

N.S.R.C. Meeting Minutes  
November 7, 2023

**NEVADA STATE REHABILITATION COUNCIL (N.S.R.C.)  
MEETING MINUTES**

Tuesday, November 7, 2023, at 9am

Rehabilitation Administration

751 Basque Way, Carson City, NV 89706

&

Vocational Rehabilitation

3016 West Charleston Blvd. Suite 200, Las Vegas, NV 89102

**COUNCIL MEMBERS PRESENT:**

Raquel O'Neill

David Nuestro

Jack Mayes

Austin Olson

Robin Kincaid

Drazen Elez, VR Administrator – Non-Voting

**COUNCIL MEMBERS ABSENT:**

Judy Swain

Sandra Sinicrope

Rebecca Rogers

**GUESTS/PUBLIC:**

Julie Irish, DP Video Productions

Emire Stitt, DP Video Productions

Nicholas Merk, DP Video Productions

Rosa Jones, NV PEP

**STAFF:**

Chricy Harris, Deputy Attorney General

Mechelle Merrill, VR Deputy Administrator of Programs

Brett Martinez, VR Deputy Administrator of Operations

Sheena Childers, VR Bureau Chief

Mat Dorangricchia, VR Northern District Manager

Trina Bourke, VR Southern District Manager

David Fisher, VR Counselor

Sertram Harris, VR Administrative Assistant

Jenny Richter Livia, N.S.R.C. Liaison

Regina Higley, VR Administrative Assistant

N.S.R.C. Meeting Minutes  
November 7, 2023

**1. CALL TO ORDER, INTRODUCTIONS, AND VERIFY TIMELY POSTING OF AGENDA**

Raquel O'Neill, Chair called the meeting to order at 9:03 am. Jenny Richter Livia, N.S.R.C. Liaison called the role.

Ms. Richter determined a quorum was present and verified that the posting was completed on time in accordance with Open Meeting Law.

**2. FIRST PUBLIC COMMENT**

Ms. O'Neill opened the floor to public comment.

Robin Kincaid, NV PEP voiced a request for information she would like to see in the upcoming NSRC Meeting the results of the Rehabilitation Services Administration (RSA) recent monitoring findings and when the expected Final report will be available. Looking for the response to the Maintenance of Effort Letter that was sent to Nevada and would like to hear the results in an upcoming meeting as well.

**3. APPROVAL OF THE SEPTEMBER 12, 2023, MEETING MINUTES**

Ms. O'Neill asked the council for any modifications, changes, corrections to the September 12, 2023, N.S.R.C Meeting Minutes. Correction of misspelled name on minutes was noted and changed.

Jack Mayes, Nevada Disability Advocacy & Law Center (NDALC), NSRC Councilmember, made a motion to approve the minutes as written with the correction. Austin Olson, NSRC Councilmember, seconded the motion. All in favor, none opposed, Ms. Kincaid abstained, motion carried.

**4. APPROVAL OF N.S.R.C. 2023 ANNUAL REPORT FINAL DRAFT**

Ms. O'Neill opened the floor to Emire Stitt, DP Video Productions to go over the final draft.

Ms. Stitt mentioned DP Video took into consideration the additions and changes from the council for the Annual Report. We are waiting for the final data to be added to the final report. Ms. Stitt gave the floor to Julie Irish, DP Video Productions to go over the changes for the final draft.

Ms. Irish highlighted to changes that were made since the last meeting to the Annual Report as follows:

Page 4: About Nevada State Rehabilitation Council. Council Composition data has been uploaded as to the vacancies positions to reflect this year's representation.

Page 6: Statistics For 2022-2023. We will be receiving and uploading as soon as data is received for this year's totals.

N.S.R.C. Meeting Minutes  
November 7, 2023

Page 11: Outreach Events and Tours. This section will be updated with the Events, Employers, locations, and numbers from the events held and the outcomes once the numbers are in.

Page 14: Client Success Stories has been updated with new client stories and images. We are waiting for one more client story. Just last year you will be able to use the QR Code to download the full success story of the clients on the website.

Page 16: Collaborators and Partners will have an updated list.

Page 18: Council Members have been updated for this year. A new letter received from Raquel will be updated. Robin Kincaid has been added as council member.

Page 20: Legislative Summary is a new page written by Troy Jordan.

Page 21: Employee Spotlight is new featuring Chris Jarvis.

Page 22: Newest page is Number of Clients Served by county map relating to the State of Nevada. Numbers will be updated with this year's data.

Page 23: Office Locations with addresses and phone numbers per locations per county.

Page 24: Tear out page featuring summary of services and the locations of the office locations.

Ms. Irish mentioned they are waiting for the final numbers to be uploaded to wrap up the final draft to be summited on time for printing. Ms. Irish said for suggestions, questions, or input from the council members.

Ms. Kincaid offered suggestions on changes on page 4 to read Parent and change Nevada PEP to Parent Training and Information Center.

Mechelle Merrill, VR Administrator of Programs, mentioned on page 11 The Events we need to include the Job Fair with Blind Connect in May, which was a successful event and information will be sent to include.

Ms. O'Neill mentioned an update on page 4 of the Council Composition of the council as the positions are not all filled and would like to see something showing as open positions.

Ms. Irish mentioned on page 5 a QR Code was added to Apply for services, and that the information for Applying to the Council can be added to page 5.

Ms. O'Neill asked for any additional suggestions or comments for the layout of the document.

N.S.R.C. Meeting Minutes  
November 7, 2023

Ms. Merrill commented that the document is more concise, and we have done a lot with graphics and gives you enough to gain interest to click on the QR Code to read the whole story.

Ms. Irish questioned the date on the cover page of the Annual Report is if the council wanted it to read a one calendar year.

Ms. O'Neill asked for a motion to approve the Annual Report Draft.

Mr. Olson motioned to approve the Annual Report draft. Mr. Mayes seconded the motion.

All In favor, none abstained, motion carried.

Drazen Elez, VR Administrator thanked DP Video for the continuous improvement on the Annual Report over the years, to their dedication and appreciation to the finished product every year.

**5. APPROVAL ON ELECTION OF N.S.R.C. VICE-CHAIR**

Mr. Elez opened the floor for the nomination of the Vice-Chair position to the N.S.R.C. term of July 2023 to June 2024. Mr. Elez opened the floor to hear the nominations for the open position.

Mr. Mayes nominated Ms. Kincaid for the open position as Vice-Chair.

Mr. Elez asked for a vote to elect Ms. Kincaid to Vice-Chair. All In favor, none opposed, nor abstained, motion carried.

**6. APPROVAL ON LEGSLATIVE COUNCIL BUREAU (LCB) AUDIT POLICY CHANGES**

Mr. Elez presented the LCB Policy Changes due to the recommendations from the audit report. One of the findings from the report was suggestions on how to ensure the equal presentation of the underserved populations. Updates related to the Participant Services Policy Manual were: We are working to assure the representation of the underserved populations are within the threshold of 25% of the population of the State of Nevada. We have a needs Assessment preformed every three years from San Diego State University findings in the report are used to improving the supports and services to the disability population in the state. Results from the report was the language barriers and the accessibility of the website to help with the elimination of any language barriers with the options for website and forms to be accessible in different languages. The locations and the Outreach programs are accessible to those in the outlining areas. The Policy states we are to keep on top off new technologies and continue to improve the services and supports we offer to the clients. Older Individuals Who are Blind policies changes are where due to case management time frames as to clients and or counselor's agreements.

N.S.R.C. Meeting Minutes  
November 7, 2023

Ms. Kincaid questioned one of the changes of extending the time frame for clients to complete their plan or assessment.

Mr. Elez mentioned in the internal review process of the Older Individuals Who are Blind program for Assessment of Eligibility would under extenuating circumstances may have the case manager and applicant may agree to an extension of time depending on the Medical and or circumstances the extension is necessary.

Ms. Kincaid made the suggestion of looking into the extended 15-day time frame, like many other agencies have for the assessments to be completed.

Ms. O'Neill suggested equal access to communications of the letters being sent to the Older or Blind Individuals who are not able to physically read them. Ms. O'Neill suggested that the language in the Policy is changed to show the use of technology to send the letters to the OIB community the communication's other than physical written documentations that are not in Audio or in Large Print to be able to read.

Mr. Elez mentioned that the suggestions will be made at the next Policy meeting with the Quality Management Team. Mr. Elez mentioned the different disabilities then to the races. Focus on the language and the access to the communities and the workforce in which we live and the promoting VR within the community. It takes time to see results for the efforts we have put in. Over the last three years we have had 90 to 100 applications a month. Over the last month we received 390 applications for services, the past several months have seen between 320-350 applications received monthly. We are serving the increase of clients with the same number of staff.

Ms. Kincaid questioned if the literacy level of the clients is documented for the information to be understood by them when a letter is sent to them.

Mr. Elez mentioned the agency is very well aware of the needs of the community and tools and resources needed able to get the needs out to the OIB community as the person involved in this is her blind and we have had outside agency come in and assess what is needed for her to complete her job and is very successful in her position.

Sheena Childers, VR Bureau Chief, mentioned for the OIB program we could ask to make the change to the Policy for the language to be changed to notify the client in their preferred means of communication. This is being worked on for both the VR and the OIB programs for the preferred method of communication methods and is noted as part of their profile. Yes, the program and profile of the client is noted as to the literacy functional level and ability marker in the individual's case as to how we communicate to that client.

N.S.R.C. Meeting Minutes  
November 7, 2023

Mr. Elez as we look at the different tools and we use for the majority of the clients within reason, and we have multiple tools we use as an agency to communicate with the clients.

Ms. O'Neill asked about the timeline of the audit and recommendation.

Mr. Elez mentioned the changes from the LCB audit are complete. The suggestions to the OIB Policy can be brought back to the Quality Control Team as it is indirectly tied to the audit as an internal control. As an agency we are always being audited and as a control to be ahead we have an Internal Control audit to improve the services we provide and improve on the requirements we have in place. We want to insure we stay on pathway and be successful if we any have slight changes to Policies.

Ms. O'Neill opened the floor for a motion any changes to the LCB audit changes as presented by Mr. Elez.

Mr. Mayes mentioned his agency has reviewed and have no concerns. Mr. Mayes motioned to approve the recommended changes; Mr. Olson seconded the motion. All in favor, none opposed, nor abstained, motion passed.

**7. INFORMATION ON WORKFORCE INNOVATION AND OPPORTUNITY ACT (WIOA) STATE PLAN**

Ms. O'Neill opened the floor to Ms. Merrill to present information on the WIOA.

Ms. Merrill mentioned in May of 2023 that the Rehabilitation Administration Services (RSA) sent out an OMB circular ICR 1205-0522 which is the Outline of the Recommended changes that the RSA sent out for the VR portion of the State Plan. Summarizes by talking about the planning of core programs other than each individual program has historically reported. In the new format it asked for consideration the work all across the core programs and how it is fostering a comprehensive and integrated approach, and how we are going to approach for the years 2024 through 2028. We use this as a tool to continue to improve client services and ensure our existing plan programs are meeting the needs of our clients. See this document as a tool and a board approach to our Annual Strategic planning. We are taking a board approach to using a lot of key points in our planning as we used the document for our First Town Hall Meeting as another source of information for our Strategic Planning. In planning this document is much more synced as RSA wants, it is less repetitive and redundant than in years past. The document asks about future needs and staff, it is a clearer document this year. We can use the projection of growth as for our thoughts and mapping out our resources and making sure we have the ability to meet and collaborate on the commitments we are going to make. This will be a useful tool going into the next Legislative Season we can use this projection and growth to inform Legislation on the future asks of the program. This tool will be helpful in the collaboration of the DIF Grant with the collaboration going forward. It ties together with the goals and

## N.S.R.C. Meeting Minutes November 7, 2023

strategies we have adopted as an agency. We summited the statement plan on October 4, 2023. Nevada had a very early cut of date compared to other states. It is currently with the Governor's Workforce Development Board waiting for Public Comment's. During the development we worked with Dr. Chaz Compton in the VR TAQUE QM for quality management. He put together a community practice of states that wanted to benefit by working together to improve their submissions. He gave us some nice tools to use as a roadmap they had put together to use to develop this document. The document itself is 34 pages, in prior years it was over 60 pages due to redundancy and being over wordy. There was never clear instruction as to eliminate or just tack on the new information with previous years' information. The document is paired down to just the reflection of the current year of reporting and more accurate. This was the overview of the document and the logic behind it and what we have submitted.

Ms. O'Neill asked for questions or comments from the council. No comments were made.

### **8. OTHER REPORTS**

Ms. O'Neil opened the floor to Mr. Mayes.

Mr. Mayes, NDALC, reported his agency is actively busy on their end report for the Client Assisted Program (CAP), and will have the statics available for the next meeting. Commented VR on their Town Hall Meeting and is looking forward to the next one. There was good opportunities for good dialog with the community, mentioned he thought is was very successful. The last item is his agency will be announcing a new Executive Director in the upcoming weeks.

Ms. O'Neill provided the following report for the Statewide Independent Living Council (SILC) provided to her by Dawn Lyons. The Council of Independent Living has made it thought Disability Awareness and Employment Month for October. It also happened to be the 50<sup>th</sup> Anniversary of the Rehab Act of 1973. Second point, they are officially working on their State Plan for fiscal years 2025 through 2027. The workgroup dates are listed on the website if anyone wants to attend or to offer assistance. The next meeting is December 11, 2023, via Zoom all are welcome to attend and participate. Third point, they are still in the process of hiring a Youth Outreach Specialist to work on the federal grants for a peer's project. If anyone knows someone who qualifies please send them to apply. Fourth point, Nevada SILC did not apply for any for any funds from FILC this year the awards we only available to organizations in the state that are 725 compliant meaning they meet all Federal Requirements in the Center for Independent Living. The fifth point is SILC is part of the education grant and will be awarded part of \$10 Million to be spent over the next five years to improve Transition Services for a project called Nevada TRIP. In the first stages of the award process with VR. Sixth point SILC next meets are January 10 & 11, 2024 starting at 1 pm and information is on the SILC website.



N.S.R.C. Meeting Minutes  
November 7, 2023

**9. OPEN MEETING LAW TRAINING**

Ms. O'Neill opened the floor to Chricy Harris, Deputy Attorney General (DAG) for Open Meeting Law Training.

**Applicability Of the Open Meeting Law**

- The Open Meeting Law (OML) applies to meetings of public bodies. Nevada Revised Statute (NRS) 241.016(1).
- "Public Body" is defined as "Any administrative, advisory, executive or legislative body of the State or a local government consisting of at least two persons which expends or disburses or is supported in whole or in part by tax revenue..." NRS 241.015(4).
- Administrative, legislative, and executive organizations may all be "public bodies."
- Includes subcommittees created by public bodies. NRS 241.015(4).

**Open Meeting Law: NRS Chapter 241**

- "In enacting this chapter, the Legislature finds and declares that all public bodies exist to aid in the conduct of the people's business. It is the intent of the law that their actions be taken openly and that their deliberations be conducted openly." NRS 241.010(1).
- "The exceptions provided in this chapter, and electronic communication, must not be used to circumvent the spirit or letter of this chapter to deliberate or act, outside of an open and public meeting, upon a matter over which the public body has supervision, control, jurisdiction or advisory powers." NRS 241.016(4).
- This spirit and policy behind the OML favors open meetings and any exceptions thereto should be strictly construed. *McKay v. Board of Supervisors*, 102 Nev. 644, 730 P.2d 438 (1986).

**Open Meeting Law: Key Requirements**

- **Agenda:** Must provide full notice and disclosure of discussion topics and any possible action. *Sandoval v. Board of Regents*, 119 Nev. 148, 67 P.3d 902 (2003).
- **Decisions:** Deliberation and action(s) must properly be noticed and taken openly. NRS 241.00. \*Note: Action is only taken by the body as a whole. Members have no individual decision-making powers and may only speak on behalf of the body if authorized to do so during an open meeting. NRS 241.015(1).
- **Subcommittees:** To the extent a multimember group is appointed by a public body and given the task of making recommendations to that public body, that group is also a "public body" subject to the OML. NRS .015(4).



N.S.R.C. Meeting Minutes  
November 7, 2023

**What is a Meeting?**

**NRS 241.015 says:**

- **Quorum** of members of a public body *gathering* together with:
- **Deliberation** toward a decision; and/or
- **Action:** which means making a decision, commitment or promise over a matter within the public body’s supervision, jurisdiction, control, or advisory power.
- A quorum is a simple majority of the total body (NRS 241.015 (5)); action requires majority vote of members present (NRS 241.015(1)).
- A gathering of a quorum at a social function is **not** a meeting **as long as** there is no deliberation or action.
- An attorney-client conference on potential and existing litigation is **not** a meeting **so long as** there is no action.
- Serial communications or “walking quorums” can constitute a constructive meeting.
- A constructive quorum can exist with less than a quorum speaking together at any given time if opinions are relayed between members.
- Email pitfalls – “Reply All” email chains can constitute a meeting.
- **Example of a constructive quorum:** Two members of a five-member public body discuss how they intend to vote on an issue and why. One of those members then has that same discussion with a third member, including how both the first two members intend to vote and why. A quorum (three members) has deliberated on an issue outside of a meeting.

**Meeting Notice AND Agenda:**

**NRS 241.020**

- Time, place, and location of meeting
- List of locations posted.
- Agenda consisting of a clear and complete statement of the topics scheduled to be considered.
- Action items clearly denoted as “For Possible Action.”
- Public comment at beginning/end or before any action item
- Posted at office of the public body or location of meeting and 3 other separate, prominent places within Nevada.
- Posted at public body website and at [www.notices.nv.gov](http://www.notices.nv.gov)
- Posted no later than 9 AM of the third working day before the meeting.

**Meeting Notice and Agenda:**

**What is “Clear and Complete?”**

- Agenda items must be **clear and complete**. NRS 241.020(2)(d)(1).
- A **higher degree of specificity** is necessary for topics of **substantial public interest**. *Sandoval*, 119 Nev. At 154-55, 67 P.3d at 906. Factors to consider include:
  - Does the topic generate public comments?
  - Does the topic generate debate among the members of the body?

N.S.R.C. Meeting Minutes  
November 7, 2023

- Does the topic generate media interest/coverage?
- Note: Agenda items such as “member comments” and “reports” are problematic in that these invite discussion and possible deliberation on topics that are not set forth on the agenda. Be careful to ensure that any topic that is raised should be included on a future agenda before any discussion can ensue.
- Name and contact information for person the public may request supporting materials from and locations where the supporting material is available.
- If any portion of the meeting will be closed to consider the character, alleged misconduct, or professional competence of a person, then the name of the person
- If the public body will consider whether to take administrative action regarding a person, then the name of the person
- Notification that items on the agenda may be taken out of order, may be combined for consideration, and may be removed from the agenda or delayed for discussion at any time.
- Any restrictions on comments by the general public

#### **Additional Requirements**

- Public bodies shall make reasonable efforts to assist and accommodate persons with physical disabilities desiring to attend. NRS 241.020(1).
- Notice to persons who have requested notice of meetings pursuant to NRS 241.020(3) (c).
- Additional notice requirements for consideration of character, misconduct, competence, or physical or mental health: 7 days personal service or 14 days certified mail. NRS 241.033. *\*This would not apply to passing remarks.*
- **An emergency meeting** may only be called where the need to act upon a matter is truly unforeseen and circumstances dictate that immediate action is required. NRS 241.020(9). Circumstances include (1) Any impairment of the health and safety of the public (i.e., COVID) and (2) disasters caused by fire, flood, earthquake, or other natural causes.
- One copy of the agenda, any supporting materials, and the recording of a public meeting must be provided at no cost to a member of the public requesting them and at least one copy made available at the meeting. NRS 241.020(6); NRS 241.035(2).
- Supporting materials must be available to the public when provided to public body members NRS 241.020(7).
- Meeting must be recorded or transcribed. NRS 241.035(4).
- Minutes must be kept in conformance with NRS 241.035 and include:
  - Date, time, and place of meeting.
  - Members in attendance.
  - Substance of all matters proposed, discussed, or decided; and
  - Substance of remarks made by any member of public or their written remarks if requested.

N.S.R.C. Meeting Minutes  
November 7, 2023

**Exceptions – NRS 241.030**

- Closed sessions may be held to by any public body to consider:
  - Character or Alleged misconduct.
  - Professional competence.
  - Physical or mental health of a person.
  - With some exceptions, or to prepare, revise, administer, or grade examinations administered on behalf of the public body; or
  - To consider an appeal by a person of the results of an examination appeal by a person of the results of an examination administered on behalf of the public body.
  - Litigation Strategies: to either (1) provide information to the Board regarding potential or existing litigation or (2) to advise the Board as it deliberates toward a decision on matter in pending or existing litigation. However, any **action** decided by the Board must be on record in a public meeting.
- Closed sessions may **NOT** be held:
  - To discuss the appointment of any person to public office or as a member of a public body. NRS 241.030(4)(d); see also *City Council of City of Reno v. Reno Newspaper, Inc.*, 105 Nev. 886, 784 P.2d 974 (1989).
  - To consider the character, alleged misconduct, or professional competence of an elected member of a public body, or a person who is an appointed public officer or who serves at the pleasure of a public body as a chief executive or administrative officer or in a comparable position.

**Public Comment Pitfalls**

- Restrictions must be reasonable “time, place, and manner” restrictions. NRS 241.020(d)(7). This means NO:
  - Halting comment based on viewpoint of speaker.
  - Halting comment upon belief defamation is occurring; or
  - Halting comment critical of a public official.
  - However, the presiding officer may halt comments that become unduly repetitive of that stray from willfully disruptive. See *Kindt v. Santa Monica Rent Control Bd.*, 67 F.3d 266 (9<sup>th</sup> Cir. 1995); *White v. City of Norwalk*, 900 F.2d 1421, 1425-26 (9<sup>th</sup> Cir. 1990).
  - The OML does not “[p]revent the removal of any person who willfully disrupts a meeting to the extent that its orderly conduct is made impractical.” NRS 241.030(4)(a).

**Violations Of The OML**

- Actions taken in violation of the law are void. NRS 241.036.
- The OAG has statutory enforcement powers under the OML and the authority to investigate and prosecute violations of the OML. NRS 241.037; NRS 241.039; NRS 241.040.

## N.S.R.C. Meeting Minutes November 7, 2023

- When a violation of the OML occurs or is alleged, the OAG recommends that the public body made every effort to promptly correct the apparent violation. NRS 241.0365.
- Although it may not completely eliminate the violation, corrective action can mitigate the severity of the violation and further ensure that the business of government is accomplished in the open.
- Corrective action is prospective only. NRS 241.065(4).
  - Corrective action requires that the public body engage in an independent deliberation action in full compliance with the OML. See, e.g., *Page v MiraCosta Community College Dist.*, 102 Cal. Rptr. 3rd 902, 930 (Cal. Ct. App. 2009).
  - A public body must clearly denote that corrective action may be taken at a meeting by placing the term “for possible corrective action” next to the appropriate agenda item. NRS 241.020(2)(d)(2).

### **Using Technology For A Meeting**

- Quorum of a public body using serial electronic communication to deliberate toward or make a decision violates law. NRS 241.016(4); *Del Papa v. Board of Regents*, 114 Nev. 388, 956 P.2d 770 (1998).
- If technology is used to convene a quorum for a public meeting:
  - There must always be a physical location for members of the public to attend the meeting. NRS 241.020(1); AB 70.
  - All the members of the public body and the members of the public who are present at the meeting must be able to hear or observe and participate in the meeting. NRS 241.010(2).
  - That technology must not be used to circumvent the spirit or letter of the OML. NRS 241.016(4).

### **Additional Points**

- Meetings held to recognize or award positive achievements of a person is not subject to the notice requirements of NRS 241.033.
- The OAG will not investigate complaints about alleged violations that occurred more than 120 days before the complaint was filed, unless: (1) Violation was not discoverable at the time of the violation occurred, **and** (2) The alleged violation did not occur more than 1 year prior to the complaint.
- The OAG has authority to decline to investigate if it determines that the interests of the complaint are not significantly affected by the alleged violation, unless:
  - Complainant would have standing in a court of law, and
  - Complainant is (1) a natural person who resides in the jurisdiction of the public body; or (2) a non-governmental entity with a mission to foster or promote transparency in government.
- If a member of a public body relies on legal advice, no criminal penalty or administrative fine may be imposed.

N.S.R.C. Meeting Minutes  
November 7, 2023

- Disclosure and abstention prior to consideration of a topic in conformance with Ethics in Government Law (NRS Chapter 281A). Abstain only in a clear case where the independence of judgment of a reasonable person in your situation would be materially affected by the conflict of interest disclosed. See NRS 281A.420.

Ms. Harris asked the council for any questions.

Mr. Mayes questioned the clarification of the OML for every meeting or just for ones with elected officials in attendance.

Ms. Harris commented that the posting of the agenda is for every meeting in multiple site locations for the public. It does not matter if you are dealing with a public official. Due to the fact the council is a publicly recognized public body the agenda needs to be posted in multiple physical locations.

Mr. Mayes questioned the use of ZOOM and having physical locations.

Ms. Harris commented on the physical location as a meeting place if ZOOM goes down the meeting can continue if the majority of the council members are there. If the ZOOM goes down the meeting has to stop if no physical location is designated. With the use of WestBay Location the majority rules and still would be able to care on meeting for this agency. If technology does not work the meeting cannot move on.

**10. DIVISION REPORT**

Mr. Elez mentioned we were awarded some grants and news of some federal reports what would be gone over with the Performance Indicators. VR Administrative Staff visited California's VR staff and attended some of their meeting and their Teams were very welcoming. We wanted to explore the different services and ways they administer services. California is significantly larger than Nevada, they have 700 counselors with Nevada having 55. They serve over 100,000 clients and we are serving 3,500 clients. They have the ability and resources to test out different projects and we had to see what they were doing. We were exploring the way they remove some of the administrative burdens our clients have when it comes to processing some of their services, products, or goods they have captured in their individual employment plan. They have a faster process and want to see how to accomplish that without the extra steps clients have to get services or products in Nevada (example: clients looking for work clothes, we only have a few stores what we can work with). We face an uphill battle with the lack of diversity in obtaining the goods for clients also, depending on the locations, and lack of options including materials for clients attending post education. California supplies clients a card with the Counselor uploading funds for the materials, services or goods needed by the client showing the documentation for the items to be purchased expediting the services. We looked into the eligibility numbers and how many days it takes for the clients to be eligible for services as they are one of the leaders in

N.S.R.C. Meeting Minutes  
November 7, 2023

the nation and wanted to see their policies for the quick time frame of approval. Several different District Managers came in to meet with the staff and we were very thankful for their time and information shared.

Ms. Merrill spoke about the Disability Innovation Fund (DIF) Grant, was an opportunity from the Rehabilitation Services Administration (RSA) requiring a partnership with the Department of Education in any given state and their Vocational Rehabilitation partners and their Centers for Independent Living. Under the guidance of Jennifer Cane with the Department of Education everything came together very quickly and came up with a supervising good application for a grant proposal. With amazement we were awarded one of 20 states awarded close to a \$10 Million collectively for the project we call The Nevada TRIP. It is going to be designed as a website that provides planning for transition aimed at the student as the user of the website. It will be a one stop shop for all things transitioning in the State of Nevada. There was 13 partners included in the grant proposal, most if not all are getting some sort of funding. More than half of the funding is going into the development of the website itself. The students and their families and members who are concerned can be brought into and given permission access to their case on the website and learn about the pace of the program on the website for the order of operation itself for transitioning. The website include links to the different partners' individual websites. The look for the website will look like the game of Life and will show the process of a young adult going through the transitions as in the game, hence the Nevada TRIP. The grant starts in elementary school and progresses through to post-secondary education through young adult to adult stages into employment. The student is the driver of the game and how they want to proceed in the game of Nevada TRIP. They are the ones who put who they want in their car to proceed with them on their trip. The individuals will be able to have access to the dashboard of the student with data sharing. Each stop will have representation on who to contact or watch a video or ask questions along the way. There will be buildings and billboards along the way as markers on where they will go next on their trip. It will be tailored to reading levels and very graphic and visually appealing to the students. It will be very accessible and is currently in the concept phase, it is not in the development phase. We have only received the Notice of Grant Award; currently we have not received any funds. We are working on the mechanisms for getting the funds in. The funds will be coming in from the Department of Education and they will be disbursed to the partners. There is a lot of set up to happen to contact systems for the money to be moved. We have not had our first Project Directors' meeting yet. We have the big concept, and we will be drilling down to start the work as soon as we can. We are working on the RFP to get the process going and the party to develop the website. VR will be leading the website development as we just went overhauled of the VR website. We will work with the web developer and offer our expertise. The RSA wanted to see a product by the end of the first year. We will move as quickly as we possible can.

Ms. O'Neill congratulated everyone who worked on it and believe it will be a wonderful concept.



N.S.R.C. Meeting Minutes  
November 7, 2023

Ms. Merrill commented on all the work being done by all the partners in the work being done in the transitioning services. I do not think it is clear to the families or the students how to connect all of the pieces. The path is not very clear and cohesive, which has been heard from multiple departments and agencies. The goal is to have a very clear and cohesive path for the students and families to follow.

Mr. Elez mentioned how impressed he was with all of the different agencies addressing, and working together on this, as a coordinated effort. Multiple people were involved in the writing of this proposal. We are looking forward to the help this will be to students with disabilities and their families.

Ms. Merrill mentioned at our recent In-Service after the Pandemic we wanted to hear feedback from parents, students, and our partners in education to hear about the transition process itself. The loudest feedback we heard was parents do not understand the process and how VR works and the transition of a parent of a student in a school setting, to that education setting ends and they move on to whatever is next. If VR is involved the parents do not understand how to make the connection. Schools do not understand how to foster that transition handoff for the family. The schools told us they do not understand how to make that handoff for us. Trisha Lanzano with Washoe County School District, Cindi Gustafson as a parent of a young adult with intellectual difficulties and Regional Center and VR put together a group to develop a parent training and is going to be something the parents will get information from as an entitlement-based service they are provided as long as the student meets criteria from the schools. VR is eligible based services for the student. Educators feel they are not qualified for the huge mind shift or prepared to hand over to the student to VR. We are working with Diana Thorkilson at UNR Center for Disabilities, parents, students, and educators are going to put together a training that we can share on the different websites, to help provide some of the answers and clarification to parents some of the answers, so it is not so hard. We will learn and use the information to add to our process to make it easier for them.

Mr. Elez spoke of the RSA Federal Report and some of the numbers they received, the report was received after the NSRC packet was sent out. The report covered the program period of July 1, 2022, to June 30, 2023. The agency has served 3,586 participants, with 1,424 of those exiting the program during the time period. The information calculated on the Federal side is how many closures we have had. The way it is reported now is employment data after closure of case how many individuals were employed six months after exiting the program. The employment rate for the agency is currently 55.6% or 855 clients are still employed. The federal goal was 51%, which we have made your goal for this. Four quarters of the federal goal for clients still working is 55.2% or 845 clients are still working. The client's cases are not closed until after they make their probationary period with the employer. We are seeing a significant number of clients staying permanently



N.S.R.C. Meeting Minutes  
November 7, 2023

employed longer. The medium earnings for clients \$6,008.00 federal target was \$3,786.00. The credential rate was set at 20% and we ended up at 38.1%. This rate included potential client's enrolled looking for a postsecondary education. The last rate Measurable Skill Gains is to measure important progression achievement made by clients through a report card of something shows improvement the rate was 42.2%. Out of the 3,586 individuals we served English language learners made up 22.3% represents a lot of Nevadan's come from outside the United States. We had 1,600 long-term unemployed individuals how had not worked for over 27 weeks, 1798 were low-income individuals, 845 were single parents, and the youth who aged out of the system was 867 individuals. The highest rate of unemployment was 71% with displaced homemakers, second largest was 62% with youth in foster care. We are seeing an increased number of applications monthly, to over 350, we believe in the factors and suggestions especially from the council and working with different agencies and with promoting the VR program. We are currently surpassing our budgeted spending as to the increase in the number of clients we are serving. In the last Legislative Session, we were able to receive a 30% increase in the general fund for the agency of about \$1 Million dollars. We have enough funding for this budget year. VR is the only granted funded program that has both the Maintenance of Effort requirement which means they have state participation of what they get in the grant and can not decrease year to year and a match funding part, the grant has to be spent in a year. The most recent award the agency has received was around \$30 Million. It will be added to the next agenda item to discuss.

Ms. Childers reviewed the staff vacancies and reported an 11% vacancy for BSBVI there are 2 positions open statewide. VR has a vacancy rate of 17.5% currently. These include all vacant positions in VR.

The current caseload size at the end of September was approximately 3300 open VR and BSBV cases statewide. The average caseload per VR and BSBVI is 72.

**NSRC Goals and Indicators.** Time indicators from October 1, 2022, through September 30, 2023, fourth quarter of the Federal Fiscal Year. Next reporting goals will be reported in a different manner as they were revised.

**Goal #1 Increase Number of Successful Employment Outcomes.** At the end of the year, we had not met our goal of 550. We completed our goal with 507.

**Goal #2a Increase Participation for Students with a disability in VR Transition Services.** Total Transition Student Applications was 812 our goal is 250 students. We have exceeded this goal.

**Goal #2b Increase Participation and Increase Successful Outcomes of Students with a disability in VR Transition Services and Post-Secondary Education.** Column A Transition Students with an Employment Outcome was 155. Column B Transition Students with Postsecondary Education was 66. Column C Total of Measurable Skill Gains for Open cases was 318. Column D is Total Number of Measurable Skill Gains for Closed cases was 215. Columns E, all columns added together the total was 754 our goal was 300. We have fallen short of this goal.

N.S.R.C. Meeting Minutes  
November 7, 2023

**Goal #2c Increase Participation and Ensure Students with a Disability receive Appropriate Pre-Employment Transition Services (Pre-ETS).** Column A Potentially Eligible Transition Students that receive Pre-ETS was 389. Column B Transition Students with a VR case that received Pre-ETS was 228. The total was 617 with our goal for this year 750. We have fallen short of this goal.

**Goal #3a Increase Participation of Supported Employment Consumers in VR.** Column C, which is a division of Column A Total Open Supported Employment Consumers (521) by Column B Total Open Non-Supported Employment Consumers (1748) equals 30% with our goal of 35%. We have fallen short of this goal.

**Goal #3b Increase Successful Outcomes of Supported Employment Consumers in a Competitive, Integrated Setting.** Column A Supported Employment Consumers Closed with an Employment Outcome of 130 with our goal of 100 clients to be closed successfully. We have exceeded this goal.

**Goal #3c Increase Successful Outcomes for Students with a Disability Who are also Supported Employment Consumers in Competitive Integrated Setting - Outcomes.** We are focusing on Column D Students with a Disability and Who are also Supported Employment Consumers Closed with an Employment Outcome 57. Column E Students with a Disability (Not Supported Employment Consumers) Closed with an Employment Outcome 98. Dividing Column D by Column E we have 58%, our goal is 40%. We have exceeded this goal.

**Goal #4 Collaborate with other Resources to Support Participants with Mental Health Disabilities to Obtain and Maintain Successful Employment.** Column A we have 233, Column B we have 92. Our percentage in this goal is currently 28% with our goal of 45%. We have fallen short of this goal.

**Goal #5 VR Staff Retention Efforts as a Reflection of Employee Satisfaction & Positive Work Culture.** We currently have 46 VR counselors, 29 Rehabilitation Technicians with a total of 75 across the state. 0 retirements, 18 transferred to another agency or resigned. With average tenure of less than 1.3 years with a negative turnover rate of 24%.

No New Fair Hearing requests from the last meeting.

**11. COMMENTS BY THE COUNCIL**

Ms. O'Neill opened the floor for comments.

Ms. Kincaid asked for the monitoring process that occurred and then when is the report going to be available, the Maintenance Letter VR received and would like to hear the update on the DIF grant as a standing item.

Mr. Mayes would like to see the summary of the feedback from the Town Hall meetings.

**12. SECOND PUBLIC COMMENT**

Ms. O'Neill opened the floor for the public comment.

N.S.R.C. Meeting Minutes  
November 7, 2023

**13. ADJOURNMENT**

Ms. O'Neill asked the council for a motion to adjourn the meeting.

Mr. Mayes motioned to approve the Annual Report draft. Mr. Olson seconded the motion.

All In favor, none abstained, motion carried.

Meeting adjourned at 11:27 AM.

**Minutes submitted by:** Regina Higley  
**Edited By:** Jenny Richter Livia

*Jenny Richter Livia*

02/06/2024

---

Jenny Richter Livia, N.S.R.C. Liaison

**Approved By:**

*Robin Kincaid*

02/08/2024

---

Robin Kincaid, Vice-Chair