

From: [Monica Espitia](#)
To: [DLIR.Workforce.Council](#)
Subject: [EXTERNAL] ACLU Comments on Workforce Innovation Opportunity Act
Date: Wednesday, February 12, 2020 10:15:41 AM
Attachments: [image002.png](#)

Good morning,

Thank you for the opportunity to provide comments on the state WIOA plan. Over the summer of 2019, ACLU of Hawai'i, with community partners, hosted an expungement clinic. This was the first expungement clinic in the state. We had close to 50 people request assistance. There were people asking for help with charges that went as far back as 1975.

We know that expungements remove the barriers to employment and housing, and reduce the stigma of a criminal record. As the 2016 federal rule identified, legal aid services-like expungement- are included in supportive services and should be explicitly stated. It is essential for our state plan to include legal aid services so that all of our residents have the opportunity for gainful employment.

Please do not hesitate to contact me with any questions or concerns.

Mahalo,
Monica

Monica Espitia

Pronouns: she/her/hers

ACLU of Hawai'i

Smart Justice Campaign Director

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From: [Kathleen Algire](#)
To: [DLIR.Workforce.Council](#)
Subject: [EXTERNAL] Comments on WIOA plan
Date: Tuesday, February 11, 2020 10:06:51 PM

Please find my comments below:

Per the 2016 rule, legal aid should be explicitly listed as a supportive service.

In 2016, the U.S. Department of Labor's (DOL) published the [Final Rule on the Workforce Innovation and Opportunity Act](#). The new rule includes language identifying legal aid among the supportive services considered "necessary to enable an individual to participate" in workforce activities.

The DOL explained in the preamble to the final rule that legal aid could "uniquely" benefit workers. In responding to public comments received on the Notice of Proposed Rulemaking and published in the Federal Register, DOL writes that one commentator "strongly supported the inclusion of legal aid services in the Department's list of examples of supportive services, noting that legal aid can uniquely address certain barriers to employment, including access to driver's licenses, expunging criminal records, and resolving issues with debt, credit, and housing." The DOL responded: "The Department concurs that legal aid can uniquely address certain barriers to employment, as enumerated by the commenter. Therefore, the Department has included legal aid services under § 680.900 and made a corresponding change to the list of supportive services allowable in the youth program in § 681.570."

*As listed in the Federal Register, supportive services for adults and dislocated workers as well as supportive services for youth includes "legal aid services." Legal aid is also listed as one of the services included in a "successful rapid response system." Such a system includes: "Convening, brokering, and facilitating the connections, networks and partners to ensure the ability to provide assistance to dislocated workers and their families such as home heating assistance, **legal aid**, and financial advice."*

From: [Eleanor Macdonald](#)
To: [DLIR.Workforce.Council](#)
Subject: [EXTERNAL] Comments: WIOA Unified State Plan for the State of Hawaii 2020-2023
Date: Tuesday, February 11, 2020 8:42:43 PM

I am writing to comment on the Unified State Plan for 2020-2023:

1. On page 274, DVR states that they are still in an active Order of Selection (OOS) which involves maintaining a deferred list of people with disabilities who have already been found eligible. However, DVR does not disclose here reasons the VR agency continues to be in active OOS. No data or evidence supports a shortage of staff or insufficient funds to serve all applicants and clients already found eligible.
2. What is the target date when all clients will be removed from the deferred list in the Order of Selection? Why isn't this defined in the plan?
3. There are deaf, hard of hearing and deaf-blind students placed in many schools statewide. Will these students be served by the Deaf Services Section? If no, is there a plan to provide training for VRS on all islands who provide services to this special population? Please be specific.
4. DVR recently recruited and employed a Statewide Coordinator for the Deaf (SCD) in the Staff Services Office (SSO). What are DVR's plans to provide her training to improve services to deaf, hard of hearing and deaf-blind clients statewide? Such as attending the CSAVR conferences (held twice a year) with a special committee for SCDs. Other internal workshops and seminars?

Mahalo for attending to these concerns,

Eleanor Macdonald, M.Ed.

From: [Eleanor Macdonald](#)
To: [DLIR.Workforce.Council](#)
Subject: [EXTERNAL] Supplemental Comments: WIOA Unified State Plan for the State of Hawaii 2020-2023
Date: Tuesday, February 11, 2020 9:13:03 PM

5. Is it possible for the Deaf Services Section (DSS) to serve as subject matter experts (SME) to provide training and consultation to the neighbor islands along with the SCD?

Date: February 11, 2020 at 8:42:35 PM HST
To: DLIR.Workforce.Council@hawaii.gov
Subject: Comments: WIOA Unified State Plan for the State of Hawaii 2020-2023

I am writing to comment on the Unified State Plan for 2020-2023:

1. On page 274, DVR states that they are still in an active Order of Selection (OOS) which involves maintaining a deferred list of people with disabilities who have already been found eligible. However, DVR does not disclose here reasons the VR agency continues to be in active OOS. No data or evidence supports a shortage of staff or insufficient funds to serve all applicants and clients already found eligible.
2. What is the target date when all clients will be removed from the deferred list in the Order of Selection? Why isn't this defined in the plan?
3. There are deaf, hard of hearing and deaf-blind students placed in many schools statewide. Will these students be served by the Deaf Services Section? If no, is there a plan to provide training for VRS on all islands who provide services to this special population? Please be specific.
4. DVR recently recruited and employed a Statewide Coordinator for the Deaf (SCD) in the Staff Services Office (SSO). What are DVR's plans to provide her training to improve services to deaf, hard of hearing and deaf-blind clients statewide? Such as attending the CSAVR conferences (held twice a year) with a special committee for SCDs. Other internal workshops and seminars?

Mahalo for attending to these concerns,

Eleanor Macdonald, M.Ed.

From: kaynaq@juno.com
To: [DLIR.Workforce.Council](#)
Cc: [Mejia Ramos, Isabel C](#); [Bates, Maureen L](#)
Subject: [EXTERNAL] WIOA feedback
Date: Wednesday, February 12, 2020 6:53:00 AM

There is a comment around page 279 in the report that says that Deaf Services Section services HSDB and Pearl City High School. That may be too restrictive.

For your consideration: Please be aware that although many deaf and hard of hearing children are in those two programs, there are deaf, hard of hearing students, and Deaf-Blind at other schools within the DOE that might benefit from being referred to the Deaf Services Section.

Thank you,
Kay Naquin

From: [Bartoldus, Daintry](#)
To: [DLIR.Workforce.Council](#)
Subject: Comments for Unified State Plan
Date: Wednesday, February 12, 2020 7:50:50 AM

The 4th goal on page 98/99 does not seem to be addressing transportation strategies The Hawaii State Council on Developmental Disabilities strongly supports; establishing autonomous vehicles. Self-driving cars could revolutionize how people with disabilities get around their communities and even travel far from home. There are people who can't see well or have physical and mental difficulties that prevent them from driving safely or rely on others or local governments or nonprofit agencies to help them get around. Autonomous vehicles could be the answer. They present fundamentally new ways to think about transportation and accessibility, having the potential to change neighborhoods and individuals lives—including people with disabilities, who are often both literally and figuratively left behind. With proper planning and research, autonomous vehicles can provide more people with significant independence in their lives. Self-driving cars could allow as many as 2 million people with disabilities to work! This was quoted in a recent article in Auto Trader magazine. Currently, the unemployment rate for people with disabilities is at a low of 70%. When people with disabilities have been surveyed about their employment situation the number one reason as to why they can't get employed or stay employed is transportation. Self-driving cars could be the major disruptor in transportation for people with disabilities. This would give the disability community another viable option. Currently, the on-demand transportation network companies are not accessible, such as your Uber and Lyft companies. The disability community welcomes this opportunity for an autonomous vehicle pilot in Hawaii. As we go down this road in this new venture, we must continually include people with disabilities and the aging community, in these pilot programs to ensure full accessibility for everyone.

Please add Autonomous Vehicles to the Unified State Plan

Thank you

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From: [Michele Ku](#)
To: [DLIR.Workforce.Council](#)
Subject: [EXTERNAL] Comments/Input from SRC re: State Unified Plan
Date: Wednesday, February 12, 2020 1:08:14 PM

Aloha,

As the Chair of the State Rehabilitation Council, I am submitting the following on behalf of the SRC.

SRC input, feedback, and recommendations to the DVR portion of the Hawaii Unified State Plan are as follows:

1. The SRC recommends that the SRC and DVR collaborate to review, update, and revise the Order of Selection Mitigation Plan originally submitted in 2017 to reflect current and projected information and data (such as financial position, staff turnover/retention, etc.) as a means of continuing to progress towards mitigating the active order of selection and maximizing the number of consumers receiving services.
2. Page 289. The SRC supports the change in DVR's personnel standards to align with CRC eligibility and certification as noted on page 289. The SRC recognizes that the quality of services to individuals with disabilities will continue to improve by employing qualified and competent VRS Counselors.
3. Page 290. The SRC supports DVR providing VRS reimbursement for CRC certification costs and the cost of continuing education credits to facilitate retention, maintenance of CRC certifications, and continued current knowledge of trends and best practices. The SRC also supports the implementation of training plans as a means of organizing and planning for training of VRS. The SRC recommends that DVR include flexibility in changing the training plan throughout the year as new training opportunities may become available that would be beneficial for VRS to attend.
4. The SRC agrees with the identified needs and supports the strategies to address those needs (beginning on page 293) as a means of addressing the process improvement opportunities identified in the most recent Comprehensive Statewide Needs Assessment.
5. The SRC agrees with and supports DVR's state goals and priorities as presented beginning on page 303.
6. Section (m) Order of Selection, (B) justification for the order. Lack of Fiscal Resources is explained beginning on page 310 as the one justification for the order. On page 286, it is noted that further impacts to services are anticipated in FFY 2021/2022 due to managing fiscal resources, potential MOE penalty, and staff vacancies. The SRC recommends DVR explore the anticipated impact of open positions on service delivery further and consider whether or not staff turnover/retention is an additional reason for the continued order of selection.
7. Regarding the 22.5 staff vacancies noted on page 286, the SRC recommends that DVR investigate/research the reasons behind staff turnover, identify the challenges in recruitment and retention, and consider developing recruitment and retention goals and strategies.
8. Page 318, (5) indicates that DVR does not have any plans for establishing, developing, or improving CRP's within the state at this time. However, page 297-298 indicate identified needs and strategies to address the identified needs related to the need to establish, develop or improve community rehabilitation programs within the state. The SRC recommends DVR address the conflicting information and further recommends DVR consider implementing the CRP improvement strategies and include them on page 318, (5) as appropriate.

Thank you for the opportunity to provide input.

Michele Ku

President/CEO

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