

Alabama Board of Rehabilitation Services
Montgomery, Alabama
Thursday, December 2, 2021
10:00 a.m. – 12:00 Noon
AGENDA

Call to Order	Eddie Williams, Chair
Prayer	
Verification of Quorum	Karen Freeman
Verification of Open Meeting Act Notice	Eddie Williams
Approval of Agenda	Eddie Williams
Approval of Minutes for the Sept. 16, 2021 meeting	Eddie Williams
Executive Leadership Team Recognition	Eddie Williams Jane Elizabeth Burdeshaw, Commissioner
<ul style="list-style-type: none">• Curtis R. Glisson, Assistant Commissioner Vocational Rehabilitation Service, Blind & Deaf Division• Leslie L. Dawson, Administrator Vocational Rehabilitation Service, Business Relations Program	

New Business:

Administrative Codes Rules:

Announce and Publish for Public Comment a Notice of Intended Action to Adopt and Amend the following Alabama Department of Rehabilitation Services (ADRS) Administrative Rules *allowing ADRS a new rule under due process, Administrative Code Rule 795-2-3, Mediation. The current rule 795-2-3, Formal Hearings, will be re-numbered 795-2-4 for sequential flow. The proposed new rule reflects the department's use of mediation as a due process option for consumers who appeal VR decisions.*

Announce and Publish for Public Comment a Notice of Intended Action to Adopt and Amend the following Alabama Department of Rehabilitation Services (ADRS) Administrative Rules *allowing ADRS a new Early Intervention (EI) Rule, 795-3-1-.03, Letters of Suitability, and amendments to existing EI Administrative Code Rules 795-3-1-.01 and .04. The proposed new rule covers mandatory background checks and letters of suitability for the staff of EI providers who perform services in childcare facilities regulated by the Department of Human Resources (DHR). The rule changes also correct one rule reference and numerous clerical errors.*

Eddie Williams
Ashley Hamlett,
General Counsel

Consumer Success Story – Video Presentation

Office of Communications
& Information Staff

Approval - ADRS 2021 Annual Report

Eddie Williams

Board Member Questions and Division Updates

Executive Leadership Team

Commissioner's Comments and Legislative Update

Jane Elizabeth Burdeshaw

Announcements:

Alabama Board of Rehabilitation Services meeting dates for **2022:**

- **Thursday, March 3, 2022 – 10:00 a.m.**, Montgomery/State Office, Large Conf. Room
- **Thursday, June 23, 2022 – 10:00 a.m.**, Off-site Location: TBD
- **Thursday, Sept. 15, 2022 – 10:00 a.m.**, Montgomery/State Office, Large Conf. Room
- **Thursday, Dec. 1, 2022 – 10:00 a.m.**, Montgomery/State Office, Large Conf. Room

Board Business/Discussion

Eddie Williams

Adjourn

Eddie Williams

Alabama Board of Rehabilitation Services
Alabama Department of Rehabilitation Services
560 South Lawrence Street
Montgomery, Alabama
Board Meeting (In-Person) Minutes
Thursday, Dec. 2, 2021

Call to Order:

Mr. Eddie Williams, Board Chair, called the regularly scheduled in-person, open public meeting to order at 10:07 a.m.

Prayer:

Dr. Graham Sisson, Jr., Executive Director of the Alabama Governor's Office on Disability (GOOD), opened the board meeting with prayer.

Verification of Quorum:

Board members present (in-person): Mr. Eddie Williams, Board Chair; Mrs. Penny Foster, Board Vice-Chair; Mr. Kevin Kidd; Mr. Jimmie Varnado; and Mr. Charles Wilkinson. A quorum was declared.

Conference Call: Ms. Michelle Glaze and Mr. Mitch Strickland.

Verification of the Open Meetings Act Notice:

Gov. Ivey again issued a state of emergency on August 13, 2021, noting, "the COVID-19 virus persists in Alabama and the nation, and it continues to present a serious threat to public health." The proclamation that was issued on August 13, 2021 expired on October 31, 2021. ¹ Pursuant to the proclamation, on December 2, 2021, the Alabama Board of Rehabilitation Services' regularly scheduled board meeting was conducted in-person and open to the public. The Open Meetings Act allows for electronic participation except to establish a quorum. The Alabama Board of Rehabilitation Services requires four members to attend in-person to establish a quorum, but other members may participate electronically. In-person attendance was encouraged to allow for official business and deliberation. Facial coverings were also encouraged by board members and the public attending in-person. A conference call line was established for board members and the public participating electronically. Interpreter services were provided by Mr. Josh Brewer.

Mrs. Karen Freeman verified that the Alabama Board of Rehabilitation Services meeting for Dec. 2, 2021, was posted on the Alabama Secretary of State's website on November 10, 2021, at 1:20 p.m.

Meeting registration was not necessary for in-person participants, but registration was required for those preferring to participate via conference call. Upon registration for the conference call, participants received an email with instructions and the telephone number to call. Registration information for the public was provided on the Alabama Department of Rehabilitation Services' website at the following link: <https://rehab.alabama.gov/about/meet-our-board> with a deadline of November 24, 2021, at 5:00 p.m. CDST. There were not any participants from the public participating via conference call.

¹ On July 6, 2021, Gov. Ivey issued a proclamation terminating the COVID-19 public health emergency first declared March 13, 2020. The Governor's First Supplemental State of Emergency, Section III, issued March 18, 2020, permitted members of a governmental body to participate in meetings - including establishing a quorum, deliberating, and taking action - by electronic means provided the meetings were conducted pursuant to the rules outlined in Section III and the provisions of the Open Meetings Act not modified. Gov. Ivey again issued a state of emergency on August 13, 2021, noting, "the COVID-19 virus persists in Alabama and the nation, and it continues to present a serious threat to public health." In addition to again allowing members of a governmental body to conduct meetings remotely, the new proclamation allows twenty-four hours instead of twelve for a governmental body to post a written summary, video, or audio of the meeting on its website. The proclamation that was issued on August 13, 2021 expired on October 31, 2021.

Approval of Agenda:

Mr. Williams asked for a motion to approve the agenda. The motion to approve the agenda was made by Mr. Jimmie Varnado and seconded by Mr. Kevin Kidd. The motion was approved.

Approval of Minutes for Sept. 16, 2021 Meeting:

The minutes from the Sept. 16, 2021, meeting were mailed prior to the board meeting. Mr. Williams stated that if there were no corrections, the minutes would stand approved as presented. The minutes were approved by unanimous consent.

Executive Leadership Team Recognition

*Mr. Curtis R. Glisson, Assistant Commissioner,
Vocational Rehabilitation Service, Blind & Deaf Division*

On behalf of the Alabama Board of Rehabilitation Services, Mr. Williams, board chair, presented Mr. Curtis R. Glisson with a certificate of appreciation from Gov. Kay Ivey in recognition of Mr. Glisson's retirement after 25+ years of service to the State of Alabama, effective Jan. 1, 2022. Mr. Williams thanked Mr. Glisson for his loyal and dedicated service to the citizens of the state. On behalf of the Alabama Department of Rehabilitation Services (ADRS) Executive Leadership Team, Commissioner Burdeshaw expressed her appreciation for Mr. Glisson's faithful service to ADRS and its mission. Mr. Glisson's passionate and devoted leadership made him a strong advocate. Mr. Glisson will leave an incredible legacy of compassionate leadership.

Mr. Glisson thanked everyone and stated he enjoyed his career at ADRS.

*Ms. Leslie L. Dawson, Administrator,
Vocational Rehabilitation Service, Business Relations Program*

On behalf of the Alabama Board of Rehabilitation Services, Mrs. Penny Foster, board vice-chair, presented Ms. Leslie L. Dawson with a certificate of appreciation from Gov. Kay Ivey in recognition of Ms. Dawson's retirement after 28+ years of service to the state of Alabama, effective Jan. 1, 2022. Mrs. Foster thanked Ms. Dawson for her loyal and dedicated service to the citizens of the state. On behalf of the Alabama Department of Rehabilitation Services (ADRS) Executive Leadership Team, Commissioner Burdeshaw expressed her appreciation for Ms. Dawson's passionate and devoted leadership that made her a strong advocate for the dual customer approach. Ms. Dawson will leave an incredible legacy of steadfast leadership.

Ms. Dawson thanked everyone and stated she enjoyed her career at ADRS.

New Business:

Eddie Williams, Chair

Alabama Department of Rehabilitation Services, Administrative Rules:

Mr. Williams opened the floor for discussion indicating the Board would need to consider two motions for the Legal Office to propose and publish a new rules and amendments to the department's Administrative Codes Rules as follows:

A new rule under due process, Administrative Code Rule 795-2-3, Mediation. The current Rule 795-2-3, Formal Hearings, will be re-numbered 795-2-4 for sequential flow. The proposed new rule reflects the department's use of mediation as a due process option for consumers who appeal VR decisions.

Mr. Williams moved that the Board announce and publish for public comment a Notice of Intended Action to adopt and amend the following Alabama Department of Rehabilitation Services (ADRS) Administrative Rules *allowing ADRS a new rule under due process, Administrative Code Rule 795-2-3, Mediation. The current rule 795-2-3, Formal Hearings, will be re-numbered 795-2-4 for sequential flow. The proposed new rule reflects the department's use of mediation as a due process option for consumers who appeal VR decisions.* The motion was seconded by Mr. Varnado and the motion was approved.

A new Early Intervention (EI) rule, 795-3-1-.03, Letters of Suitability, and amendments to existing EI Administrative Code Rules 795-3-1-.01 and .04. The proposed new rule covers mandatory background checks and letters of suitability for the staff of EI providers who perform services in childcare facilities regulated by the Department of Human Resources (DHR). The rule changes also correct one rule reference and numerous clerical errors.

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Upon approval by the Board, a notice of the rule changes will appear in the Alabama Administrative Monthly in the December 30, 2021 edition. The notice will call for public comments and written requests to orally address the Board concerning the rule changes. The rule changes will also be placed on the department's public website.

Alabama’s Children Rehabilitation Service, Consumer Success Story: Charlie Mae Wilson

Mrs. Jill West, Governmental Relations Manager and Director of Office of Communications and Information (OCI) presented the Consumer Success Story: Charlie Mae Wilson.

Advocacy for people with disabilities is an important part of the Alabama Department of Rehabilitation Services blueprint. Charlie Mae Wilson’s mother wrote and published a children’s book to help introduce her daughter to her class. For the Wilson family of Plantersville, advocacy for their daughter Charlie comes in the form of a children’s book titled, “Charlie Mae’s First Day”. The book tells a story of 5-year-old Charlie’s first day of school as she explains to her classmates that she may appear different but has the same interests as other children. Charlie’s mother Hannah, the author of the book, said their journey with SMCIA disorder that includes epilepsy, inspired her to create a tool to help her daughter. Please click the link below for the Charlie Mae Wilson Story that was shared during the board meeting. https://youtu.be/Lp5TBL8_lhk

Alabama Department of Rehabilitation Services 2021 Annual Report: Together Success

Mrs. West presented the final draft of the Alabama Department of Rehabilitation Services 2021 Annual Report for Board approval.

Commissioner Burdeshaw introduced the OCI team members, Mr. Rich Couch, Public Information Specialist, Mr. Paul Dunbar, Audiovisual Specialist, and Mrs. Amanda Gunn, Communication and Public Relations Specialist.

Mr. Williams moved that the Board approve and adopt the 2021 Annual Report submitted and to authorize the staff of the Alabama Department of Rehabilitation Services’ Office of Communications and Information (OCI) to make the necessary minor text and design changes prior to its publication. The motion was seconded by Mr. Varnado and the motion was approved.

On behalf of the Alabama Board of Rehabilitation Services, Mr. Williams expressed appreciation to Mrs. West and OCI staff for an excellent publication.

Board Member Questions and Division Updates:

The Executive Leadership Team members were provided an opportunity to answer any questions and give updates to their written reports.

Commissioner’s Comments and Legislative Update:

Commissioner Burdeshaw reported the Alabama Department of Rehabilitation Services (ADRS) continues to operate under specific health and safety guidelines. The guidelines are updated to coincide with the most recent protocols from the Center for Disease Control and Prevention, the Alabama Department of Public Health, and the Governor’s Office. Governor Ivey’s State of Emergency order expired at the end of October. This is the reason the Alabama Board of Rehabilitation Services returned to in-person meetings. Commissioner Burdeshaw has kept

members of the Alabama Board of Rehabilitation Services, the Alabama Department of Rehabilitation Services (ADRS) Executive Leadership Team, and employees updated about COVID-19 vaccine requirements as they relate to ADRS and the litigation the State of Alabama is pursuing regarding these requirements.

Commissioner Burdeshaw reported a Special Session of the Alabama Legislature was held on Oct. 28, 2021 – Nov. 4, 2021. During the special session, the legislature considered legislation for redistricting, prison construction, and appropriations for pandemic-related healthcare services.

Commissioner Burdeshaw recently met with Mr. Bill Poole, State Finance Director, concerning the Alabama Department of Rehabilitation Services and its' programs. The topics of discussion included the needs of the Alabama Head Injury and Spinal Cord Injury Trust Fund that provides support to our Traumatic Brain Injury (TBI) program and an update about Alabama's Early Intervention System and the on-going need to create long-term sustainability for that program.

Commissioner Burdeshaw was pleased to report the Alabama Department of Examiners of Public Accounts recently completed the department's legal compliance audit from Oct. 1, 2016 – Sept. 30, 2020, with only one finding. The scope of this audit focused on financial and personnel related items, as well as the Alabama Board of Rehabilitation Services compliance. The Alabama Department of Rehabilitation Services has already created a solution for the one finding. Mr. Jimmie Varnado and former board member, Dr. Stephen Kayes, joined the exit conference.

Commissioner Burdeshaw reported that the Project SEARCH team continues to work with Bessemer City Schools on implementing a Project SEARCH program at the Amazon Distribution Center in Bessemer.

Commissioner Burdeshaw stated the Alabama Department of Rehabilitation Services' Leadership Training Cohort was tasked with researching and preparing Diversity, Equity, and Inclusion (DEI) recommendations for the department. They shared these ideas in a presentation and written report with the Executive Leadership Team (ELT). ELT has begun to discuss the report and recommendations.

Commissioner Burdeshaw presented at the in-person Alabama Workforce Development Board meeting on Dec. 1, 2021. She provided a brief update on the Alabama Department of Rehabilitation Services. Mr. Kevin Kidd noted that Commissioner Burdeshaw did an excellent job in her presentation.

Announcements:

Alabama Board of Rehabilitation Services meeting dates for **2022:**

- Thursday, March 3, 2022 – 10:00 a.m., Location: ADRS, Montgomery, AL
- Thursday, June 23, 2022 – 10:00 a.m., Location: TBD
- Thursday, September 15, 2022 – 10:00 a.m., Location: ADRS, Montgomery, AL
- Thursday, December 1, 2022 – 10:00 a.m., Location: ADRS, Montgomery, AL

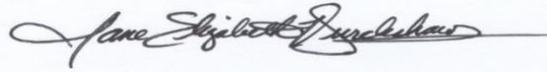
Executive Session:

At the conclusion of the regularly scheduled board meeting, Mr. Williams asked for a motion to move into Executive Session. The motion to move into Executive Session was made by Mr. Wilkinson and seconded by Mr. Varnado. The motion was approved.

There being no further business, the meeting was adjourned at 11:14 a.m.

Minutes were taken by Karen Freeman.

Respectfully submitted:



Jane E. Burdeshaw, Commissioner

Approved:



Eddie C. Williams, Chair