



# Governor's Commission on Disabilities Executive Committee Minutes Monday, December 10, 2012 4:30 - 5:30 PM

John O. Pastore Center, 41 Cherry Dale Court,  
Cranston, RI 02920-3049  
(voice) 401-462-0100 (fax) 462-0106 (tty) via RI Relay 711  
(e-mail) [disabilities@gcd.ri.gov](mailto:disabilities@gcd.ri.gov)  
(website) [www.disabilities.ri.gov](http://www.disabilities.ri.gov)



**Attendees:** Rosemary Carmody (Vice Chair), Judi Drew, Bill Inlow, & Ronald McMinn  
**Absent::** Timothy Flynn (Chair.); Andrew Argenbright, Meryl Berstein, Jon Dupre, Sarah Everhart Skeels, Casey Gartland, & Linda Ward

**Guests:**

Michael DeNezzo and Christopher Holden

**Staff:**

Bob Cooper, Executive Secretary; Christine Rancourt, Assistant ADA Coordinator; Christopher DeGrave, Assistant ADA Coordinator; & Alyssa Sarault, Public Education Aide



Clock graphic

**4:30 Call to Order and Acceptance of the Minutes, Tim Flynn Chair**

Chair calls the meeting to order at 4:47 PM  
Introductions of Commissioners and guests



voting check off graphic

**MOTION:** To accept the minutes of the previous meeting as presented  
RMcM/JD passed unanimously

### Action Items:



College graphic

**4:45 Interviews & Selection of Fellows, Rory Carmody, Vice Chair**

Purpose/Goal: To select spring semester fellows

***Discussion: PROGRAM DESCRIPTION***

The Governor's Commission on Disabilities (GCD) Fellowships provides semester long part-time placements with the Commission in Cranston, RI, working on disability policy and research. The Fellow will assist one of the committees and, through individualized learning experiences, become familiar with procedures used to design and implement disability policy. Mentor experiences will introduce the Fellow to disability policy issues and actions at the local, state, and federal levels. The Governor's Commission on Disabilities is an independent state agency responsible for reviewing all state laws, programs, and policies concerning children and adults with disabilities and making policy recommendations to the Governor and the General Assembly.

***THE FELLOWSHIP OFFERS***

As a GCD Fellow, you will be assigned to a specific placement, providing assistance to the Commission in disability policy. The fellowship offers you a unique opportunity to:

- ◆ Gain perspective on the role and responsibility of the Commission;
- ◆ Expand your knowledge of national/state disability programs, policy issues and research;
- ◆ Meet with decision makers, experts and critics in disability and related policy fields and;
- ◆ Develop networks with local, regional, and national based experts, and researchers who can assist in career development and future endeavors.

**From:** Open Meetings Admin

<openMeetings@sos.ri.gov>

**To:** <bcooper@gcd.ri.gov>, <openMeetings@sos.ri.gov>

**Date:** 12/10/2012 7:33 PM

**Subject:** SOS Open Meetings : Meeting Minutes

December 10, 2012

This is your electronic confirmation for the electronic filing of meeting minutes for the Disabilities - Executive Committee, Governor's Commission on. The meeting minutes filed are in for the meeting held on: December 10, 2012 16:30:00.

This notice was electronically filed on the Secretary of State Open Meetings Website on: December 10, 2012 07:32:39 pm.

Please retain this message as your official proof of electronic filing.

Sincerely,

The Open Meetings Team at  
Office of Secretary of State A. Ralph Mollis  
State House Room 38  
Providence, RI 02903  
(401) 222-2357  
(401) 222-1404  
TTY: 711  
openmeetings@sos.ri.gov  
sos.ri.gov

The Commission will provide a living expense stipend of \$3,312 during the semester and reimbursement for authorized travel.

### ***WHAT YOU OFFER THE FELLOWSHIP***

As a GCD Fellow, you will provide assistance to the Commission as it relates to disability policy and / or the formulation of legislation. At least one GCD Fellowship is available each semester. Students wanting to see the "policy" side as opposed to the "clinical" side of the human service system would find the fellowships a worthwhile experience. A Complete description of each of the fellowships is attached.

### ***ELIGIBILITY***

This program is designed for individuals with demonstrated leadership and expertise in policy and research affecting people with disabilities. Candidates must:

- ◆ Have completed at least 3 semesters of college-level study;
- ◆ Be enrolled as a full or part-time student in an accredited college or university in Rhode Island;
- ◆ Have leadership ability;
- ◆ Have the endorsement of a current/former supervisor;
- ◆ Have approval on the part of the college/university to receive credit for the fellowship if selected;
- ◆ Have the ability to participate in the semester-long program in Rhode Island for at least two hundred and forty (240) hours during the semester; and
- ◆ Demonstrate the ability to perform the duties of the fellowship (see list of duties on the attached pages).

### ***EQUAL OPPORTUNITY***

The Commission urges college students with disabilities, from minority groups, and those enrolled in a course of study in education or human services for persons with disabilities to apply. The commission gives preference in its selection of fellows to Rhode Island residents who are: (1) College students with disabilities, then (2) College students enrolled in a course of study in education and/or human services for persons with disabilities, and finally (3) non-residents.

### ***APPLICATION FORMAT***

- ❖ **Biographical data:** A listing of the following information on a single sheet or two:
  - Name, home & school addresses, email address, and day time telephone numbers;
  - Education data (including universities or colleges attended, major fields, degree(s) granted and dates);
  - Employment history for two most recent positions (including title and dates, name of employer, and description of duties), and
  - Life experience(s) related to people with disabilities
- ❖ **Indicate whether you are:**
  - A resident of Rhode Island with disabilities, enrolled in a Rhode Island college or university;
  - A resident of Rhode Island enrolled in a Rhode Island college or university's course of study in education and/or human services for persons with disabilities;
  - A non- resident of Rhode Island with disabilities, enrolled in a Rhode Island college or university; or
  - A non-resident of Rhode Island enrolled in a Rhode Island college or university's course of study in education and/or human services for persons with disabilities.

- ❖ **Narrative Statement:** A one-page typewritten description (ASCII disk or audiotape) identifying:
  - Which Fellowship(s) you are interested in;
  - Why you are applying for that (those) Fellowship(s);
  - What skills and experience you offer the Commission;
  - What you expect to gain and how will you use the knowledge and skills gained after you complete your fellowship; and
  - A description of your ability to perform the duties of the fellowship(s) [see list of duties on the attached pages]
- ❖ **Letter of Recommendation:** A letter of recommendation from a current or most recent supervisor (i.e. employer, teacher, counselor) describing your:
  - Skills and abilities as they relate to the duties of the fellowship(s);
  - Ability to work with groups; and
  - Relationship to the supervisor (i.e. employer/ employee, teacher/ student, counselor/ client).
- ❖ **College Credit:** A letter from your college/university stating that if you are selected, the college will award credit for the fellowship.

## ***G. FRANK HANAWAY ARCHITECTURAL ACCESSIBILITY FELLOW<sup>1</sup>***

### **Spring (and non-election year summer & fall) semesters**

The Fellow's duties include:

- 1) Assisting the Commission's Americans with Disabilities Act (ADA) Title II State and Local Government Services, Title III Public Accommodations and Commercial Facilities, and Public Transportation technical assistance activities including:
  - a) Training
  - b) Technical assistance
  - c) Information dissemination
  - d) Outreach
    - i) Target population: The profile of disability has changed over the years in terms of types of conditions for children and adults, cultural and socio-economic patterns of disability, and the implications of an aging society. In addition to our existing target populations, we intend to broaden our reach to populations that include emergency management personnel in the public and private sectors, youth especially those within the spectrum of prevalent learning, developmental, mental health and chronic health conditions, veterans and older workers, increasingly likely to remain in the workforce into their '70s, people with disabilities from multi-cultural communities and low income communities
  - e) Capacity building
    - i) The Commission is expand the "State ADA Coalition" to include new target population: emergency management personnel, youth (college students under age 3D), older workers, veterans and people with disabilities for m multi-cultural communities.
- 2) A special emphasis of this fellowship is out reach to the following populations:
  - a) *Disabled Veterans*. The wars in Iraq and Afghanistan have resulted in proportions of well over 20% collecting disability benefits. For many, the injuries are at a level of severity that would not have been survivable in previous conflicts. Of the 1M troops who've left active duty in Iraq and Afghanistan, 46% have pursued VA services and 48% of them have pursued mental health care (USDVA). Traumatic Brain Injury (TBI) is routinely referenced as the signature disability of these

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<sup>1</sup> This fellowship is funded through a grant from the New England ADA Center at the Institute for Human Centered Design NIDRR Grant # H133A110028.

wars.

- b) Youth with Disabilities. The priority to reach youth in transition and college students with disabilities demands additional TA products that align with their appetites as well as needs. Young people with disabilities, specifically those who are higher education students, are often hard to reach.
  - c) Older Workers. The demographic tsunami of aging is hitting the US now as the 78M Baby Boom generation shift to being mostly over 55 with profound implications for workplaces for the foreseeable future. Given the incidence of disability in older cohorts, making this new reality work is a pervasive challenge. Recognizing that the generation that has reinvented everything over the course of their lives warrants special attention in designing an approach to them and in the design of Technical Assistance materials.
  - d) Emergency Preparedness and Homeland Security - A strong investment in building capacity in this area in the region will require orchestrating a set of interlocking activities and resources, some available through the various national initiatives on this topic in the last decade and some to supplement those.
- 3) Observing the rules of confidentiality regarding the privacy of the parties and cases before the Commission.

### Applications for the Frank Hanaway Architectural Accessibility Fellowship

#### 4:45 PM Interview

NAME: Michael DeNezzo

HOME ADDRESS: [REDACTED] Cranston, R.I. 02921

E-MAIL ADDRESS: [REDACTED]@email.ric.edu

TELEPHONE NUMBERS: Home: 401-[REDACTED]

#### APPLICANT TYPE:

A resident of Rhode Island with disabilities, enrolled in Rhode Island College.

#### EDUCATION DATA:

##### **Rhode Island College:**

B.A. in English anticipated May 2013

GPA: 3.3

##### **Community College of Rhode Island:**

A.A. in General Studies conferred May 2009

GPA: 3.63

#### EMPLOYMENT DATA: (Please see attached resume for complete history)

##### **Community College of Rhode Island, Warwick, RI**

*Library Assistant*

May 2005 - May, 2009

- Checked books in and out, assisted patrons at front desk
- recorded electronic patron information into HELIN database
- filed patron records, shelved books

##### **Department of Environmental Management, Lincoln, RI**

*Park Ranger I*

Summers, 2002 - 2004

- Responsible for grounds maintenance at Lincoln Woods State Park
- Raked paths, posted park rules, swept, picked up trash, maintained restrooms

**LIFE EXPERIENCE** ; I have demonstrated leadership skills for the Rhode Island College Advocacy and Beyond Club (ABC) as Vice President. In this role I informed the RIC community about ABC, and disseminated information about upcoming meetings, events, and the overall management of club activities. I have also worked with the Southern Rhode Island Collaborative, sharing my experiences as an individual with

a disability attending college obtaining the proper tools and resources to overcome my fears and obstacles. In addition, I volunteered at the Perkins School for the Blind to as an advisor and guide for people with visual impairments. I also worked with students one-on-one and served as a classroom aide at the Youth Leadership Forum.

**Personal Statement:**

I am applying for the Frank Hanaway Architectural Accessibility Fellowship because I want to continue to serve the disability community and help people to seek solutions to their problems. This fellowship will provide me with an opportunity to gain a better understanding about how law, government and policies work. It will also help me to develop skills that I can use for a future career in the disability field.

As Vice President of RIC's Advocacy and Beyond Club (ABC), a student organization that promotes disability awareness on campus, I have had a lot of experience with leadership and information dissemination. Each year, I participate in ABC's Access Challenge event by passing out flyers to promote the event, expressing my own concerns about the buildings on RIC's campus, and listening to feedback from participants during the discussions. In my former role as Secretary, I informed all members of upcoming meetings and events, kept track of attendance, and actively participated in all events. As a result, I possess strong communications skills and can provide technical assistance over telephone or email. Now, as Vice President, I continue to be present at all meetings and events, both on and off campus and promote the club's mission.

As a member of the Southern Rhode Island Collaborative I have had several experiences working with teenagers who have disabilities. I have spoken to high school students with disabilities and their parents at Providence College about transitioning from high school to college. I have also provided advice on succeeding in college to students with disabilities, parents and teachers. I have talked about my first-hand experience as a college student with a disability and the importance of good time management skills and the utilization of college support services.

I am also currently a member of the Rhode Island Youth Leadership Forum for people with disabilities. I have taken an active leadership role by volunteering for an annual program for high school juniors and seniors with disabilities, who demonstrate high leadership potential. I have also served as a classroom aide by working one-on-one with delegates to complete donor thank you letters, worksheets and other classroom exercises.

In conclusion, as a prominent advocate for people with disabilities, I have several skills and abilities that I can bring to this position. First, I will respond immediately to all comments, complaints, and concerns people have. Second, I will ensure to inform other people with disabilities, who are not affiliated with the commission, with accurate information; thereby spreading awareness to many people as possible including families, friends and teachers. Finally, I promise not only to be reliable, but also flexible and eager to learn new tasks and duties. One of the skills that I would like to further develop from this fellowship is public speaking. With this experience, I will spread disability awareness and educate others about policies, options and solutions for not only people with disabilities, but also for their families, friends and teachers. I look forward to the opportunity to discuss my qualifications with you in person.

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**RHODE ISLAND  
COLLEGE**  
Department of English

November 19, 2012

Fellowship Selection Committee  
Governor's Commission on Disabilities  
John O. Pastore Center  
41 Cherry Dale Court  
Cranston, R1 02920-3049

To the Fellowship Selection Committee:

I am writing on behalf of Michelle J. DeNezzo, who is applying for the G. Frank Hanaway Architectural Accessibility Fellowship. Michael has been my student in two classes at Rhode Island College: English 326:

Studies in African American Literature in the spring semester of 2012 and currently English 336: Non-Western Literatures in the fall semester of 2012. He earned a B+ in English 326 and his academic performance this semester is of the same high quality. Michael is a very good student, a very capable writer, and a hard worker. He is attentive, thoughtful, and an active participant in classroom discussion and group activities.

One of Michael's greatest strengths is interest in learning about the experiences of people from diverse backgrounds and cultures. For example, Michael recently joined a group of students in our Non-Western Literatures class to hear Nigerian novelist Chimamanda Ngozi Adichie speak at Bryant University. And when Michael heard me talking to a student from my Maritime Literature class about an upcoming fieldtrip to tour the whaling ship, the *Charles W Morgan*, at Mystic Seaport, The Museum of America and the Sea, he asked if he could join us. As expected, he was a lively participant in hands-on activities, and an enthusiastic voice in the sea-chantey sing-a-long. A couple of days ago he told me that he is traveling to Montreal this weekend, just because he has the opportunity and he has never been there. His interest in cultural diversity and civil rights will serve him well in a position that requires skill in working with others and communicating with the public.

I am confident that Michael would be, a wonderful choice for this' fellowship. I know that he will take great pride in performing the duties of G. Frank Hanaway Fellow, and that he will be a fine addition to your program.

Please do not hesitate to contact me with any further questions.

Sincerely,

Anita Duneer, Ph.D.  
Assistant Professor  
Department of English  
Rhode Island College  


Providence, RI 02908-1991  
(401) 456-8027  
TTYTDD via RI Relay: 1-800-745-5555

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**RHODE ISLAND  
COLLEGE**  
Department of English

November 26, 2012

Fellowship Selection Committee  
Governor's Commission on Disabilities  
John O. Pastore Center  
41 Cherry Dale Cowt  
Cranston, RI 02920-3049

To the Fellowship Selection Committee:

If selected for a fellowship, Rhode Island College will work with Michael J. DeNezzo to arrange an independent study for college credit.

Sincerely,

Anita Duneer, Ph.D.  
Assistant Professor  
Department of English  
Rhode Island College  


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## Michael DeNezzo

[REDACTED]  
Cranston, RI 02921  
Home phone (401) [REDACTED]  
Email: [REDACTED]@ric.edu

### EDUCATION

**Rhode Island College, Providence, RI**

*B.A. in English*

anticipated May, 2013

GPA: 3.3

**Advocacy and Beyond**

Vice President

**Community College of Rhode Island, Warwick, RI**

*A.A. in General Studies*

May, 2009

OPA: 3.63

### EXPERIENCE

**Southern RI Collaborative Education and Training Center, No. Kingstown, RI**

*Panelist*

Spring & Summers 2007- present

- Spoke to high school students with disabilities and their parents at
- Providence College about transitioning from high school to college
- Shared my experiences with students with disabilities at high schools, including Cranston East, Cranston West, Lincoln, and Smithfield
- Provided advice On succeeding in college to students with disabilities,
- Parents and teachers: using good time management skills, utilizing college support services

**Community College of Rhode Island, Warwick, RI**

*Library Assistant*

May 2005 - May, 2009

- Checked books in and out, assisted patrons at front desk
- recorded electronic patron information into HELIN database
- filed patron records, Shelved books

**Department of Environmental Management, Lincoln, RI**

*Park Ranger I*

Summers, 2002 - 2004

- Responsible for grounds maintenance at Lincoln Woods State Park
- Raked paths, posted park rules, swept, picked up trash, maintained restrooms

### VOLUNTEER ACTIVITIES

**Perkins School for the Blind, Watertown, MA**

*Volunteer Aide*

Summers, 2008 - 2012

- Assisted my supervisor with clerical office functions
- Assisted students to rooms in various campus buildings and during fire drills
- Maintained dining room facility including meal setup, recycling items, helping students clean up after meals

**Rhode Island Youth Leadership Forum, Exeter, RI**

*Peer Facilitator*

Aug 2005- 2009, 2011

- Volunteered with annual program for high school juniors and seniors with disabilities who demonstrated high leadership potential
- Served as a classroom aide
- Worked one-on-one with delegates to complete donor thank-you letters, worksheets and other classroom exercises

### COMPUTER SKILLS

Microsoft Office: Word, Excel PowerPoint

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### 5 PM Interview

Christopher Holden

### Biographical Data

- Home address: [REDACTED] Newport RI 02840
- School address: 100 Ochre Point Ave, Newport RI 02840

- E-mail: [REDACTED]@salve.edu
- Phone number: (720) [REDACTED]
- Attending: Salve Regina University
- Major: Liberal Arts with a concentration in Education
- Graduation date: May 19<sup>th</sup> 2013
- Employment History:
  - Boys and Girls Club of Newport County (June 2011-present), After school daycare/homework help
  - Sullivan School After School Program (Fall '12) After school homework help
- Life experiences related to people with disabilities:
  - During high school, I worked at a summer camp for children who were deaf
  - At Salve, I participated in a program called *Learning Unlimited*, where I would spend a few hours with an adult living with downs syndrome. My “buddy” and I spent most of our time playing pool and we wrote a poem together
  - During my special education courses at Salve Regina, I spent time with students who had IEPs and needed some individualized help.

I am a resident of Rhode Island (originally from Colorado) enrolled at Salve Regina University, who is living with executive functioning disabilities. I was formerly enrolled in the Education and Special Education majors at Salve Regina, but at the current moment I am no longer in the program (see narrative statement for further information).

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### **Narrative Statement**

I am applying for the G. Frank Hanaway Architectural Accessibility Fellowship because I am interested in working with the target population. For starters, I have a wealth of experience with working with youths who have disabilities. With that, I was a youth with disabilities, and am starting to come to terms with and deal with my own disabilities. I know what it feels like to be a young student with a disability. Until high school, I didn't have any disabilities; I was also in honors programs. However, that all changed when I was involved in a bad car accident. I received severe head trauma. It was difficult to go from a scenario in which I was always successful, to a place in which I had an IEP following me wherever I went in school. It wasn't fun to feel different or less capable than my peers, and until this point in my life, I've denied that I ever did have a problem. But now I have to come to terms with the fact that I need help, and I think that what's going to help me finally realize that having support isn't demeaning is showing others that it doesn't make you any less of a person than your peers. When I think about the reason I got into education, I see myself as that mentor who proves to young people that it's OK to feel different, but it's not OK to refuse to allow others to help. I took a special education course in which I spent one day a week in a middle school classroom for students with IEPs. I saw myself in them. Taking tests that make you feel bad, having to read with help when you know that you shouldn't need it. At that age, having the “label” of an IEP is the last thing you are willing to accept.

What I expect to gain from this experience is for myself as a person. I want to show students something I've never believed. I haven't had it easy in college; I left my IEP in the dark and asked no one for help. But now, it's hurt me, emotionally and scholastically. I had to take a leave of absence this semester because of this permanent brain damage I have. I've spent the last three years believing that it was gone, but now I realize that it isn't going to go away, and I think that if I can see what makes an effective adaptation, I can use it in my own life; in my own career as I graduate. I want to be able to

carry on with life knowing my strengths, my weaknesses, and how to use them to help those people who are affected by the same disabilities, the same feelings, the same things that have bothered me and been kept secret. I want to be the person who people look up to and say "maybe this isn't so bad. Maybe I can be like him and find a way to make this disability my strength". From this experience I will learn how to be the role model I want to be.

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**Salve Regina University**

100 Ochre Point Avenue  
Newport, Rhode Island 02840-4192  
401.847.6650  
www.salve.edu

December 4, 2012

Letter of Recommendation for Christopher Holden

Christopher Holden, or CJ as he is more familiarly called, has elected to pursue a double major in Elementary/ Special Education Program at Salve Regina University and is expected to graduate in May, 2013. He is a resident of the state of Colorado who has set his sights on a career in International Education and plans to teach somewhere in the Far East. CJ has been my advisee for three years now. He was enrolled as a student in all three of my education classes: EDC 323 Teaching of Math and Science, EOC 203 Technologies in Education, as well EOC 300 Junior Methods Portfolio and his current GPA is a 2.96. Over the years, I have come to understand just what he has had to overcome to reach his goals at the University. CJ is very familiar with the Individual Education Plan (IEP) process in Special Education because in his freshman year of high school he suffered severe brain trauma after being hit by a car right in front of the school. He received a serious head injury as a result of the impact to his brain. Because of the damage, CJ had an IEP created for him which focused on helping him improve his executive functioning skills, fine motor coordination, and the development of short and long term memory. He found it immensely hard to adjust to his limitations once his physical wounds had healed and he returned to high school but was relieved to find that with a great deal of hard work and perseverance his most of his memory had returned and he was eventually able to reclaim most of his executive functioning skills that he had always taken for granted. This crisis in his life made him aware for the first time of the needs of students who lacked the necessary skills to learn as quickly as the rest of the class because he was one of them. He experienced first-hand many of the same problems other students had had to face either because of specific learning disabilities or medical and physical disabilities. This connection to those students helped him choose a career in special education in order to teach those students he identified with in high school- the ones who found learning difficult. CJ is an innovative and motivated teacher candidate determined to help others move past the obstacles that life has placed in their way.

CJ is also an avid snowboarder and you will find him coursing down the steeper runs up in the mountains of Colorado whenever he is on break from the university. He has identified himself as a "C,C,B" guy meaning he loves cereal, cartoons, and baseball but not necessarily in that order.

There is also a real serious and committed side to CJ. He chose to work with inner city students from July of 2011 until June of 2012 at the Middletown YMCA, Boys and Girls Club. At first he worked in the summer camp with the 11 to 13 year olds but then he signed on to work with the children in the late afternoon After-School Program during the 2011-2012 school year. He provided homework tutoring and then assumed other supervisory positions such as the Physical Activities Coordinator, but he chose to spend most of his time working with students who were in Grade 4 or lower. He also volunteered to work with those students who had the most trouble mastering concepts and/or building skills. I think it best to hear him explain this in his own words: "I really learned a lot from seeing the same students

both In school and at the After-School Program- having to accurately Identify their learning needs and differentiate Instruction for each of them. I also needed to understand what their interests were and what motivated them so I could use this to help keep them going though the harder lessons. I used to take some of them home in the evenings, so I've met their parents and have become familiar with the many different areas of Newport."

I am a great supporter of CJ Holden. He is a genuinely energetic individual who draws you into his dreams with his dynamic personality and before you know it - you're a fan. He is one of the most empathetic individuals I have ever taught having been sensitized to the needs of others by the many simple things he had to relearn after his harrowing accident. Once you've met him, It's hard to forget him. He's a leader who easily motivates others through example but is respectful of their opinions and whose favorite phrase is, "time to give it more effort." I believe he will make an exemplary intern in your organization because he has already dedicated his life to educating others about disabilities. I have found him to be strong, courageous, unflappable, and humble, but never bitter. He has the Intelligence, talent, and the stamina to persevere in this endeavor and I am convinced that he will bring Innovative Ideas and unlimited dedication to your mission. If you have any further questions regarding CJ Holden's specific abilities, feel free to connect me at 401 [REDACTED] or at [REDACTED]

Sincerely,

Kathleen J. Nickerson, Ed.D.  
Associate Professor

 <p>voting check off graphic</p>	<p><b>MOTION: To appoint for the Spring 2013 Semester: Edward J. Schroeder Legislative Fellow Michael DeNuzzo, WI/RMcM passed unanimously.</b></p> <p><b>Tabled Christopher Holden's application pending receipt of college credit letter and 2<sup>nd</sup> recruitment</b></p>
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 <p>Small business graphic</p>	<p><b>5:15 Small Business Impact Statements, Bob Cooper, Executive Secretary</b></p> <p><b>Purpose/Goal: To approve the Commission's Small Business Impact Statements</b></p>
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**Discussion:**

Dear Commissioners and Board and Committee Chairpersons,

As you may know, the legislature passed and I signed into law a measure that will help make government run more efficiently and make Rhode Island more business friendly, 2012 Public Law 445, a copy of which I have attached (*See Attachment I*). This positive development will be quarterbacked by our state Office of Regulatory Reform, (ORR), or more specifically, Leslie Taito as director of ORR. As leaders of commissions, boards, and committees in the state with regulatory authority, I wanted to take this opportunity to inform you of this measure and my expectations for accelerating our work as a state to improve the business climate of Rhode Island. We are working to create a clear, predictable, and reliable regulatory system, and along with state agencies, you are key partners in that effort.

*Small Business Impact Statements*

2012 Public Law 445 has multiple components, including:

- Relocating the ORR to the new Office of Management and Budget;
- Requiring each agency to complete a "look back" and evaluate all existing agency regulations for any adverse impacts on small businesses;
- Requiring ORR to develop criteria for economic impact statements to be used by all agencies; and
- Tasks ORR to assist each agency to prepare economic impact statements and oversee this process.

The law requires that beginning on July 1, 2012, each agency must review 25 percent of its regulations each year for four years until all existing regulations have been evaluated for any adverse impacts on small businesses and accompanying economic impact statements have been prepared.

### *Accelerated Efficiency*

Regulations play an important role in encouraging responsibility, safety, and stewardship among industries and businesses in the state. I applaud your work and the efforts of your commissions, boards, and committees to develop and enforce those rules for the benefit of the state and our citizens.

As you know, regulations not only come with benefits, but also with associated costs. In our state, small businesses are the backbone of our economy, with nearly 96,000 small businesses in operation in Rhode Island accounting for 55.9 percent of private sector jobs, according to the Small Business Administration. We currently have 1,638 regulations in the state and the impact of those regulations on small businesses in particular is unclear. What we do know is that the challenges small businesses face in our state are urgent and they demand attention now. The pace for our state agencies to take four years to complete these economic impact statements is unacceptable.

Therefore, I challenge you to think as a small business owner and as a Rhode Islander eager to grow their business and our state's economy. To that end, I am directing each state agency, commission, board, and committee to complete an evaluation of 25 percent of your regulations for any adverse effects on small businesses and to prepare economic impact statements by December 31, 2012. Until that target is met, agencies may not file any new regulations without express permission from me or a demonstrated emergency pursuant to RIGL 42-35-3 (b). For those regulatory entities that have fewer than 10 regulations, those regulations should be reviewed during this first 120 day period.

I expect every regulatory entity to meet or exceed the targets. As noted above, ORR will provide a template for each agency to use to conduct an evaluation of the impact of regulations on small businesses, with the criteria for review based on whether the regulation is three years or older, overlaps with another agency, and for any regulations that have issued additional bulletins or guidance. (*See Attachment 2.*) I ask each regulatory entity to provide Leslie Taito with recommendations to revise, repeal, or keep the regulations based on your reviews, including for regulations that are mandated by state or federal statutes. ORR will have 90 days to review those recommendations.

Upon submission of economic impact statements of the first 25 percent of regulations, each regulatory entity will immediately begin review of the next 25 percent of regulations within the second 120 day review period by May 1, 2013. This process will continue until all state regulations have been reviewed for any adverse impacts on small businesses. This work is modeled after a similar process in Massachusetts.

I encourage you as regulators to continue to think out of the box. Let's make it easier for small businesses to conduct business in Rhode Island, which hopefully will lead to growth and increased hiring in those companies. It is time for state government to be bold and proactive to make government run more efficiently, streamline processes and regulations, and reduce the regulatory impact to small businesses.

Thank you for your continued support of important initiatives such as this.

Lincoln D. Chafee

Governor

### **Draft Memo from the Governor's Commission on Disabilities**

John O. Pastore Center (Formerly the Howard Center)

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Date: December 10, 2012

To: Leslie Taito, Director Office of Regulatory Reform

From: Bob Cooper, Executive Secretary

Subject: Small Business Impact Statements

The Commission has 15 regulations. Many only affect state and local governments. One assists small businesses owned by persons with disabilities, those regulations are being amended to conform to RIPL 2012 - Three others affect small, medium and large businesses, attached are their Small Business Impact Statements. All the Commission's regulations have been reviewed in accordance with 2012 Public Law 445, to identify which ones that an impact on small businesses. The complete of the Commission's regulations is listed below.

[Chapter A Open Meeting—Accessibility For Persons With Disabilities](#)

ERLID Number: 5831

Affects only State and Local Government Entities

[Chapter B Request for a waiver of the Accessibility Standard for State leased facilities](#)

ERLID Number: 5832

Affects only State and Local Government Entities

[Chapter C Coordinating Compliance by State agencies with Laws protecting the rights of individuals with disabilities](#)

ERLID Number: 5833

Affects only State and Local Government Entities

[Chapter D Grievance procedures regarding complaints alleging discrimination by a State agency on the basis of a disability](#)

ERLID Number: 5834

Affects only State and Local Government Entities

[Chapter E Initiation of complaints against State agencies that willfully fail to comply with the laws protecting the rights of individuals with disabilities](#)

ERLID Number: 5835

Affects only State and Local Government Entities

[Chapter F Accessibility of State and State funded programs and activities](#)

ERLID Number: 5836

Affects only State and Local Government Entities

[Chapter G Effective Communications](#)

ERLID Number: 5791

Affects only State and Local Government Entities

[Chapter H Nondiscrimination eligibility criteria for services](#)

ERLID Number: 5792

Affects only State and Local Government Entities

[Chapter I Reasonable accommodation requests](#)

ERLID Number: 5793

Affects only State and Local Government Entities

[Chapter J - Disability Business Enterprises](#)

ERLID Number: 5794

**Agency:** Impacts and assists small businesses owned by persons with disabilities

[Chapter L Mediation of complaints alleging discrimination on the basis of disability by a non-state agency](#)

ERLID Number: 5837

Impacts Small Businesses

[Chapter M Assuring that people with disabilities are afforded the opportunities to exercise all of the rights and responsibilities accorded to the Citizens of this State](#)

ERLID Number: 5838

Impacts Small Businesses

[Chapter N General Operating Rules](#)

ERLID Number: 5796

Internal procedural rules

[Chapter O Investigation and Hearing of Complaints Relating to Alleged Violations of the Civil Rights of People with Disabilities](#)

ERLID Number: 5839

Impacts Small Businesses

[Chapter P Open Meeting Telecommunication Accommodation Waiver Requests](#)

ERLID Number: 5797

**Agency:** Disabilities, Governor's Commission on

Affects only State and Local Government Entities



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**MOTION:** To approve the Commission Regulations' Small Business Impact Statements Overview as *presented WI/RMcM passed unanimously*

*In order to accurately predict the impact the adoption, amendment, or repeal of a regulation will have on small businesses, the promulgating authority must conduct a thorough analysis that not only considers the potential effects of the action but also quantifies the costs, if any, associated with each. The questions below are designed to aid promulgating authorities in conducting their analysis.*

<b>Subject matter of regulation:</b>	<b>Disability Business Enterprises</b>	<b>Exercise Rights &amp; Responsibilities</b>	<b>Mediation</b>	<b>Investigation &amp; Hearing</b>
Other agencies affected:	Division of Purchasing	RI Commission for Human Rights, RI Public Utilities Commission, Executive Office for Health & Human Services, and other regulatory & policy agencies	RI Commission for Human Rights	Commission for Human Rights and Department of Elementary and Secondary Education
Other regulations that may duplicate or conflict with the regulation:	None	None	None	None
Describe the scope and objectives of the regulation:	To support the fullest participation of small disadvantaged businesses owned and controlled by persons with disabilities in state purchases of goods and services.	To respond to alleged/pending action, by a non-state agency that would deny or is denying people with disabilities the opportunities to exercise their rights.	To provide a mediation service to assist parties who voluntarily chose to utilize that service to resolve allegations of discrimination on the basis of disability.	To to investigate complaints of alleged violations of the Civil Rights of People with Disabilities relating to the physical inaccessibility of buildings & structures.
What was the rationale for establishing this regulation?	“	To ensure individuals with disabilities enjoy the same opportunities as all other Rhode Islanders, to be employed, to purchase goods & services, receive benefits.	To provide a non - advertorial process to resolve allegations of disability discrimination.	To provide an administrative adjudication procedure, a lower cost and quicker method of resolving disability discrimination charges, than the courts.
Does the rationale still exist?	Yes	Yes	Yes	Yes
Is the rationale still relevant?	Yes	Yes	Yes	Yes
Business industry(ies) affected by the regulation:	All small disadvantaged businesses owned and controlled by persons with disabilities that have fifty or fewer employees.	All	All	All

<b>Subject matter of regulation:</b>	<b>Disability Business Enterprises</b>	<b>Exercise Rights &amp; Responsibilities</b>	<b>Mediation</b>	<b>Investigation &amp; Hearing</b>
Types of businesses included in the industry(ies):	Any small business	All	All	All
Total number of small businesses included in the regulated industry(ies)	NA	All	All	All
Number of small businesses potentially subject to the proposed regulation:	NA	All	All	All
How often do small businesses contact your agency for assistance with clarification of the regulation and/or receive assistance with compliance issues?	A couple times a year	Once or twice a year.	Once or twice a year	Once or twice a year
What is the cost to your agency of establishing and enforcing this regulation?	\$24,640	\$85,500	\$23,905	\$7,070
What would the consequences be if the regulation did not exist?	Small businesses owned by persons with disabilities would not have assistance in bidding on state government contracts for goods and services.	No procedure for the Commission to determine how to respond to alleged/pending action that would deny people with disabilities their equal opportunities.	Discrimination complaints would be addressed in a quasi-judicial or court setting, at greater expense to all parties.	Disability discrimination complaints would be resolved through litigation, at greater cost to all parties.
Effective date used in cost estimate:	9/10/12	9/10/12	9/10/12	9/10/12
1. <i>Note: For each question, please answer "yes" or "no" and offer a brief explanation. Please describe any facts, data, views, arguments, or other input from small businesses, organizations or any other sources that were used to quantify the impacts outlined below.</i>				
2. Do small businesses have to create, file, or	Yes, businesses that apply for certification as a Disability Business	No	No	No

<b>Subject matter of regulation:</b>	<b>Disability Business Enterprises</b>	<b>Exercise Rights &amp; Responsibilities</b>	<b>Mediation</b>	<b>Investigation &amp; Hearing</b>
issue additional reports?	Enterprise must submit an application form, and quarterly reports on the number and size of their state contracts. See item 14, proposed reduction in the quarterly reports to annual reporting.			
3. Do small businesses have to implement additional recordkeeping procedures?	Yes, keeping track of the number of bids submitted for state procurement contracts and the number of contracts awarded	No	No	No
4. Do small businesses have to provide additional administrative oversight?	No	No	No	No
5. Do small businesses have to hire additional employees in order to comply with the proposed regulation?	No	No	No	No
6. Does compliance with the regulation require small businesses to hire other professionals (e.g. a lawyer, accountant, engineer, etc.)?	No	No	No	No
7. Does the regulation require small businesses to purchase a product or make any other capital investments in	No	No	No	No

<b>Subject matter of regulation:</b>	<b>Disability Business Enterprises</b>	<b>Exercise Rights &amp; Responsibilities</b>	<b>Mediation</b>	<b>Investigation &amp; Hearing</b>
order to comply with the regulation?				
8. Are performance standards more appropriate than design standards?	Yes, outcome measurements are most important; state procurement contracts awarded, change in in the status of the owner, receiving/not receiving SSDI benefits, increase/decrease in the number of business contacts, sales, etc.	Yes, the Commission measures its effectiveness based on the outcomes of its interventions.	Yes, the number of complaints resolved, PRIOR to a disability discrimination hearing, is the performance measure used by the Commission to judge this program.	No, the number of complaints resolved, PRIOR to a disability discrimination hearing, is the performance measure used by the Commission to judge this program.
9. Does the regulation require small businesses to cooperate with audits, inspections, or other regulatory enforcement activities?	Yes, maintaining records on the number of state procurement contracts awarded, change in in the status of the owner, receiving/not receiving SSDI benefits, increase/decrease in the number of business contacts, sales, etc	No	No	Yes, a business that is the subject of a disability discrimination complaint could be required to cooperate with audits (if the business believes it would be an undue burden to remove access barriers) and/or inspections to determine if the alleged access barrier exists.
10. Does the regulation have the effect of creating additional taxes and/or fees for small businesses?	No	No	No	No
11. Does the regulation require small businesses to provide educational services to keep up to date with regulatory requirements?	No	No	No	No
12. Is the regulation likely to <i>deter</i> the formation of small businesses in RI?	No	No	No	No
13. Is the regulation likely to <i>encourage</i>	Yes, The objectives of this program are to increase the number of small	No	No	No

<b>Subject matter of regulation:</b>	<b>Disability Business Enterprises</b>	<b>Exercise Rights &amp; Responsibilities</b>	<b>Mediation</b>	<b>Investigation &amp; Hearing</b>
the formation of small businesses in RI?	businesses owned by persons with disabilities and support them until they grow to 50+ employees			
14. Can the regulation provide for less stringent compliance or reporting requirements for small businesses?	Yes, Proposed revision of the regulations would reduce reporting from quarterly to annually	No	No	No
15. Can the regulation establish less stringent schedules or deadlines for compliance or reporting requirements for small businesses?	Yes see 14.	No	No	No
16. Can the compliance or reporting requirements be consolidated or simplified for small businesses?	Yes see 14.	No	No	No
17. Can performance standards for small businesses replace design or operational standards?	No	No	No	No
18. Are there alternative regulatory methods that would minimize the adverse impact on small businesses?	No	No	No	No
19. Have any small businesses or small business	Yes, the Disability Business Enterprise Committee includes 2 representatives of small businesses	?	?	?

Subject matter of regulation:	Disability Business Enterprises	Exercise Rights & Responsibilities	Mediation	Investigation & Hearing
organizations been contacted during the preparation of this document? If so, please describe.	owned by persons with disabilities.			



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Potential MOTION: To approve the Commission Regulations' Small Business Impact Statements for:

- ✓ Chapter J - Disability Business Enterprises
- ✓ Chapter L Mediation of complaints alleging discrimination on the basis of disability by a non-state agency,
- ✓ Chapter M Assuring that people with disabilities are afforded the opportunities to exercise all of the rights and responsibilities accorded to the Citizens of this State
- ✓ Chapter O Investigation and Hearing of Complaints Relating to Alleged Violations of the Civil Rights of People with Disabilities

WI/RMcM passed unanimously



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**5:25 Agenda and Scheduling the Next Meeting, Tim Flynn, Chair**

Items to be placed on the next meeting's agenda:  
 Interviewing and Selecting remaining Spring 2013 Semester Fellows

Next meeting will be on Monday Jan. 21, 2013.



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**5:30 Adjournment, Tim Flynn, Chair**

Meeting adjourn at 6:10 PM.