD the Transformation Agenda Panel had a forum and Roy testified. Roy set up meeting and met with NYS Senator Majority leader John Flanagan to discuss these issues. Senator Flanagan took great interest and said he would try and move the agenda forward with what OPWDD was doing.

Through a legislative initiative OPWDD has resurrected the NYS Cares List to check and see who on that list would still need a group home placement. There are 11,500 names and that list and they are calling those people to see if there is still a need.

Roy met with the local director at the regional office and associate commissioner who is responsible for our region on these and other points. They discussed the Front Door initiative which is not working well. Roy attended the kick-off of START which is a pilot program that provides community-based crisis prevention and response services for individuals with intellectual/developmental disabilities and behavioral health needs. START stands for Systemic, Therapeutic Assessment, Resources and Treatment. "Systemic" means that the entire circle, or system, of services and care is addressed.

Roy let everyone know that Bruce is back home again and doing well.

Don Friedman from Empire Justice Center spoke about disability rights, healthcare and working with Suffolk County to implement and enforce the ADA in Suffolk County.

Don and Ellen are both on the Welfare to Work Commission which was created by the Suffolk County Legislature to advise the legislature on welfare and poverty issues affecting people in Suffolk County. It's very difficult for people with disabilities to navigate the system so they have been working on crafting a general ADA policy for the County and then each department would be instructed to make it more responsive to their needs and the population they serve.

One of the key features of the ADA for the purposes of their work is meaningful access and equal opportunities for people with disabilities to participate in government programs. The provision of reasonable accommodations as needed to enable people with disabilities to participate in programs to receive the benefits.

Suffolk County already has an ADA policy in place since 2006 for what County Departments must do. Many people with disabilities simply cannot navigate the system and Don feels the single most important thing is that the person be identified as a person with a disability who needs a

reasonable accommodation. Reasonable accommodations need to be fact based and customized for the person. Don & Ellen are also working on a state level policy as well.

Ellen who works for Nassau/Suffolk Law Services was given the opportunity to work with Don and help the county and various departments develop a countywide policy. If mobility is an issue or the person has a mental disability reasonable accommodations should be made. Providing sign language interpretation, documents in large font or braille are all general requests for reasonable accommodations. Not being able to navigate to a county department might prevent the person from getting the benefits they are entitled to. Screening is pivotal and the County needs adequate training in all County Departments.

Architectural Barriers - Robert was excused.

Community Partnership - Frank reported the County held an ADA Conference on September 17th and County Executive Steven Bellone spoke about the progress the county has made with making the county website more accessible with the help from this committee and Valerie Lewis. There was presentation on the Able Act and on the economic state of the various agencies that serve people with disabilities by economist Mr. Martin Cantor pursuant to a contract our office had with the Disability Opportunity Fund.

Frank said he went to a forum this morning at Brookhaven Town Hall where there is proposal to combine services for people with disabilities and the aging population. A survey was done called the "Feasibility Study" and the governor wants some specifics by December 15th.

Education - Teresa reported on the N.Y.S. Alternate Assessment (NYSAA) proposed changes coming down from the state with respect to the format. The N.Y.S. Alternate Assessment is the assessment system for students who are severely impaired cognitively and is aligned with the same Common Core Learning standards that all the students in general education are exposed to but at a lower level. One of the issues is the amount of man hours it takes to train the teachers, implement the assessment, train the scoring teams and then score the NYSAA assessments. The teachers that are working with the most academically fragile students are being pulled out of the classroom for said trainings and ongoing student portfolio reviews in order to implement this assessment, instead of being in the classroom hands on with these students.

NYS DOE put out a request for proposal to have another format, an electronic system to evaluate students who are on the NYSAA track. For the 2015-16 school years, the NYSAA will be given in an electronic format in the area of ELA and Math. The format will remain the same (non-electronic) using the previous format for Science and Social Studies. They are hoping that this will be a positive outcome.

Also discussed was the English Learner Tool Kit that was distributed by the US departments of Education and Justice. This "Tool Kit" is designed to help state and local education agencies in meeting their legal obligations to English Learners and in providing all English Learners with the support needed to attain English language proficiency. One section of the 10 chapter Tool Kit addressed Tools and Resources for Addressing English Learners with Disabilities. Key points

include the need to determine appropriate assessments and other evaluation materials to meet the needs of the student who is classified as disabled. Additionally Local educational agencies must not identify or determine that English learner students are students with disabilities because of their limited English language proficiency and, in turn, disabled students should not be identified as English Learners because the cognitive limitations prevent them from leaning language. One issue of concern discussed with the tremendous amount of time that must be allocated to the provision of pull out services to be provided to the student identified as an English Learner, taking them out of the special education classroom. Lastly, due to cognitive limitations, many English Learners do not have the testing capability or capacity to ever "test out" of the English Learner category.

508 ADA Compliance Committee - Valerie is in the process of setting up a meeting with Mark Perez, Todd Hayes and Frank and is waiting to find out who else will be involved. There are still several issues overall with Suffolk County websites that need to be addressed on an ongoing basis. One of the things they will consider going forward is training for anybody who works in Suffolk County because they can make the websites as compliant as they want but if the material that is put up isn't accessible it won't be helpful.

Housing - Michelle was excused but Marian D. Reid, Fair Housing Program Manager for Long Island Housing Services, Inc. stated our agency, Long Island Housing Services, filed a complaint of housing discrimination against a municipality on Long Island. The complaint filed is based on multiple basis including disability discrimination. A person interested in applying for Section 8 with this particular municipality that relied on Social Security disability or other disability incomes would probably not qualify based on not having sufficient income.

Legislation - Douglas reported that the Ways & Means Committee will present the IR 1660 bill which is for the sale of the Foley Nursing Home. The meeting will be held tomorrow at the Legislative Building at 12:30 p.m., N. County Complex in Hauppauge.

Transportation - Valerie handed out a summary from the last Transportation meeting from July. She had the summary available in braille, large print and audio and email if needed. Most of the issues they discuss have to do with the SCAT paratransit service. They are looking for better ways to serve the passengers and discuss how any new technology might be implemented and would need to be accessible.

Joe from SILO said he was glad to hear that DSS has a Compliance Officer but dishearten to know that DPW Transportation doesn't have one.

Mary Porter responded by saying DPW actually does have a Compliance Officer, Title Six Officer. Last year in August the County signed a new Title Six policy which included coverage for the ADA and 504. DPW is very aware of their obligations.

Valerie thought Title Six had to do with providing information in multiple languages. Mary said yes Title Six covers National Origin, race, color but when the policy was drafted we included a process for complaints and coverage for people with disability, age and gender. Valerie feels that Title Six should not be clumped in with ADA Policy because Title Six is a very specific legislation that has to

do with providing government information in the six most spoken languages in the county. It has nothing to do with people with disabilities. Valerie feels that DPW Transportation does an astounding job but she doesn't think title six policy covers ADA at all because they are very different.

Mary said the DPW Transportation even covers ADA policy under their title six and they call it title six and additional civil rights legislation.

Valerie said she still doesn't think it should put into the same policy. The specific needs of people with disabilities, particularly with when it comes to transportation issues are an umbrella. When you are talking about disabilities there is no other group that umbrellas over every other group like people with disabilities. Every race, ethnic group, each gender every age can have a disability, so to look at it as being part of something, it's not addressing the needs of people with disabilities. People with disabilities rely on transportation to get to work, healthcare, education and recreation and its being done really, really badly. Efforts are hampered by policies in place and by the non-existing funding that is leaving people with disabilities at a great disadvantage because of the transportation options in this county.

Joe said people with disabilities need to know who to contact with an ADA Compliance complaint and this information should be advertised and announced throughout the county in accessible format. Mary said they probably didn't do a good job with getting that information out because people don't know who to contact but Mary said the Title Six person for now is the person that would take the complaint. Mary said it was stated earlier that DPW has been listening to the concerns, so it would still be the place to call.

Roy said there is an article in Newsday today that Suffolk Transit is looking at a \$10 million dollar budget shortfall by State funding and it's anticipated that SCAT will suffer a \$4 million dollar reduction in funding. Robin went to the hearing and was quoted in the article as saying, "we are going in the wrong direction".

Alice said SILO does have its own transportation committee which is growing rapidly between organizations, consumers etc. They all come to these meeting for the purpose of looking for extended services, Sunday service and universal access for all as a long range goal. They are working tirelessly to be able to get these services for people with disabilities in Suffolk County. Without these services they are unable to lead lives like the other people who drive a car. Meetings are open to everyone and they want to move forward with these issues for people with disabilities in Suffolk County. Alice recently met with James Weisman, CEO of United Spinal who crafted the ADA 25 years ago and they spoke about the 3/4 mile rule guidelines and he is willing to work with SILO.

Employment - Tim reported that Suffolk County Dept. of Labor in conjunction with the Office for People with Disabilities will be having a Job Fair on October 30, 2015 in recognition of National Disability Employment Awareness Month. It will be from 10:00-1:00 at the One Stop located in the North County Complex. Other companies will be involved as well as Support services.

COUNTY DEPARTMENTS:

Suffolk County Office for People with Disabilities - Frank had nothing new to report.

S.C.D.P.W./Division Transportation - Chris said IR#1729 just passed in the committee in Public Works and Transportation and will be voted on in the general legislature on October 6, 2015. Expanding service beyond the ¾ mile and include Sunday. They are looking to use Sec. 5310 funds so if you want to push it forward, stand up and support this legislation. Chris handed out Paratransit statistics for January-August 2015.

S.C. Parks - Terry was excused.

S.C. Department of Social Services - Traci Barnes had nothing new to report.

S.C. Dept. of Health/Division of Children with Special Health Care Needs – Barbara Falkman reported that she is a member of the Suffolk County Department of Health, Maternal Infant Community Health Collaborative Fetal Alcohol Spectrum Disorders Media Campaign Committee. *The first annual Fetal Alcohol Spectrum Disorders (FASD) Awareness Month is September 2015.* Fetal alcohol spectrum disorders (FASDs) are a group of conditions that can occur in a person whose mother drank alcohol during pregnancy. These effects can include physical problems and problems with behavior and learning. FASD Awareness Month is a new, annual campaign to increase recognition about the risks of prenatal alcohol exposure and the needs of children and adults living with an FASD. This year's theme is *Alcohol-and pregnancy: No safe amount; No safe time; No safe alcohol. Period.* Suffolk County Executive Steven Bellone has issued a Suffolk County proclamation declaring that September is Fetal Alcohol Spectrum Disorders Awareness Month in Suffolk County. The proclamation will be on display at the *Summit for Professionals on Prevention, Education, and Resources*, sponsored by the Suffolk County Teen Pregnancy Advisory Board, and held on September 30, 2015 at Suffolk County Community College Grant Brentwood Campus.

September is Fetal Alcohol Spectrum Disorders Awareness Month.

S.C. Human Rights Commission - Mary Porter had nothing new to report.

S.C. Community Development - Vacant.

SILO - Joe reported that SILO moved to Holtsville, 755 Waverly Avenue and they will be holding an Open House on October 30th from 11:00-3:00. They are having their Dinner in the Dark auction fundraiser for their organization. It will be held at the Upsky Hotel on October 24, 2015. It is a unique sensory experience to know what it is like for visually impaired people every day. It will be held from 5:00-9:00 and tickets are \$60.00.

Their Diabetes self-management workshop will begin on October 6, 2015 and will be held at SILO. SILO is also working with Michelle Santantonio, L.I. Housing and a client on Barrier Busters. This is a volunteer advocacy group focused to remove barriers which prevent people with disabilities from accessing their community. They are looking for four volunteers plus any case as well as any type of building.

ACCES-VR - Sandy was excused.

Suffolk County Rehabilitation Council – Joani Madarash announced the SCRC (Suffolk County Rehabilitation Council) in partnership with NYS APSE is pleased to offer a full day training workshop – *The Unintended Impact of Good Intentions: Balancing Philosophy and Process*

Join your colleagues for a lively seminar on integrating the concepts of John Obrien's Five Valued Experiences into your Vocational Services practices. Topics discussed will be:

- ✓ John Obrien's Five Valued Experiences: Dimensions of Inclusion
- ✓ Balancing Philosophy with Practice
- ✓ Quality and Ethics: The Fidelity Model

It will be held at South Oaks Hospital in Amityville on Thursday, November 19th. A registration flyer was sent out to all members of SCDAB by Heidi following the meeting in September.

Old Business - None

New Business - Roy mentioned the letter Frank sent out to all Advisory Board Members about attendance to meetings and letting us know whether they want to continue to volunteer on this board. Roy said that Cliff decided he no longer could continue to make meetings and stepped down.

Douglas reported that on October 13, 2015 the Town of Islip will be starting an Islip Disability Advisory Board and reopening the Office for People with Disabilities and Douglas was asked to head that position.

Douglas said at the last primary there were a lot of problems with ADA compliance and a lot of listings of the polling places that are not in compliance so they asked Douglas to go to these polling places to make sure the Board of Elections is in compliance of the ADA.

Roy said the Family Support Advisory Council under OPWDD will be having their Legislative Breakfast on October 23, 2015 at the L.I. Hilton in Melville. Time: 8:30 and keynote speaker is Senator Flanagan.

ADJOURNMENT: Frank made a motion to adjourn the meeting and Douglas seconded the motion. The motion carried and the meeting adjourned at 3:50 p.m. **The next meeting will be held on October 28, 2015 at 2:00 p.m. in the Conference room, Building 158, Veterans Memorial Highway, Hauppauge.**

Respectfully submitted,

Heidi Zeitler