

**Virginia Office for Protection and Advocacy  
Governing Board Meeting  
FINAL MINUTES**

**Richmond, Virginia**

**October 3, 2012**

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**Call to Order, Welcome, and Introductions**

Darrel Mason, Governing Board Chair, called the meeting to order and welcomed Board members and staff at 9:30 a.m. She asked that participants introduce themselves.

**Board Members Present**

Darrel Mason, Chair; Angela Thanyachareon, Vice Chair  
Jane Anthony, Martha Bryant, Maureen Hollowell, Rita Kidd,  
Jennifer Krajewski, Ali Parker, Martha Pillow, Michael Toobin,  
Linda VanAken, Tom Walk

**Board Members Absent**

Bill Fuller

**Guests**

Elizabeth Priaulx (for portions)

**Staff Present**

Colleen Miller, Lisa McGee

LaToya Blizzard and Clyde Mathews (for portions)

**Mission Statement**

Ali Parker, PAIMI Advisory Council Chair, read the Mission Statement.

**Adopt Agenda**

No revisions were noted to the agenda and it was adopted by consensus of the Board.

**Approval July 25, 2012 Minutes**

The Governing Board approved the minutes from July 25, 2012 by consensus subsequent to noted grammatical changes.

**Public Comment**

No public comment was offered.

**Non Profit Transition Committee**

Maureen Hollowell, Committee Chair, noted that the Non Profit Transition Committee met and expects numerous upcoming meetings. She stated that the Articles of Incorporation were filed and accepted by the State Corporation Commission. Application for IRS 501c3 status is proceeding. She also shared that the Committee approved the Study Report at its August meeting. VOPA sent the Study Report to the Disability Commission and to the Governor. The Commission will review the Report and is studying proposed legislation changes.

The disAbility Law Center of Virginia Incorporators – Maureen Hollowell, Elizabeth Priaulx, and CW Tillman – will schedule at least one meeting prior to next board meeting to approve components of the IRS application and for the purpose of assisting the Executive Director as development of the DLCV moves forward.

She further noted that the incorporating board met for the primary purpose to authorize Colleen Miller, VOPA Executive Director, to make commitments and sign agreements on behalf of the new entity.

Angela Thanyachareon asked about distribution of responsibilities between the Non Profit Transition Committee and the disAbility Law Center of Virginia. Colleen Miller noted that it has not been finalized but will be discussed at the next Committee meeting.

Darrel Mason stated that communication is paramount to allow all Board members to stay informed through the process. Maureen Hollowell committed to send updates and changes as they progress to Board members through Colleen Miller.

Board members discussed timing for the transition. Colleen Miller explained that the optimum transition would allow VOPA to remain a state agency through federal FY13 and complete the transition effective October 1, 2013.

Maureen Hollowell explained that while the 501c3 application is in process, the Incorporators will proceed with establishing the new Governing Board, developing new policies, and evaluating staffing and benefits.

### **Executive Director's Report**

Colleen Miller shared that in light of the resignation of Managing Attorney Paul Buckley and the impending departure of Managing Attorney Jonathan Martinis, she met with staff to brainstorm restructuring the operational structure of the office. VOPA will maintain an operational structure that is similar with two Managing Attorneys instead of three. This will allow for a steady structure while we evaluate other P&A organization models. She also announced new staff members Marina Caro and Greta Tucker, Disability Rights Advocates, and Valerie Slater, a law school graduate who will take her bar exam for licensure. She also noted that through the transition, she anticipates losing a few more staff members.

### **Report from the Chair**

- **Calendar for FY2013**

Board members discussed upcoming meetings and asked that a special effort be made to invite community partners in areas identified for the Board meetings. Darrel Mason called for a vote regarding holding meetings in Richmond instead of hosting an out-of-town meeting. Nine members were in favor of all meetings being held in Richmond. Meetings for 2013, all to be held in Richmond, will be

- January 26 (*Inclement Weather alternate date – February 2*)
- April 17
- July 17
- September 25

### **Finance Committee**

- **Financial Report**

Michael Toobin, Committee Chair, shared that the Committee met on October 2 to review the budget for the first two months of the current state fiscal year. He noted that no exceptions were noted and presented the certification to the Board for acceptance. With no discussion or questions offered, the Board accepted the report unanimously.

Colleen Miller alerted the Board that there is currently a conflict between the US Congress and the Social Security Administration

regarding the continued funding of the Protection and Advocacy for Beneficiaries of Social Security (PABSS) program. She shared that the P&A system had been hopeful that the SSA would release funds at or before October 1, but at the current time, there is no funding for this program.

### **Internal Policy Committee**

Tom Walk, Committee Chair, shared that the Committee met on October 2 and reviewed the Conflict of Interest Policy. He noted that the Conflict of Interest policy will be inclusive for Board and staff. The Committee will continue refining this policy and present it for adoption at a future Board meeting.

- **Policy 4.X – Workplace Harassment**

Tom Walk referred Board members to Policy 4.X – Workplace Harassment. He noted that the Committee reviewed the policy and recommends adoption. No SECOND was required. During discussion, one revision was noted. The revised policy statement, as shown below, was adopted by unanimous vote.

***Policy 4.X – Workplace Harassment - The Virginia Office for Protection and Advocacy (VOPA) is committed to providing a workplace free from unlawful intimidation, harassment, or coercion.***

### **Reports**

- **Progress on Objectives**

Colleen Miller shared that staff are currently involved in a voting rights project visiting day support and sheltered employment programs. During the visits, staff are advising individuals about their right to vote, distributing applications for voter registration and absentee ballot, and assisting individuals to complete those forms.

She noted that staff are finalizing details on 2012 cases and will begin compiling the annual Program Performance Reports.

- **Litigation**

Colleen Miller summarized litigation activities since the last Board meeting. She noted that VOPA has begun taking cases for applicants of social security benefits and, when successful, VOPA is awarded attorney fees. VOPA has been successful in a couple of cases.

### **Public Awareness and Goals Committee**

- **FY2013 Goals, Focus Areas, and Objectives**

Elizabeth Priaulx, Committee Chair, joined the meeting via teleconference. Clyde Mathews, VOPA Managing Attorney and Committee Staff Liaison, updated Board members with suggested changes to the Objectives as presented to the Board for consideration. With the recommendation from the Committee to accept the Objectives with revisions, no SECOND was required. The Objectives were adopted by unanimous vote of the Board.

**Reports (continued)**

- **Disabilities Advisory Council**

Linda VanAken, DAC Chair, provided a report of the Council activities. The Council set meeting dates for the remainder of 2012 and through 2013.

- **PAIMI Council**

Ali Parker, PAIMI Council Chair, shared that the Council met on September 26. She also shared that the Council will begin reading both VOPA and Advisory Council mission statements at each meeting as is the practice of the Governing Board. She shared that Becky Currin, VOPA Disability Rights Advocate, provided a presentation on the jail transfer project and was asked to return in the future to provide more detail. She stated that LaToya Blizzard presented the Finance Reports. Meeting dates were scheduled for the remainder of 2012 and through 2013. She closed by noting that the Council has one potential new member who was unable to attend the September meeting.

- **Virginia Disability Law and Advocacy Fund**

Darrel Mason, VDLA President and VOPA Governing Board Chair, shared that the Virginia Disability Law and Advocacy Fund was introduced at VOPA's 10 Year Anniversary Celebration held on October 2, 2012. The inaugural fundraising campaign revolves around the Educating **OUR** Kids program with a campaign target of \$27,000. Pledges made at the Anniversary Celebration totaled \$8,705. She continued by saying that Board development is intentionally moving slowly.

**VDLA Board Member Appointments**

Darrel Mason reminded Board members that the VOPA Governing Board approves appointments to the Virginia Disability Law and Advocacy (VDLA) Fund Board. In July 2012, the VOPA Board determined that the VOPA Board Chair would serve on the VDLA Board by virtue of the office. As Darrel Mason is the President of the VDLA, she made a MOTION to reappoint Bill Fuller to the VDLA Board for a period of one year. Martha Bryant SECONDED the MOTION and it carried unanimously.

Additionally, Darrel Mason made a MOTION to appoint Adrienne Volenik to the VDLA Board. She noted that Adrienne Volenik is an attorney and professor at TC Williams School of Law at the University of Richmond where she is also in charge of the mental disabilities law clinic. Maureen Hollowell SECONDED the MOTION and it carried unanimously.

There being no further business, Darrel Mason adjourned the meeting at 1:30 p.m. The next meeting of the Governing Board will be January 26, 2013 with an inclement weather alternate date of February 2, 2013.