



**Commission on People with Disabilities
Meeting Minutes
June 8, 2022**

****MEETING WAS HELD VIA ZOOM ****

Welcome and Approval of May 2022 Meeting Minutes

Seth Morgan, Chair, convened the meeting. A motion was made to approve the May 2022 Meeting Minutes. The motion was seconded. A vote was taken and the May 2022 Meeting Minutes were unanimously approved as written. Approved minutes are available online at www.montgomerycountymd.gov/cpwd.

MCPS Transitioning Youth Overview – Simone Geness, Supervisor, Transition Services Unit, Office of Special Education, Montgomery County Public Schools

Website: <https://www.montgomeryschoolsmd.org/departments/special-education/programs-services/transition-services-unit.aspx>

PowerPoint: https://montgomerycountymd.gov/HHS-Program/Resources/Files/A%26D%20Docs/CPWD/MCPS_TY_Process_OverviewCPWD6_8_22.pdf

Please review PowerPoint presentation. On page 3 and 4, SWD stands for students with disabilities.

Montgomery County Public Schools (MCPS) currently serves 21,663 students from birth through age 21. However, secondary transition services start at age 14 through age 21 and serve approximately one-third of the overall population of students with disabilities.

Students eligible for Maryland Developmental Disabilities Administration (DDA) services after graduating or exiting MCPS are considered transitioning youth (TY). MCPS averages approximately 1,200 students every year who graduate from special education services. TYs are approximately 10% to 12% of the overall graduating class of students with disabilities. For 2022, there are currently 138 students who will be accessing DDA-related services.

Simone's presentation focused on how MCPS facilitates the TY process within the Transition Services Unit (TSU). MCPS' role is to help support students with making a seamless transition to adult services. The TY process typically starts 18 months before the student exits high school.

Every high school has a dedicated Transition Support Teachers (TST). High schools with larger TY populations have two TSTs. TSTs assist families with accessing DDA waivers. The Family Supports Waiver can assist students while they are in school if they are in crisis. MCPS work with community partners and DDA to assist students in crisis and work to ensure the entire needs of the child is addressed. The Community Supports Waiver is typically where most families apply. There is also the Community Pathways Waiver and Self-Directed Services (SDS). Since the pandemic, more families are enrolling in SDS.

According to DDA, it is the responsibility of the Coordination of Community Services (CCS) agency to support families with accessing DDA services. MCPS partners with the CCS to provide information and supports, assist with scheduling site visits to adult services agencies and attend those visits to help families with understanding the process. While MCPS does not make recommendations to adult services agencies as it is the family's choice,

TSTs do help with narrowing the list of agencies to visit. Oftentimes, MCPS will coordinate with CCS to host essential meetings at the school as some families may have difficulty obtaining childcare after school.

Margie Parrott, Instructional Specialist, is the MCPS point person who works with DDA and meets with CCSs on a monthly, bi-monthly or quarterly basis. Margie also meets with the DDA Southern Maryland Regional Office (SMRO) on a quarterly basis to keep tabs on current year and previous year TYs to ensure they are transitioning through the system and to provide assistance if needed to help with that process.

Slides 10 and 11 detail the requirements set by the Maryland State Department of Education (MSDE) and the Individuals with Disabilities Education Act (IDEA). While the transition age typically starts at age 14 or 15, MCPS has assisted students as young as the 2nd grade with applying for services through DDA and to be placed on the future needs list. Some families, for various reasons, will delay the DDA application process. Every October, TSU invites families with students as young as in the 6th grade to learn about the transition timeline. TSTs also meet with families one-on-one or in small groups to present this information. TSTs will invite the CCS to the students annual Individualized Education Plan (IEP) meeting if the family has given permission.

TSU hosts an annual transitioning youth fair. During the pandemic, TSU worked with agencies and began offering virtual adult service provider visits. Approximately 80% of families attended. Virtual visits were offered again this year despite students being back in person. As virtual visits were successful again, they will be offered moving forward to provide the option to families who cannot attend in person visits. To prepare families for the transition from MCPS, TSU hosts parent workshops at schools, district wide meetings are offered four times a year, and parent nights are held at elementary and middle schools.

The provider list for Montgomery County is updated every year. The list is sorted by category so families can see the types of services each agency offers. Other resources offered include a DDA's TY fact sheet, information on Person-Centered Planning (PCP) and CCSs, DDA's SDS Handbook, a glossary of terms and frequently asked questions. Simone noted that if a family does not choose a CCS they will be assigned one. If the family is unhappy with their CCS, there is a process for requesting a new one.

Each TY student must choose at least one outcome they want to achieve post-school. There are four identified outcomes in the transition section of the IEP: employment; training; education; and independent living. Families are also provided with parent navigators who assist with applying for other need resources such as social security benefits starting at age 18 and transportation including MetroAccess. Simone noted that not all adult service agencies provide transportation. Travel training is offered under a students educational service. TSTs can assist students with accessing assistive technology resources through MDOD.

Simone reported a small TY population requires nursing supports. MCPS will provide private duty nursing services for students who need it from birth through age 21 while they are in school. In some cases, families may choose to use DDA's model waiver services or the Rare and Expensive Case Management (REM) services through Medicaid to provide their own nursing services in the school to maintain continuity. Some families may use MCPS private duty nursing services during the school day so they can maximize their benefits during non-school hours (evenings and weekends). Once the student exits the school system and goes into adult services, DDA does not provide nondelegable skilled nursing care services.. These services must be approved and provided by the Maryland Division of Nursing Services. TSTs hold an individualized exit meeting with the student and representatives from various agencies that will be responsible for providing transition services.

DDA services are only available to those students who are eligible. Families who opt out of accessing DDA services may have funding of their own, may not want to go through the process, or they may be undocumented. If a student does not meet the immigration requirements, TSTs assist the student with applying for DDA social security with the hope that by the time they reach the age to receive services they will have the proper immigration status. Students must be U.S. citizens to receive DDA services because they must qualify for social security benefits. It can be very complex and TSTs partner with state, local and community organizations to help families get the services they need.

The floor was opened to questions.

Seth asked for clarification of services provided by MCPS. Simone said MCPS provides educational services to the student and assist with helping the student prepare for life after high school as it relates to academics and employment. While they do not make specific recommendations regarding providers, they do provide families a narrowed down list of providers that offer services that the student has chosen. The family, the CCS and the adult services agency determine which program that student will apply for. MCPS also provides information about Self Directed Services SDS <https://health.maryland.gov/dda/Pages/sdforms.aspx> as some students may not be picked up by a provider and SDS offers the ability for the student to manage their own services. SDS emphasizes the family coordinating care for their adult child.

Jeneva Stone, Commissioner, stated she has concerns regarding the way SDS is represented by MCPS. SDS is an option that families may select from the Community Pathways Waiver. They have access to all the same supports that the Community Pathways Waiver provides, but the individual and their designated family representative are in charge of their entire budget from DDA. Jeneva also has concerns about the way MCPS uses the terms entitlements versus eligibility. IDEA is an entitlement program where the student is entitled to an education and to receive necessary supports. An individual who qualifies for DDA services is also entitled to receive care, including within an institutional setting. Given the implementation of the new home and community-based settings rule next March 2023, Jeneva thinks that the school system reassure families that their children still have civil rights to be integrated into their community. She said there are complicated factors for students with medical needs exiting the school system and that there are not robust supports funded by the State to help them achieve their goals. Simone said the main purpose of the entitlement versus eligibility conversation is to help families understand that there is a difference between secondary and post-secondary access to services. Once a person is determined eligible for DDA, DORS and Social Security Administration (SSA) services, then they are entitled to those services. Please note that waiting lists are allowed by the State for for DDA and DORS and that providers determine whether or not they feel they can meets the needs of the person referred.

Marissa Ditekowsky, Commissioner, asked if MCPS provides resources to families about alternatives to guardianship such as supported decision making, especially since it is now recognized in Maryland. Simone said MCPS provides parent information sessions on guardianship every year. This past session did include information on supported decision making and will be included at future sessions. Simone will send the session meeting recording to Betsy to be shared with Commissioners.

John Whittle, Commissioner, asked about the difference between the number of TY students compared to the total number of students with disabilities graduating. He also asked how many of the approximately 1,200 graduating students with disabilities apply for TY funding. Simone said 90% to 95% of families allow MCPS to assist them with their application process. Typically, less than 20 students will not access services due to a variety of reasons including families refusing service or eligibility status. Simone said students that graduate from MCPS have one year after high school to apply for the Governor's TY initiative. If they miss that window, they can still apply to DDA but will be put on a waitlist for services. While there has always been funding for TY students, it is dependent on the Governor approving the budget.

Jametta Hope Anderson, Commissioner, asked about the initial encounter for a student with disabilities to receive services. She noted that it can be a different experience for individuals with more severe Autism or challenging medical needs. Jametta asked how those individuals are able to access services. Simone said even though TY services may start at age 14 in Maryland, services can start as early as 2nd grade but they will be different than just secondary transition services. On average students who have more significant disabilities that impact their access to education may access services through MCPS' Autism program or a school community-based program. MCPS tries to work with families encountering secondary transition services starting in the 5th grade. MCPS offers separate day schools for students who have more significant physical or challenging disabilities. MCPS will also parent with service providers such as parent navigators that work with younger age groups to ensure they have information and resources. Publications on recreation, respite services, and the Autism waiver are shared with families to help them get the supports they need.

Tonya Gilchrist, Commissioner, asked if the TY program teaches students self-advocacy and if IEPs are student led. Simone said self-advocacy is one of the primary targets in secondary transition. They work with students from an early age to help them improve their communication problem solving and decision making with their IEPs with the end goal of having student led IEPs. Students start attending their IEP meeting at age 14, although sometimes they are invited to attend at an earlier age or are given a summary of what was discussed on their behalf to give them the opportunity to ask questions. TSTs work with students to determine their interests and tailor their secondary transition experience to their individual needs and strengths. Parents are a pivotal partner in that process as well. If the student is non-verbal TSTs work on creative ways to ensure the student's voice is heard and represented at the IEP meeting. Summer programs are offered to students to provide a more enriched transitioning secondary transition experience as opposed to those who are in a more academic based program and pursuing a Maryland high school diploma. Simone said students must receive special education services in order to receive secondary transition services. There are many MCPS students who receive accommodations under a 504 plan which is covered by the Rehabilitation Act of 1973 and not IDEA. There are also students who choose not to go into special education and opt to have a medical plan instead. 504 students and students with medical plans are supported by the school's counselors. Special education serves students who have a wide variety of disabilities including speech and language, Autism, ADHD, learning, social emotional needs, and deaf or blind who require hearing and vision services. Data includes MCPS students that attend a comprehensive public school or that are placed in a non-public school by MCPS. It does not include students who attend private school or who are home schooled.

Commissioners can email further comments and questions to Simone at Simone_A_Geness@mcps.org.

Police Interaction with Vulnerable Populations – Robert Landau, Silver Spring Justice Coalition

Expedited Bill 27-20, Police – Regulations – Use of Force Policy:

www.montgomerycountymd.gov/council/Resources/Files/agenda/col/2020/20200616/20200616_11D.pdf

Bill 27-20 was enacted July 29, 2020. The bill (1) requires the Police Chief to adopt a policy directive regarding the use of force; and (2) requires the use of force policy to include certain minimum standards, including standards regarding the use of deadly force, the use of carotid and neck restraints, and required intervention by officers when another officer is violating law or policy. The minimum standards of the policy would not be subject to collective bargaining. The directive must:

- A. prioritize the safety and dignity of every human life;
- B. promote fair and unbiased policing; and
- C. protect vulnerable populations, including individuals with disabilities, children, elderly persons, pregnant women, persons with limited English proficiency, individuals without regard to sex, including gender identity or orientation, and populations that are disproportionately impacted by inequities.

The Chief of Police is required to solicit input from the community regarding the guidelines that the Chief must issue that advise police on how they should use force when it comes to dealing with vulnerable populations. Robert asked for input from this Commission to ensure vulnerable individuals are treated appropriately when encountering the police. He can be reached via phone at 301-938-9850 or email RLandau806@gmail.com.

As the Commission only received this document this afternoon, Seth suggested that the Commission convene a meeting with interested Commissioners to look into these issues with more detail.

Jenn Lynn, former Commissioner, reported after Bill 27-20 was enacted a workgroup of individuals with various disabilities including intellectual, mental health, and invisible disabilities was formed to provide advice to the Chief of Police. The workgroup does need an individual who is blind or low vision and an individual who is deaf or hard of hearing. The workgroup has met three times so far.

Avner Shapiro, Commissioner, suggested reviewing consent decrees of the [special litigation section of the Department of Justice](#) for guidance on best practices.

Chair and Vice-Chair Report

Seth reported this is an election year. As candidates and current councilmembers seeking re-election may be seeking endorsements from various different sources, he reminded Commissioners they cannot endorse or take a position with a specific candidate or councilmember unless it is a personal endorsement.

The Steering Committee will not meet this month. The Commission does not hold meetings in July or August. The next Commission meeting is scheduled for September 14.

Update on Montgomery County Government Americans with Disabilities Act (ADA) Compliance – Matt Barkley, ADA Compliance Manager

Website: <https://www.montgomerycountymd.gov/DGS-ADA/Home.html>

Matt reported June 22 is the anniversary of the Supreme Court's decision that unjustified segregation of persons with disabilities constitutes discrimination in violation of Title II of the ADA. July 26 is the 32nd anniversary of the ADA was signed into law.

The ADA Compliance Team is working on a multi-year plan to determine which facilities will be renovated and modified to ensure they are accessible for persons with disabilities. Projects are prioritized based on a number of factors including facilities that were identified by the Department of Justice during the Project Civic Access settlement agreement, public use, and complaints.

Matt reported that the Martin Luther King pool is scheduled to be renovated for ADA compliance after the pool closes in September 2022.

To contact the ADA Compliance Team for information, to make a comment, ask a question or file a grievance please contact 240-777-6197 (Voice), MD Relay 711, or email adacompliance@montgomerycountymd.gov.

Ex-Officio Member Updates

Susan Smith, Housing Opportunities Commission (HOC), reported Chelsea Andrews has been appointed as the new Executive Director for HOC. She will assume her new role on July 11. She currently is the Interim Executive Director of EveryOne Home, a HUD designated Continuum of Care organization in the San Francisco area, and previously served as the Senior Executive Vice President and General Counsel for the District of Columbia Housing Authority for eight years. Susan also reported that all staff will be returning to the office two days a week starting next week. HOC will also be resuming programming for clients including STEM and camp programs for children, senior programs, and housing and financial literacy workshops. Susan reported Chelsea Hayman, Director of Housing Policy, Maryland Department of Disabilities, operates several programs including one program in conjunction with HOC called [Community Choice Homes](#) (CCH). CCH provides affordable rental homes in Montgomery County for people with disabilities who have extremely low income. For more information about the program, contact Susan at susan.smith@hocmc.org.

Karen Hochberg, Office of Human Resources (OHR), reported two of the three positions available through the [County's LEAP4MCG program](#) have been filled. The program is a new hiring initiative and collaborative effort between the Department of Health and Human Services and OHR to provide applicants with disabilities who have limited work experience and have not held merit positions with MCG, employment opportunities with the County with the intent of developing skills and gaining experience that may lead to employment post LEAP4MCG participation. Positions are up to two-year terms.

Angela Luskey, Department of Recreation, reported the Glenmont Outdoor Pool will be hosting pool time for individuals with disabilities and their families on Wednesdays from June 22 to August 10. For hours and more information, please contact the Glenmont Outdoor Pool at 301-929-5460.

Announcements

Betsy Luecking, Staff, reported County Executive Marc Elrich is seeking applicants to fill 15 vacancies on the Commission for the following: six representatives of organizations or agencies that provide services to people with disabilities, one parent of a person with a disability, and eight representatives of people with disabilities. Three agency representatives, one parent representative, and four representatives of people with disabilities are eligible to apply for reappointment. Commissioners who want to reapply will have to complete the online application process. Commissioner terms end September 30 and the Commission year runs from October 1 to September 30. Interviews should take place sometime in July or August once Commission staff receive applicants from the Office of Boards, Committees and Commissions. The applicants are interviewed by two commissioners and a staff person. The County Executive appoints Commissioners and the County Council confirms those appointments. The Council will be back in session in September to appoint new members.

Meeting adjourned – 7:25pm**Montgomery County Commission on People with Disabilities
September 2022 Meeting and Events Calendar****Developmental Disability Advisory Committee (DDAC) – Monday, September 12**

4pm to 5:30pm to be held via Zoom – link to be announced

Full Commission Meeting – Wednesday, September 14

6pm to 7:30pm to be held via Zoom – link to be announced

Steering Committee Meeting – Wednesday, September 21

5pm to 6pm to be held via Zoom – link to be announced

Submitted by: Carly Clem, Administrative Specialist I
Betsy Tolbert Luecking, Community Outreach Manager

Montgomery County Commission on People with Disabilities Attendance Report September 2021 – June 2022
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VOTING MEMBERS ☒ Volunteer Form on File with Risk Management C = Conference Call / C* = Alternate Attended / P = Present / A = Absence W = Waived Absences by County Executive / R = Waiver Requested				SEPT	OCTOBER	NOV	DEC	JANUARY	FEBRUARY	MARCH	APRIL	MAY	JUNE	ABSENCES
1.	Al-Mohamed, Deena ☐	Person w/ Disability Rep.	2 nd term expires 9/2023 RESIGNED	C	C	A	C	C	C	C	A	X	X	X
2.	Anderson, Jametta ☐	Person w/ Disability Rep.	1 st term expires 9/2022	C	C	C	C	C	C	C	C	C	C	0
3.	Bolston, Marcus ☐	Agency Rep.	Partial term expires 9/2021 RESIGNED	C	A	C	A	C	C	A	C	A	X	X
4.	Bram, Larry ☐	Agency Rep.	2 nd term expires 9/2022	C	C	C	C	C	C	C	C	C	A	1
5.	Carter, Neal ☐	Person w/ Disability Rep.	2 nd term expires 9/2022	C	C	C	C	C	C	C	C	C	C	0
6.	Coffield, Myra ☐	Person w/ Disability Rep.	2 nd term expires 9/2023	C	C	C	C	C	C	C	C	C	C	0
7.	Cole, Eric ☐	Agency Rep.	1 st term expires 9/2022	C	C	C	C	C	C	C	C	C	C	0
8.	Damiani, Mario ☐	Person w/ Disability Rep.	1 st term expires 9/2023	C	A	C	A	C	A	C	C	A	A	5
9.	Davis, Kaylee ☐	Person w/ Disability Rep.	1 st term expires 9/2023	C	C	C	C	C	C	C	C	C	A	1
10.	Ditkowsky, Marissa ☐	Person w/ Disability Rep.	Partial term expires 9/30/2022	C	C	C	C	C	C	A	C	C	C	1
11.	Gallalee, Patricia ☐	Person w/ Disability Rep.	2 nd term expires 9/2023	C	C	C	C	C	C	A	C	C	C	1
12.	Gilchrist, Tonya	Person w/ Disability Rep	Partial term expires 9/2022	C	C	C	C	C	C	C	A	C	C	1
13.	Greenberg, Michael ☐	Parent Rep.	1 st term expires 9/2022	A	A	C	A	C	C	A	C	C	C	4
14.	Hurtado, Luis ☒	Person w/ Disability Rep.	2 nd term expires 9/2021	A	A	A	A	A	A	A	A	A	A	10
15.	Liniak, Tom ☒	Agency Rep.	2 nd term expires 9/2021	C	C	C	C	C	A	C	C	C	C	1
16.	McCarthy, Mandy ☐	Person w/ Disability Rep.	1 st term expires 9/2023	C	A	C	C	C	C	C	C	C	C	1
17.	Morgan, Seth ☒	Person w/ Disability Rep.	4 th term expires 9/2021	C	C	C	C	C	C	C	C	C	C	0
18.	Morgret, Karen ☐	Agency Rep.	2 nd term expires 9/2020	C	C	C	C	C	C	C	C	C	C	0
19.	Rice, David ☐	Person w/ Disability Rep.	1 st term expires 9/2022	A	C	C	C	A	C	C	A	C	C	3
20.	Salzano, Eric ☐	Agency Rep.	1 st term expires 9/2023	C	C	C	A	C	C	C	C	C	C	1
21.	Shapiro, Avner ☐	Parent Rep.	2 nd term expires 9/2023	A	C	C	C	C	C	C	C	C	C	1
22.	Shermanski, Richard ☒	Agency Rep.	1 st term expires 9/2021	C	C	C	C	C	C	C	C	C	A	1
23.	Stone, Jeneva ☐	Parent Rep.	1 st term expires 9/2024	X	C	C	A	C	C	C	C	C	C	1
24.	Whittle, John ☐	Agency Rep.	1 st term expires 9/2022	C	C	C	A	C	A	C	C	C	C	2
25.	Wortham, Najla ☐	Agency Rep.	1 st term expires 9/2023	C	C	C	C	C	C	C	A	C	C	1

Attendance Policy: A Voting Member may miss up to 3 meetings within a one year rolling period. Voting Members who miss more than 3 meetings in that period or who miss 3 consecutive meetings will be automatically removed. Waivers may be requested for absences caused by extenuating circumstances.

Non-Voting Ex-Officio Members	
1	Chairman of the Board of Directors
2	President of the Corporation
3	Chief Executive Officer
4	Chief Financial Officer
5	Chief Operating Officer
6	Chairman of the Executive Committee
7	Chairman of the Compensation Committee
8	Chairman of the Nominations and Governance Committee
9	Chairman of the Audit Committee
10	Chairman of the Safety Committee
11	Chairman of the Environmental Committee
12	Chairman of the Social Responsibility Committee
13	Chairman of the Sustainability Committee
14	Chairman of the Ethics Committee
15	Chairman of the Compliance Committee
16	Chairman of the Risk Management Committee
17	Chairman of the Information Security Committee
18	Chairman of the Legal Committee
19	Chairman of the Human Resources Committee
20	Chairman of the Marketing Committee
21	Chairman of the Sales Committee
22	Chairman of the Research and Development Committee
23	Chairman of the Manufacturing Committee
24	Chairman of the Distribution Committee
25	Chairman of the Customer Service Committee
26	Chairman of the Quality Control Committee
27	Chairman of the Procurement Committee
28	Chairman of the Finance Committee
29	Chairman of the Tax Committee
30	Chairman of the Accounting Committee
31	Chairman of the Internal Audit Committee
32	Chairman of the External Audit Committee
33	Chairman of the Regulatory Committee
34	Chairman of the Government Relations Committee
35	Chairman of the Public Affairs Committee
36	Chairman of the Investor Relations Committee
37	Chairman of the Media Relations Committee
38	Chairman of the Community Relations Committee
39	Chairman of the Environmental and Social Governance Committee
40	Chairman of the Sustainability Reporting Committee
41	Chairman of the Human Rights Committee
42	Chairman of the Anti-Corruption Committee
43	Chairman of the Bribery and Corruption Committee
44	Chairman of the Whistleblowing Committee
45	Chairman of the Data Privacy Committee
46	Chairman of the Information Protection Committee
47	Chairman of the Cybersecurity Committee
48	Chairman of the IT Governance Committee
49	Chairman of the Technology Committee
50	Chairman of the Innovation Committee
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99	Chairman of the Human Rights Committee
100	Chairman of the Anti-Corruption Committee

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