

Background:

The Council will review the minutes from the July 27, 2012, Council meeting and July 26, 2012, Committee of the Whole meeting.

Council

Agenda Item 3. A.

Expected Action:

The Council will review, revise as appropriate, and approve the minutes from the May meetings.

**COUNCIL MEETING
DRAFT MINUTES
July 27, 2012**

COUNCIL MEMBERS PRESENT

Mary Durham, Chair	Kathy Griffis-Bailey, DSHS	Amy Sharp, A&M CDD
Hunter Adkins	Cindy Johnston	Tricia Stinson, DARS
Kristine Clark	Scott McAvoy	Cindy Swain, TEA
Gladys Cortez	Katherine McCormick, DADS	David Taylor
Kristen Cox	John Morris, Vice-Chair	Lora Taylor
Mateo Delgado	Dana Perry	Richard Tisch
Kevin Estes, HHSC	Joe Rivas	Susan Vardell
Mary Faithfull, DRT	Penny Seay, UT CDS	

COUNCIL MEMBERS ABSENT

Kimberly Blackmon	Andrew Crim
Brenda Coleman-Beattie	Diana Kern

STAFF MEMBERS PRESENT

Roger A. Webb, Executive Director	Cynthia Ellison	Melissa Rosser
Jeri Barnard	Sonya Hosey	Koren Vogel
Belinda Carlton	Wendy Jones	Lucy Walker
Joanna Cordry	Melissa Loe	
	Jessica Ramos	

GUESTS PRESENT

Chynna Burwell	Maria Granados	Judi Stonedale
Lillian Davis	Thelma Scott	
Ivy Goldstein	Jaye Stepp	

CALL TO ORDER

The Texas Council for Developmental Disabilities convened on Friday, July 27, 2012, in the Ballroom B of the Renaissance Hotel - Austin, 9721 Arboretum Blvd, Austin, TX 78759. Council Chair Mary Durham called the meeting to order at 8:34 AM.

1. INTRODUCTIONS

Council members, staff and guests were introduced.

2. CONSENT ITEMS

Chair Durham reviewed requests for excused absences for this meeting from Kimberly Blackmon, Brenda Coleman-Beattie, Andy Crim, and Diana Kern. She noted that Jeff Kaufmann, DADS, and Sara Kendall, DARS, are not in attendance but have sent representatives. Katharine McCormick, DADS, and Tricia Stinson, DARS, will represent their agencies and participate in discussions, but are not able to vote since they are not designated by their agency chiefs as an official alternate. Durham noted that her designation as Council Chair created a vacancy on the Audit Committee since she is now an ex-officio member of that Committee. She recommends approval of Scott McAvoy as a member of the Audit Committee. Durham asked for a motion to approve these consent items including the minutes of the May Council and Committee of the Whole meetings.

MOTION: To approve the excused absences and the Audit Committee member designation as reported, and approve minutes of the May 3-4, 2012, Committee of the Whole and Council meetings.

MADE BY: Kathy Griffis-Bailey

SECOND: Cindy Johnston

The motion **passed** without opposition. Amy Sharp and Penny Seay abstained from voting.

3. INTERNAL AUDIT ACTIVITIES UPDATE

Vice-Chair John Morris and Executive Director Roger Webb introduced Jaye Stepp, Rupert and Associates, TCDD's internal auditor, to provide an update on TCDD Audit Activities. Webb reported that a Quality Assurance (peer) review was recently completed which reviews Ms. Stepp's work as TCDD internal auditor. That review gave an unqualified opinion that her audit activities fully conform to the standards and practices for internal auditing activities. Stepp noted that the "Fully Conforms" designation is the highest approval for internal audit.

Stepp discussed the status of current internal auditing activities which will be reviewed in more detail with the Audit Committee and Council next quarter. Her activities this year have focused on the monitoring and reporting of federal funds which is an advisory project to determine best practices and procedures. Other DD Councils as well as the national organization representing DD Councils are being consulted to provide input on their monitoring practices. The Annual Internal Audit Report is required by the Internal Audit Act to be submitted by November 1st to the State Auditor's Office and will include a summary of audit activities throughout the fiscal year as well as the Internal Audit Plan for FY 13. Stepp discussed her work with staff to update the risk assessment for TCDD activities and noted that on the recommendation of the peer review, she will complete a governance project during FY 13. Webb encouraged Council members to contact Stepp directly if they have any questions regarding audit activities. Durham noted that as Stepp was questioning other Councils on their audit activities, she was often referred back to Executive Director Webb because TCDD is seen as setting the standard for DD Council audit activities.

4. PUBLIC COMMENTS

Chair Durham noted that she had received requests to provide public comments after the start of the meeting and invited those guests to present comments at this time. Judi Stonedale spoke about her daughter's negative experiences in group homes and her positive experiences in the Austin State Supported Living Center. She noted that she is concerned about the "push to get all clients in group homes and out of SSLCs" because she does not feel that group homes are an appropriate setting for medically fragile clients. Thelma Scott spoke about her appreciation for TCDD funding of the Barbara Jordan Endeavors Corporation outreach and development project and requested consideration for future funding so they might have paid staff. Lillian Davis also spoke about Barbara Jordan Endeavors and how beneficial that program is for students with disabilities.

5. EXECUTIVE DIRECTOR'S REPORT

Executive Director Webb reported that Cynthia Ellison has been promoted to Senior Grants Management Specialist. Grants Management Director Sonya expects to begin interviewing soon for the Grants Management Specialist position vacated by Ellison.

Webb discussed the status of federal appropriations and noted that nothing is certain at this point. The Senate Committee has proposed level funding while the House Committee is asking for a 4+% cut in funding for most discretionary programs. However budget reductions required by the Budget Reduction Act may result in funding cuts of approximately 8.4% cuts to discretionary spending. Other speculation includes a 6 month extension of the current budget until after January 1, 2013.

The NACDD Fall Conference for 2012 has been cancelled. Webb noted that many states are decreasing travel budgets for out-of state events and the anticipated attendance was not at the level necessary to hold the conference. The next opportunity for Council members to participate in national activities will be the Disability Policy Seminar in the spring of 2013.

7. FUTURE ACTIVITIES FOR STATE PLAN IMPLEMENTATION

Project Development Committee Chair Susan Vardell reviewed an executive summary for a Families Involvement in Schools project. The Project Development Committee added a bilingual training component to the proposed project.

MOTION: To approve the Executive Summary for a Family Involvement in Schools project as revised with a funding amount of up to \$300,000 per year for up to five years.

MADE BY: Susan Vardell for the Project Development Committee (motions from a Committee do not need a second)

The motion **passed** unanimously. (Attachment 1)

Vardell reported that the Committee reviewed one unsolicited idea but did not recommend further action. The Committee expects to discuss possible “next steps” for positive behavior intervention supports activities at its next meeting.

Vardell also reported that the Project Development Committee recommends adding the Family Involvement in Schools project to the future funding priorities chart as #6. Members agreed by consensus with that placement.

8. TCDD POSITION STATEMENTS

Public Policy Committee Vice-Chair Kristen Cox presented Position Statements as recommended by the Committee. Cox noted that the Transition Position Statement is recommended for approval as presented in Council meeting materials except for changing references from “Independent School Districts” to “Local Education Agency”. The Employment & Education Position Statements are recommended as presented except for changing references from “natural supports” to “supports”. All other proposed changes were accepted. The Access to Health Care Position Statement was not addressed in this meeting.

MOTION: To approve the revisions to Education, Employment and Transition Position Statements as presented by the Public Policy Committee.

MADE BY: Kristen Cox for the Public Policy Committee

The motion **passed** unanimously. (Attachment 2 as revised)

9. AMENDMENTS TO TCDD RULES

Executive Director Webb reviewed proposed amendments to TCDD Rules. State agencies are required to review administrative rules at least once every four years to determine if there continues to be a need for those rules and if so, to consider any revisions or updates as appropriate. Proposed amendments to TCDD Rules were reviewed during May meetings and approved for publishing in the Texas Register for comments. Amendments were proposed to clarify the purpose of the Texas Council for Developmental Disabilities (Section 876.2 (a)), to make a technical grammar change (Section 876.4 (8)), and to clarify that the Council may accept unsolicited proposals or ideas (Section 877.1 (a)). All other sections were proposed for readoption without changes. No public comments were received. The Executive Committee recommends approval of the amendments as proposed, and recommends readopting all other sections with no changes.

MOTION: To approve proposed amendments to TCDD Rules as published, and to readopt all other sections of TCDD Rules with no changes.

MADE BY: Mary Durham for the Executive Committee

The motion **passed** unanimously. (Attachment 3)

10. MEMORANDUM OF UNDERSTANDING WITH TEXAS EDUCATION AGENCY

TCDD is required by state law to enter into a Memorandum of Understanding with the Texas Education Agency that describes the roles and responsibilities of TEA as the Council’s “designated state agency” and the responsibilities of TCDD. That MOU is reviewed annually. Durham indicated that the Executive Committee does not propose any revisions to the MOU this cycle.

MOTION: To approve the Memorandum of Understanding with the Texas Education Agency as presented.

MADE BY: Kathy Griffis-Bailey

SECOND: Rick Tisch

The motion **passed** unanimously. (Attachment 4)

11. TCDD 2013 OPERATING BUDGET

Chair Durham asked Executive Director Webb to review the proposed operating budget for FY 2013. Webb noted that the proposed budget increases funds available for out-of-state travel as discussed previously by the Committee. The Executive Committee reviewed a revised summary of out-of-state travel expense estimates that updates estimated expenses for personal attendants for members when needed. These revised estimates increase the amount proposed for out-of-state travel to \$26,050. Executive Committee Members agreed that out-of-state events are key opportunities for Council members and staff to learn about best practices and models from other states. With this change the proposed FY 13 budget reduces operating expenses by \$6,450 compared to funds approved for the current year. These reductions come primarily from reducing funds proposed for professional services based on current year experiences.

MOTION: To approve the FY 2013 Operating Expense budget with the revision for out-of-state expenses to be budgeted at \$26,050.

MADE BY: Mary Durham for the Executive Committee

The motion **passed** unanimously. (Attachment 5)

12. PROPOSED REVISIONS TO STIPENDS RFP

The Executive Committee reviewed proposed revisions to the current stipends request for proposals that are intended to clarify that stipend applications for legislative advocacy training events are eligible for either one-time events or for a series of trainings over a 3-4 month period. Other technical revisions are also included in these proposed revisions.

MOTION: To approve the revised Event Stipends Request for Proposals as presented.

MADE BY: Mary Durham for the Executive Committee

The motion **passed** unanimously. (Attachment 6)

13. EXECUTIVE COMMITTEE REPORT

Chair Durham discussed the Independent Audit Status Report and the Grants Monitoring Exceptions Report noting that no concerns were found in either report.

Durham reported that a new grant project was approved in the amount of \$175,000 for the first year of a 5 year project to Texas Tech University for the administration support of Project Search. Outreach and Development projects were also awarded for \$10,000 for one year to Cento di Mi Salud and to the Sower Foundation.

Durham also reported that continuation grant awards were approved for the following organizations:

- Arc of Texas for up to \$62,596 for the fifth and final year of the Texas Microboard Collaboration project.
- Texas Tech University for up to \$217,079 for the second year of a five year Higher Education project.
- Brighton School for up to \$20,000 for the second and final year of a Leadership Development and Advocacy Skills Training (LDAST) expansion project.
- Region 19 ESC for up to \$20,000 for the second and final year of a LDAST expansion project (Youth Leadership Forum).
- Paso del Norte Children's Development Center for up to \$20,000 for the second and final year of a LDAST expansion project.

Executive Director Webb reviewed the quarterly financial reports. He also discussed the Committee agreement to revise the procedures for RFP proposal review.

The Executive Committee approved the pool of review panel members for the next two years. The Committee also discussed the procedures to evaluation conference speaker grant proposals.

The Executive Committee reviewed the Conflict of Interest disclosure reports and had no concerns. Durham reminded members to review their information and provide updates as necessary.

11. PROJECT DEVELOPMENT COMMITTEE REPORT

Project Development Committee Chair Vardell provided a report on Committee discussions regarding TCDD project highlights and upcoming projects. Planning Coordinator Joanna Cordry added information including key deadlines on future projects including Project Search, Transportation, Building Community Capacity through Collaboration, and Promoting Self-Advocacy at Conferences.

12. PUBLIC POLICY COMMITTEE REPORT

Public Policy Committee Chair Joe Rivas and Vice-Chair Cox provided updates on Committee discussions surrounding member advocacy efforts and ways to advocate effectively during the 2013 Texas legislative session. The Committee received reports on the progress of the 2012 Biennial Disability Report, state and federal policy issues, State Supported Living Center monitoring activities as well as public information activities. The Committee provided preliminary guidance to staff on Public Policy Priorities for the 2013 Texas Legislature.

13. ANNOUNCEMENTS AND UPDATES

Council members reviewed the dates and locations of upcoming meetings.

ADJOURN

Chair Durham adjourned the Council meeting at 11:00 AM.

Roger A. Webb
Secretary to the Council

Date

Attachment 1

Future Funding Proposal

Executive Summary

Family Involvement in Schools

Background

Research has shown that when schools, families, and community groups collaborate to support learning, children tend to do better in school, stay in school longer, and like school more. Students with involved parents are more likely to get better grades, pass their classes, be promoted, have better attendance, show improved behavior and social skills, and adapt well to school. They also are more likely to graduate and go on to postsecondary education.

Families vary in their motivation and ability to participate in school activities every bit as much as their children. For families who are not able or motivated to positively support a child's success at school, the school must outreach in effective ways and provide a continuum of supports to enable effective family involvement in school. It should be noted that culturally appropriate outreach will recognize and respect family structures in addition to the nuclear family where grandparent, aunts, cousins or fictive¹ kin take on leadership and caretaking roles in the household. Family involvement is seen as especially important when students have learning, behavior, and emotional problems. For students receiving special education services, long-standing views about the importance of family involvement have been enacted into law. Such legislated mandates, however, have been no guarantee of effective practice, especially as budgets have been scaled back over the last several biennia.

The TCDD State Plan prioritizes funding for a well-designed, systematic, and personalized program for outreach and ongoing encouragement of family involvement that also will address barriers to establishing and maintaining such involvement. The Council chose to focus its family involvements efforts to provide training and/or intervention to support active engagement by at least one family member for every four students who have developmental disabilities, by 9/30/2016 in Education Service Center Region 17 (ESC 17). TCDD has limited the project scope to a single geographic region to facilitate the evaluation of the impact of project activities. An Educational Service Center region was selected because ESCs are typically responsible for providing services to school districts and charter schools in order to implement school reform or improvement plans. This project will be implemented in Education Service Center 17 because TCDD has developed productive relationships with a number of community partners in this area through past and current grant efforts, and this should create additional opportunities for success.

ESC 17, located in Lubbock on the South Plains of West Texas, is comprised of 57 school districts in 20 counties across 18,996 square miles. It includes both urban and rural areas. Though the area is based in diversified agricultural economies, the area also has an increasingly expanding medical and allied health based economy. Like Texas in general, ESC 17 is a majority minority area, with the Hispanics accounting for 55.7 percent of the population – a greater percentage than the state as a whole. The population of families with children living in poverty ranges from 16-22 percent, with the majority of those being single parent households.

¹ Fictive kin are individuals that are unrelated by birth or marriage, who have an emotionally significant relationship with another individual that take on the characteristics of a family relationship.

TCDD has awarded grants to entities in ESC Region 17 for a number of projects including:

- **Connections for Academic Success and Employment: Project CASE.** This project will help students with developmental disabilities ages 18-25 who are interested in furthering their education beyond high school, exploring careers and pursuing meaningful employment. Project CASE is a rural partnership of the Burkhart Center for Autism Education and Research; Texas Tech University; South Plains community college; the Department of Assistive and Rehabilitative Services (DARS); and local business partners.
- **Project IDEAL (Informing & Designing Education for All Learners).** This project is designed to help prepare prospective general-education teachers to work more effectively with students who have disabilities. At the broadest level, Project IDEAL is about systems change to help bridge the divide between the preparation of special and general educators so they can work more effectively with all learners. At its narrowest focus, Project IDEAL is about helping general education teachers make a positive difference in the lives of students with disabilities.
- **Head Start.** This project seeks to expand TCDD's previous Positive Behavioral Interventions and Support (PBIS) project to recruit, train, and support individuals to provide positive behavioral interventions and supports to people with diverse needs living in communities throughout Texas. The project is expanding PBIS strategies to staff employed by Head Start programs, early childhood settings, child care settings and pre-school settings. Specifically, the project expects to improve behavior intervention skills and knowledge of staff in child care, public school pre-K, ECI Head Start and other settings that serve children with disabilities ages 2 to 5. The project is expected to reduce the number of students expelled from childhood settings.
- **Impacting Disproportionality.** This project seeks to expand TCDD's previous PBIS project to recruit, train, and support individuals to provide positive behavioral interventions and supports to people with diverse needs living in communities throughout Texas. This project will expand PBIS strategies with special emphasis placed on intervention specifically aimed at impacting disproportionality. The project will implement research-based strategies that have been shown to reduce the number of disciplinary referrals (rates of suspension and expulsion of greater than 10 days in a school year of children with disabilities by race and ethnicity); establish procedures to monitor at-risk students to prevent escalating disciplinary action and support their success in school; and increase their skills in the area of cultural competency.

There are number of potential community partners in addition to past TCDD grantees, including:

- ESC 17
- Local Transportation Districts
- **The Parent Education Network** is a grant project of **Partners Resource Network, Inc.**, one of three federally funded **Parent Training and Information Centers** serving Texas parents of children and youth with disabilities from the ages of 0 to 26. Their goal is to empower parents of children and youth with disabilities in their roles as parents, decision makers and advocates for their children and their goal is to promote partnerships among parents and professionals, parent organizations, school districts and service agencies.
- **Lubbock Area United Way** seeks to empower people to address systemic issues to create substantial and long term change.
- **Texas Tech University – Child Development Research Center and College of Education.**

- **Texas Project FIRST** consolidates and provides parents accurate and consistent information about Special Education in Texas.

There also are a number of community based organizations effectively supporting family involvement activities via training and support:

- **Family to Family Network** provides IEP parent support in Houston, education and training events on the special education process, developmental disabilities diagnosis, referral to community resources and other networking opportunities.
- **Children’s Disabilities Information Coalition (CDIC)** is a community parent resource in El Paso that serves families through education and support by offering workshops on parenting children with special needs, educational rights, ARDs and IEPs and No Child Left Behind.
- **Special Kids, Inc. (SKI)** Educating and supporting families of children with special needs in the Houston area, SKI provides one-on-one consulting, hands-on skill building, and facilitates workshops to train professions and service providers.

TCDD has resources to fund a single entity capable of encouraging the participation of families of children with special needs in their local public schools. This entity would recruit, engage, empower and support families of children with special needs to become involved with their child’s public school. The entity would foster collaborations with local public schools, faith communities, providers of after school programs, transportation services and/or public housing providers to negotiate and leverage shared resources for the purposes of providing wrap around services for participant families. Engaging students with developmental disabilities and their parents, grandparents, extended family members, fictive kin and siblings will serve to create a sense of community and have a positive impact on the education system.

State Plan Goal

Goal 1: Build collaborations within Education Service Center (ESC) 17 to demonstrate ways to create measurable improvement in at least two identified indicators of educational success for students with developmental disabilities by 9/30/2016.

Objective 3: Provide training and/or intervention to support active engagement by at least one family member for every four students who have developmental disabilities in ESC 17, by 9/30/2016.

Expected Outcomes

Provide training and other necessary services to support the active engagement of at least 2,200 parents or other family members (25 percent of the students receiving special education services in the ESC 17 region).

This selected grantee will recruit, engage, empower and support families of children with special needs to become involved with their child’s public school. The project should foster collaborations with local public schools, faith communities, providers of after school programs, transportation services and/or public housing providers to negotiate and leverage shared resources to provide necessary services for participant families. Engaging students with developmental disabilities and their parents, grandparents, extended family members, fictive kin and siblings will serve to create a sense of community, have a

positive impact on the education system and further achievement and aspirations of children with disabilities.

The project will demonstrate that because families of children with disabilities are included in community collaborations that support learning, children with disabilities will achieve positive educational outcomes, including: improved grades, higher graduation and completion rates, fewer out-of-school disciplinary referrals, and increased likelihood of attaining postsecondary education or obtaining work of their choice.

Project Description

This project will work with community partners to develop a menu of after school services and training for all families in the Educational Service Center Region 17 area, including children with developmental disabilities. The project will empower families to identify issues to be addressed such as access to after school programs, transportation or public housing and will recruit, engage and support families to develop relationships with their local schools, faith institutions, local foundations and other community partners.

The project will:

- Develop relationships with partner organizations that can reach the identified populations, taking into account the demographics of the region and strategies suggested by the demographics.
- Determine what type of training, information, and/or technical assistance is to be provided and develop an implementation plan.
- Implement the developed plan, evaluate the results, and use information gained from evaluation to improve project activities.

Proposed Funding Amount

TCDD will provide funding up to \$300,000 per year. The selected grantee will be responsible for contributing match to the project, in the amount of 25% of total project costs for activities that are not in federal poverty areas and 10% for total project costs for activities that are in federal poverty areas.

Proposed Duration

TCDD funding will be available for up to five years.

Other Considerations

Attachment 2



Education Position Statement

All people with disabilities in Texas should have the opportunity to achieve their maximum potential for independence, productivity and integration into the community. Education is a lifelong learning process which is vital to attaining a full and complete life. The postsecondary results of an appropriate public school education for students with disabilities should be evidenced by employment, enrollment in postsecondary education, or both within one year of leaving high school.

The Texas Council for Developmental Disabilities supports the position that all students regardless of individual needs must be provided with individualized appropriate instruction, research-based positive behavioral interventions and supports, access to the general curriculum, and related services in the least restrictive environment. Related services include but are not limited to adaptive aids, assistive technology, modifications, therapies and supplementary aides. The delivery of individually appropriate instruction and related services must be provided by qualified teachers and service providers with administrative support and opportunities for continued/ongoing professional development in all areas of identified need. It is the position of the Council, as well as the policy of the state, that all children should be treated with dignity and respect when addressing their behavioral and disciplinary needs.

The Council supports the position that charter schools or schools accepting voucher payments must provide students the same educational rights and opportunities that they would be accorded in the public education system. The Council believes that schools that accept state money to educate students must accept any student with a developmental disability who may apply for admission to that school, abide by federal and state education laws that protect the rights of students with disabilities, abide by Section 504 of the Rehabilitation Act that requires any entity receiving federal funds to include people with disabilities in its program, and accept any student at the state rate of payment asking for no additional tuition or fees beyond the normal fees required by the student's local education agency. If these criteria are not met, then the Council adamantly opposes publicly funded school vouchers and charter schools. The Council is opposed to any initiative that would deplete funds from the public education system and ultimately from funds available for the education of students with disabilities.

(Continued)

The Council supports the position that full inclusion should be approached as a value and underlying philosophy by which we educate all students. We believe that successful inclusion requires that teacher education programs prepare all educators and administrators to work with the full range of students in inclusive settings. Special education is not a separate educational system, but rather a service provided to people with specific needs within the general educational system. Professional preparation programs should emphasize the shared responsibility of all educators and administrators for every student.

The Council supports the position that full inclusion requires the ongoing, shared responsibility of students, parents, guardians, educators, administrators and the community at large.

It is therefore the position of the Texas Council for Developmental Disabilities that all students have a right to learn, play and work with students their own age, with and without disabilities, in the same schools, classrooms and other educational programs attended by their brothers, sisters and neighbors, and that schools, classrooms and programs must be both physically and programmatically accessible to all students.

Reviewed July 26, 2012



Employment Position Statement

The Texas Council for Developmental Disabilities supports the position that people with disabilities have the right to job training, employment at competitive wages, and career growth as lifelong learners. The Council further supports the position that employment opportunities should be open to people with disabilities in the community job market without discrimination or segregation. Through employment, people with disabilities gain an important point of entry into their community, a sense of being valued, wages and job benefits. With these tangible and intangible rewards from employment, people with disabilities secure greater independence and freedom from public support service systems.

The Texas Council for Developmental Disabilities affirms that:

- Students with disabilities should receive a sound foundation in their public school education from which to transition to post secondary education and/or a career path after graduation. This foundation must include futures planning. Secondary education must provide a range of choices in career preparation such as vocational skills, career and technology education, preparation for post secondary education and opportunities for employment in the community.
- People with disabilities have the right to self determination and choice in establishing their career path, career goals, job placement or self-employment options, retention, advancement and retirement plans.
- People with disabilities should have access to an array of individualized, flexible and coordinated support services including assistive technology and supports, as long as necessary to obtain and keep employment.
- The employment needs of people with disabilities should be effectively addressed by a collaborative effort among businesses, professional organizations, state and local governments, and people with disabilities themselves and their support networks.
- Entities involved in statewide employment initiatives should disseminate information about civil rights laws that protect people with disabilities, about resources to support people with disabilities in the workplace, and about the tangible benefits that accompany employment of people with disabilities in regular jobs.
- Entities involved in statewide employment initiatives should assist people with disabilities to develop successful self-employment options that can include micro-enterprises and other entrepreneurial ventures.



Transition from School to Adult Life Position Statement

The Texas Council for Developmental Disabilities supports the position that people with disabilities have the right to live in and be an integral part of their communities, to be employed, to be independent and to make informed choices about their lives. Each student with disabilities, as all youth, must be given opportunities to achieve academic success, to cultivate personal interests and preferences, to explore and pursue career options that are both relevant and meaningful, and to participate in job training, job placement and community experiences as part of the transition from school to adult life. Transition planning should help a student move from school to adult life and must address key life areas related to work, recreation and leisure, home living, community participation, and opportunities to learn after high school. This can include a range of post-school options, such as but not limited to attending higher education, technical schools, or pursuing national service vocations. The individual services provided ultimately depend on the student's needs and interests.

A comprehensive array of timely services, coordinated among and between all adult service agencies and the local education agency, is imperative to maximize choices and opportunities for students with disabilities to achieve independence and be contributing and respected members of their communities. The transition planning process should be a thoughtful, student-centered, student-led process that takes into account the individual's unique values, preferences, abilities and challenges. In addition, it should include training in self-determination, self-advocacy and individual rights. Transition planning should help a student access services and supports beyond school by providing information about and the opportunity to apply for community-based long-term services and supports through Medicaid waiver and non-waiver services, Social Security disability benefits, affordable housing options in the community, Vocational Rehabilitation Services, and available transportation options.

Whole communities, including families, schools, businesses, employers, health care providers, public service agencies, and other stakeholders, must work together to identify, locate, and share resources to assist in promoting successful post-school outcomes. Students and families should be trained to actively and effectively participate in transition planning. Students should have the opportunity to identify and select the participants in their transition planning processes. Successful transition planning is facilitated when each student and his or her parents have the information, knowledge, skills, and access to supporting services that enable them to fully participate in the process of planning the student's future. That information, knowledge, skills, and access should be coordinated through the student's local education agency. If a student is not affiliated with a local education agency, the transition planning process should be coordinated by a single other agency, entity, or individual having responsibility for such planning and chosen by the student or family.

(Continued)

The Council values the diversity and unique contributions of each citizen of the state. Fragmentation of the various service delivery systems results in the provision of inadequate, untimely and/or inappropriate services and costly duplicative efforts. Coordination among young adults and their families, local

education agencies, outside agencies, and others on information sharing, flexible scheduling, and implementation timelines is critical.

The ultimate measure of successful transition planning is to increase the numbers of young adults engaged in stable employment after completing secondary and/or post-secondary education experiences. It is the Council's position that providing effective transition planning and services for young adults with disabilities benefits each community and the entire state. People with disabilities who are employed enrich the diversity of our communities, rely less on publicly-funded services, and contribute to the overall well being of the community's economic base.

Reviewed July 26, 2012

Attachment 3

TEXAS COUNCIL FOR DEVELOPMENTAL DISABILITIES

ADMINISTRATIVE RULES

TEXAS ADMINISTRATIVE CODE TITLE 40, PART 21

Chapter §876 General Provisions

Chapter §877 Grant Awards

Proposed Amendments

July 2012

Texas Administrative Code

Title 40 Part 21

Social Services Texas Council for Developmental Disabilities

Chapter §876	General Provisions
§876.1	Definitions
§876.2	Legal Authority
§876.3	Administration
§876.4	Responsibilities of the Council
§876.5	TCDD State Plan
§876.6	Powers and Duties of the Executive Director
§876.7	Committees of the Council
§876.8	Standards of Conduct
§876.9	Charges of Access to Public Records
§876.10	Petition for Adoption of Rules
876.11	Applicability of Open Meetings Law
§876.12	Alternative Dispute Resolution Process
Chapter §877	Grant Awards
§877.1	General
§877.2	Application and Review Process
§877.3	Suspension or Termination of Funding
§877.4	Appeal of Funding Decisions
§877.5	Confidentiality of Records

TITLE 40. SOCIAL SERVICES AND ASSISTANCE

PART 21. TEXAS COUNCIL FOR DEVELOPMENTAL DISABILITIES

Chapter 876. GENERAL PROVISIONS

§876.1 Definitions

The following words and terms, when used in these sections, shall have the following meanings, unless the context clearly indicates otherwise.

(1) Council --Texas Council for Developmental Disabilities.

(2) Designated State agency -- the State agency designated by the Governor to provide administrative support to the Council.

(3) Developmental disability – The term "developmental disability" has the meaning as defined in federal law, the Developmental Disabilities Assistance and Bill of Rights Act as amended (42 USC 6000 et seq).

(4) Executive director -- Chief administrative officer of the Texas Council for Developmental Disabilities.

(5) Grant – An award of financial assistance, including cooperative agreements, in the form of money, property provided in lieu of money, or other financial assistance paid or furnished by the Council to an eligible recipient to carry out a program in accordance with the rules, regulations and guidance provided by the Council.

§876.2 Legal Authority

(a) These rules are adopted under provisions of the Texas Human Resources Code, Title 40, Chapter 112.

(b) The following federal laws and regulations are adopted by reference into this part:

(1) Developmental Disabilities Assistance and Bill of Rights Act as Amended (U.S.C. 6000 et. seq.); and

(2) Developmental Disabilities Program, 45 Code of Federal Regulations, Parts 1385-1387.

§876.3 Administration

(a) The Texas Council for Developmental Disabilities is a joint state-federal program designed to **assist people with developmental disabilities and their families to participate in the design of and have access to needed community services and supports, and to** promote the development of a consumer and family-centered, comprehensive system and a coordinated array of culturally competent services, supports, and other assistance designed to achieve independence, productivity, and integration and inclusion into the community for individuals with developmental disabilities.

(b) The Council performs its responsibilities through staff activities, grants or contracts to public, or nonprofit, or private for-profit organizations and in other ways as determined by the Council to carry out the state plan.

(c) The Council shall enter into a memorandum of understanding with the designated state agency which sets forth their respective roles;

(d) The designated state agency carries out the functions set forth in applicable federal and state laws and regulations and the memorandum of understanding with the Council.

§876.4 Responsibilities of the Council

The Council is an agency within the executive branch, but functions independently within its statutory authority to serve the long-term public interest. The Council is responsible for

establishing the policy framework through which the agency carries out its statutory responsibilities. Specifically, the Council shall:

- (1) exercise the authority provided by law to adopt policies and rules governing Council activities;
- (2) develop and implement policies that clearly separate the policymaking authority of the Council and the management responsibilities of the executive director and staff of the Council;
- (3) approve the state plan and amendments;
- (4) serve as an advocate for state and federal legislation, appropriations and policies on behalf of individuals with developmental disabilities as authorized by federal law;
- (5) oversee operations of the Council for integrity, effectiveness, and efficiency;
- (6) approve personnel policies that provide for the selection, supervision, and evaluation of the executive director and staff
- (7) ensure projects and activities comply with all applicable federal and state requirements; and
- (8) **carry out** other responsibilities as provided by Council policies.

§876.5 TCDD State Plan

The Council develops and submits the "TCDD State Plan for Texans with Developmental Disabilities" in a manner consistent with federal law and regulations. The state plan may be revised and updated after public review and comment as provided by the federal requirements. The plan is available from the offices of the Texas Council for Developmental Disabilities.

§876.6 Powers and Duties of the Executive Director

The executive director is responsible for the effective and efficient administration of the affairs of the Council subject to applicable laws and this chapter and under the general direction of the Council. The director shall select, supervise and evaluate staff to implement Council approved activities consistent with policies approved by the Council. The director may delegate responsibilities to Council staff as appropriate.

§876.7 Committees of the Council

The Council may establish standing and special committees of Council members to expedite the work of the Council. Members shall be appointed to Committees in the manner provided by Council policies.

§876.8 Standards of Conduct

- (a) Standards of conduct of members and employees of the council are governed by Texas Government Code Annotated, Chapter 572, and by Human Resources Code Chapter 112.0161.
- (b) Council members and staff shall adhere to the conflict of interest policy approved by the Council.

§876.9 Charges of Access to Public Records

- (a) The charge to any person requesting copies of any public record of the Council will be the charge established by the Buildings and Procurements Commission at 1 TAC §§111.61-111.70.
- (b) The Council may reduce or waive these charges at the discretion of the executive director if there is a public benefit.

§876.10 Petition for Rules or Changes to Rules

Any interested person may petition the Council for a rule or rule change by submitting a request to the executive director in a manner and form as directed by the Council, consistent with state law.

§876.11 Applicability of Open Meetings Act

(a) The official minutes of all Council and committee meetings are kept in TCDD staff offices, are posted on the TCDD website, and are available for public review as authorized by the Open Meetings Act.

(b) Opportunities to provide public comments are provided at each Council and committee meeting. The chair of the Council or committee may limit each person presenting public comments or public testimony on any agenda item to a certain number of minutes by announcing the period when comments or testimony are given.

§876.12 Alternative Dispute Resolution

The dispute resolution process provided for in Chapter 2260 of the Government Code shall be used by the State and any other party to attempt to resolve any claim for breach of contract made by any party against the State as applicable.

Chapter 877 GRANT AWARDS

§877.1 General

(a) As authorized by Human Resources Code Title 40, Chapter 112.020 (a)(3), the Council may contract or provide grants to public or private organizations to implement the TCDD State Plan for Texans with Developmental Disabilities, if funds are available.

(b) The Council may solicit proposals from state agencies, non-profit organizations, or private for profit organizations that have organizational expertise related to the requirements of the proposal.

(c) **The Council may accept unsolicited** ~~Unsolicited proposals~~ **or unsolicited ideas for future projects** ~~may be submitted by organizations and will be considered~~ consistent with Council policies and procedures.

(d) The Council may develop projects with organizations without competitive proposals as allowed by state and federal requirements and Council policies.

(e) All grantees shall comply with applicable state and federal requirements including the Texas Uniform Grant Management Standards, Office of Management and Budget (OMB) circulars, and Council grants procedures.

(f) Independent audits of grantees are required for each year of funding in accordance with the requirements of OMB Circulars and Texas Uniform Grant Management Standards. Project specific independent reviews and other procedures may be required of grantees not subject to annual independent audit requirements of OMB or UGMS consistent with Council policies. The Council shall reimburse the grantees for the reasonable cost of the required audit activities.

(g) Grant awards shall contain appropriate provisions for program and fiscal monitoring and for collection and submission of evaluation data and related reports.

(h) The Council may limit by policy the amount of Council funds allowed to reimburse indirect costs of projects. Any indirect costs of a grantee above those amounts may be allowed as part of the required non-federal participant share.

(i) Donated time and services may be included as a financial match contribution unless otherwise restricted by a specific request for proposals or by state or federal requirements.

(j) No organization shall receive more than three (3) direct grants from the Council at any time.

§877.2 Application and Review Process

(a) All requests for proposals will be published in the Texas Register and posted on the Council's website, and a notice will be provided to interested parties.

(b) Proposal information for each request for proposal shall be available upon request from Council offices and will be made available at the Council's website.

(c) Proposals received after the closing date will not be considered unless an exception is approved in a manner consistent with Council policies.

(d) Projects seeking continuation funding may have separate application forms, instructions, and procedures, as determined by Council staff.

(e) Grants shall be awarded based on guidelines that reflect state and federal mandates. Selection criteria shall be designed to select applications that provide best overall value to the state and to the Council and meet the requirements and intent of the Council as provided in the request for proposals.

(f) Final approval of organizations to receive grant funding shall be determined by the Council consistent with Council policies.

(g) Council staff may negotiate with selected applicants to determine the final terms of the award.

§877.3 Suspension or Termination of Funding

(a) If a grantee fails to comply with the terms of the grant, the Council may suspend authority to obligate or receive grant funding pending the result of corrective measures.

(b) The Council, in its complete discretion, may terminate authority to obligate or receive grant funding prior to the end of the funding period if corrective actions are not taken during the suspension period, or if the deficiency is serious enough to warrant immediate termination.

(c) A grant, or portion thereof, may also be terminated at the grantee's request by approval of the Council executive director.

(d) The procedure to request reconsideration of a suspension or termination of funding shall be included in grant award materials.

§877.4 Appeal of Funding Decisions

Appeals may be submitted from applicants for grants who did not receive funding or from grantees whose grants have not been awarded continuation funding. The appeals process adopted by the Council shall be included in grant application materials.

§877.6 Confidentiality of Records

A grantee that provides direct services to individuals under a Council grant must have a system to protect client records from inappropriate disclosure. Disclosure of confidential information must be in accordance with applicable law.

Attachment 4

Memorandum of Understanding

Texas Council for Developmental Disabilities and The Texas Education Agency

I. PURPOSE

This Memorandum of Understanding (“MOU”) is entered into between the Texas Council for Developmental Disabilities, 6201 East Oltorf, Suite 600., Austin, Texas, hereafter referred to as the “TCDD,” and the Texas Education Agency, 1701 North Congress Ave., Austin, Texas, hereafter referred to as the “TEA”. The TCDD is established pursuant to the federal Developmental Disabilities Assistance and Bill of Rights Act as amended (42 USC 15001), hereafter referred to as the “DD Act”, and by state statute at Chapter 112, Title 7, Texas Human Resources Code, hereafter referred to as the “State Act.” Consistent with the DD Act, the Governor of Texas has designated TEA as the “designated state agency” to receive, account for and disburse funds available to TCDD and to provide administrative support to TCDD as appropriate. The purpose of this MOU is to identify the responsibilities of TEA as the designated state agency and the responsibilities of TCDD consistent with the DD Act and the State Act.

II. GENERAL AGREEMENTS

The State Act establishes the TCDD as a separate entity under state law, and delegates authority to the TCDD for all programmatic activities conducted with funds available to the TCDD. The State Act also establishes the Executive Director of the TCDD as the executive head of agency for the TCDD. TEA is responsible as the Designated State Agency to provide the services and support as indicated in this Memorandum of Understanding.

TCDD staff will be subject to the administrative rules and policies of the State of Texas and of its cognizant federal authorities. Pursuant to the State Act, the TCDD is responsible for selecting and hiring the Executive Director, when that position becomes vacant, and supervising the Executive Director consistent with state personnel policies and procedures of the TCDD. The TCDD Chair will prepare an annual performance evaluation of the TCDD Executive Director and serve as the “supervisor’s supervisor” when required by state law or regulations.

The parties agree that TCDD staff will be responsible solely for TCDD activities and responsibilities and will not be assigned other duties nor guided in implementing activities by the TEA. It is TCDD’s intent to be responsive to the limitations of TEA set forth in state law and regulation related to personnel decisions. In like manner, it is TEA’s intent to be responsive to the intent of the DD Act that provides for the Council to determine the numbers and types of staff necessary to carryout TCDD responsibilities and activities. At any time that the Council determines the need to increase the number of TCDD staff positions above 18 currently authorized FTE’s, TCDD and TEA shall jointly determine the procedure and timing for that increase to occur. Unless otherwise separately agreed by TCDD, those positions are available only to the TCDD and are not subject to staffing reductions of the TEA.

TCDD will work cooperatively with TEA to establish procedures for the processing of TCDD grants, contracts and personnel actions, recognizing that state and federal law vest fiscal, personnel, and rulemaking authority in the Council concerning activities carried out with funds available to TCDD. Federal law establishes that the TEA, and any other agency, office, or entity of the State, will not interfere with the advocacy, capacity building, and systemic change activities, budget, personnel, State plan development, or plan implementation of the Council.

TEA will provide administrative support services to the TCDD as detailed in this MOU. The provision of these services are subject to TEA’s then-current operating procedures and systems. Nothing in this MOU obligates TEA to provide or purchase for TCDD any administrative service or support not regularly available or provided by TEA. Any requests by TCDD for modification to TEA services or support shall

be subject to negotiation at the time of the request and to additional reimbursement as allowed by the DD Act. TCDD agrees to cooperate with TEA in providing any information needed by TEA to carry out its duties.

III. FINANCIAL, BUDGETING AND ACCOUNTING SERVICES

TEA has the following responsibilities and duties in state and federal law:

- A. Receive, account for and disburse funds on behalf of TCDD in accordance with the state and federal law and as authorized by TCDD staff, provided that TEA shall not encumber any funds available to TCDD, transfer any funds between TCDD budget categories or from TCDD to any other entity, or otherwise initiate charges or expenses against funds available to TCDD without specific authorization in advance by TCDD.
- B. Provide the fiscal controls and fund accounting procedures necessary for proper disbursement of and accounting for TCDD funds.
- C. Prepare required state and federal financial reports regarding TCDD funds, including TCDD review prior to submittal.
- D. Provide payroll services consistent with state and federal requirements.
- E. Provide timely financial information to TCDD to allow for the preparation of required fiscal reports to state and federal authorities.
- F. Provide or assist TCDD in securing the non-federal share of the cost of projects as required by federal law.
- G. Support TCDD in developing required state budget, strategic plan, performance measures, and appropriations request materials and related items (and other state reporting).

IV. HUMAN RESOURCES

TEA agrees to provide the following Human Resources services to TCDD:

- A. For state payroll and benefits purposes, administratively maintain TCDD employees as TEA employees.
- B. TEA agrees to provide recruitment, posting and processing of applications for TCDD positions.
- C. TEA will ensure compliance with EEO and ADA related matters and will act as the TCDD Executive Director's designee to implement a program of equal opportunity employment for the TCDD as required by the Texas Commission on Human Rights and state law.
- D. Other HR services as appropriate.

V. INFORMATION TECHNOLOGY SERVICES

TEA agrees to provide the following information technology services to TCDD:

- A. Information technology (IT) support to TCDD shall be provided through TEA Interagency agreements with the Department of Information Resources (DIR) and the state Data Center Service.
- B. TEA IT support to TCDD includes but is not limited to security oversight and operational functions to ensure compliance with the DIR TAC §202 requirements
- C. TEA IT support includes monitoring, provisioning and support for desktop and laptop computers, printers, networking server and network infrastructure, E-mail accounts, network connections

(including LAN equipment and data circuits) and related hardware and software applications. As required to meet confidentiality requirements.

- D. TCDD will follow TEA Operating Procedures pertaining to information security and encourage TCDD employees to attend TEA information security classes.
- E. TEA IT support shall be provided in a manner that assures separate identity for TCDD computer functions including website (www.txdcc.state.tx.us) and email (e.g. Roger.Webb@tcdd.state.tx.us)

VI. OTHER ADMINISTRATIVE SERVICES

TEA agrees to provide the following administrative services to the TCDD unless TEA and TCDD jointly agree for TCDD to contract for such services separately:

- A. Provide appropriate assurances for the TCDD State Plan and consult with TCDD to maintain consistency of the State Plan with state law.
- B. Purchasing and procurement services that will enable TCDD to procure and receive goods and services consistent with state requirements and upon its own authority, including support and assistance concerning lease space for TCDD offices. TCDD personnel responsible for contract development and processing will consult with appropriate TEA personnel and participate in related TEA training.
- C. Training, professional development, and consultation services provided through TEA (Office of Organizational Effectiveness) to TCDD personnel as appropriate.
- D. Bulk mail services directly or through contract with another state agency.
- E. TEA will include TCDD in their Business Continuity Plan for systems and business recovery.

VII. OTHER UNDERSTANDINGS

- A. TEA understands that TCDD shall develop and authorize funding activities to implement goals and objectives in the approved TCDD State Plan within the limitations of available funds and applicable state and federal regulations. TCDD shall manage all aspects of the application, review, and approval processes for grants and contracts and shall provide ongoing project development and grants management oversight to funded projects. DD funded grant projects shall abide by all terms of the grant award and with all applicable federal and state requirements including the Uniform Grant Management Standards (UGMS) developed by the Governor's Office of Budget, Planning and Policy, and federal rules promulgated by the Office of Management and Budget (OMB) where applicable. Except as otherwise stated in this agreement, TCDD is solely responsible for the grant selection, award, and management activities of the Council. The TCDD Executive Director or his designee is the authorized signatory for all TCDD grants and contracts.
- B. TCDD, as a separate state entity under law, will comply with State of Texas administrative rules and policies applicable to State agencies of similar size regarding the provision of internal audit services. It is understood by the parties that TCDD currently contracts separately for Internal Audit Services to ensure compliance with State requirements. Should TCDD determine not to continue to separately acquire such services, it promptly will notify TEA and the parties will mutually agree on the provision of such services by or through TEA, as may be necessary.
- C. TCDD will provide updated designations of TCDD personnel with approval authority for various TCDD financial and personnel actions, which personnel shall correspond, as closely as possible, with the equivalent positions and authority of TEA employees.

VIII. COMPENSATION FOR ADMINISTRATIVE SERVICES

TCDD agrees to reimburse TEA for the administrative services provided under this MOU consistent with provisions of the DD Act. TCDD will reimburse TEA not more than \$50,000 each fiscal year for basic services of accounting, budget, purchasing and HR services provided that TEA provides at least an

equal share from non-federal resources as state match through the application of the indirect cost rate. Information technology support (as noted in Section V.B.) and all other services provided to TCDD by TEA will be reimbursed by TCDD to the extent allowed by state and federal law. TEA will provide TCDD documentation of the cost and allocation method for those services.

IX. GENERAL PROVISIONS

Dispute Resolution: Disputes concerning implementation of this MOU between TCDD and TEA must first be resolved at the staff level if possible. If either party determines that the dispute cannot be resolved at the executive staff level, TCDD and TEA agree to pursue resolution through the use of mediation pursuant to the Government Dispute Resolution Act, Chapter 2009 of the Texas Government Code as applicable.

X. TERM OF AGREEMENT

This MOU shall commence on September 1, 2012 and shall terminate on August 31, 2013. This MOU will be reviewed annually by the parties and will be renewed for additional (1) year periods to commence at the beginning of each fiscal year. This MOU may be expanded, modified, or amended at any time upon the mutual written agreement of TCDD and TEA.

This agreement may be terminated by mutual agreement of both parties. Either party may terminate the agreement by giving the other party written notice of its intent to terminate. Written notice may be sent by any written method which provides verification of receipt, and the 30 days will be calculated from the date of receipt. Such actions, however, do not alone affect the status of the Governor's designation of TEA as the TCDD designated state agency pursuant to provisions of the DD Act. In the event any provision of this agreement becomes unenforceable or void, such will not invalidate any other provision of this agreement.

THE UNDERSIGNED PARTICIPATING PARTIES do hereby certify that (1) the services specified above are necessary and essential for activities that are properly within the statutory functions and programs of the effected agencies of State Government, (2) the proposed arrangements serve the interest of efficient and economical administration of the State Government, and (3) the services, supplies, or materials in this MOU are not required by Section 21 of Article 16 of the Constitution of Texas to be supplied under Contract given to the lowest responsible bidder.

TCDD further certifies that it has the authority to receive the above services by authority granted in:
Executive Order RP-37.

TEA further certifies that it has authority to perform the above services by authority granted in:
Executive Order RP-37.

Texas Council for Developmental Disabilities

Texas Education Agency

By: _____
Mary Durham
TCDD Chair

By: _____
Shirley Beaulieu,
Chief Financial Officer

Date: _____

Date: _____

Attachment 5

Background:

A proposed Operating Budget to support staff and Council operations for Fiscal Year 2013 is enclosed. This proposed budget assumes federal funding for FY 13 will be level with funds allotted to TCDD for the current year. The proposed FY 13 Operating Budget estimates increases for various expense categories and includes various assumptions about activities and expenditures. Funds not required for Council and staff support will be made available for grant projects as the fiscal year progresses. The proposed budget includes funds for 17 full time staff positions.

Executive Committee

Agenda Item 12.

Expected Action:

The Committee will review the Operating Budget for FY 2013 and determine a recommendation for Council consideration.

Council

Agenda Item 11.

Expected Action:

The Council will consider the FY 2013 Operating Budget as recommended by the Executive Committee.

TEXAS COUNCIL FOR DEVELOPMENTAL DISABILITIES

FY 2013 BUDGET AS APPROVED

	BUDGETED FY 2012 (10/11-9/12)	% OF WHOLE	PROJECTED YEAR END EXPENDITURE FY 2012 (10/11-9/12)	% OF WHOLE	PROPOSED BUDGET FY 2013 (10/12-9/13)	% OF WHOLE	VARIANCE	NOTES
Revenues								
<i>Federal Allotment</i>	\$5,095,817	100.0%	\$5,095,817	100.0%	\$5,095,817	100.0%	\$0	1
		0.0%		0.0%				
Total Revenues	\$5,095,817	100.0%	\$5,095,817	100.0%	\$5,095,817	100.0%	\$0	
Expenses								
Council Operations	17 FTE		17 FTE		17 FTE			
Salaries	\$960,403	18.8%	909,058	17.8%	\$960,403	18.8%	\$0	
Benefits	287,138	5.6%	275,622	5.4%	287,138	5.6%	0	
Professional Services	97,000	1.9%	89,573	1.8%	82,000	1.6%	(15,000)	2
Out-of-State Travel	18,500	0.4%	25,000	0.5%	2*,0) 0	0.5%	7,550	3
In-State Travel	62,000	1.2%	48,420	1.0%	63,000	1.2%	1,000	3
Supplies	10,000	0.2%	7,061	0.1%	10,000	0.2%	0	
Utilities	41,700	0.8%	26,540	0.5%	41,700	0.8%	0	4
Rent - Building - Space	79,618	1.6%	67,350	1.3%	79,618	1.6%	0	5
Rent - Computers - Equip	64,220	1.3%	47,262	0.9%	64,220	1.3%	0	6
Capital Expenditures	0	0.0%	-	0.0%	0	0.0%	0	
Other Oper. Expenses	118,250	2.3%	63,023	1.2%	118,250	2.3%	0	7
Total Operating Expenses	\$1,738,829	34.1%	\$1,558,909	30.6%	\$1,738,349	34.0%	(\$*,) 0	
Admin. Reimb. To TEA	\$50,000	1.0%	\$50,000	1.0%	\$50,000	1.0%		
Available for Grants	\$3,306,988	64.9%	\$3,486,908	68.4%	\$3,314,448	65.0%	\$*,) 0	
TOTAL EXPENSES	\$5,095,817	100%	\$5,095,817	100%	\$5,095,817	100%	\$0	

NOTES:

¹ Level funding with FY 2012

² Professional Services: Training - \$3,000; Auditor - \$25,000; CPA Desk Reviews - \$8,000; Legal Services - \$3,000; Job Coaches - \$6,000; Review Panelist - \$10,000; DD Suite - \$3,000; Web Hosting - \$2000; Computer Programming w/TEA \$15,000; Other contracted \$7,000 (\$15,000) reduction related to contract for web administrator during FY 12

³ Travel - In-State Council - \$45,000; Out-of-State Council - \$15,950

Travel - In-State Staff - \$18,000; Out-of-State Staff - \$10,100

\$6,500 O-O-S increase for Members & Staff to attend national conferences, including attendant expenses (see below)

\$1,000 in-state travel increase for community Forums

⁴ Utilities -\$9,660; Telecommunications - \$21,180; Dedicated Circuit - \$10,860

⁵ Rent-Building & Space: Office & Storage Space - \$44,618; Quarterly Council Facility Rooms - \$35,000

⁶ Rent-Machine - Rental of laptops - \$22,800; Quarterly Council AV rental - \$35,000; Rental of copier - \$6,420

⁷ Other OE: NACDD Dues - \$20,846; Contingency for 18th FTE - \$0, Printing,

Registration, Publications, Maintenance & Repair, Postage, Cleaning, Delivery, Advertising, Interpreter/translator, Security, Furniture & Equipment, Software, and Awards - \$97,404

Proposed Out-of-State Travel / Events	Members		Staff		Attendants	
	Actual	Proposed	Actual	Proposed	Actual	Proposed
	FY 12	FY 13	FY 12	FY 13	FY 12	FY 13
NACDD Fall Conference (Los Angeles / Fall)	2	0	0	0	1	0
Plus Executive Director's Meeting			1	0		
Disability Policy Seminar (D.C. / Spring)	1	2	1	2	0	1
ADD Technical Assistance Institute (D.C. / Summer)	2	3	2	2	1	1
Other (TBD)	3	2	1	3	3	2
Total Travelers	8	7	5	7	5	4

Attachment 6

Event Stipends Grants

Request for Proposals

Note: In order to apply for Event Stipends grants, organizations must read and agree to the [TCDD Assurances](#).

Event Stipends

The Texas Council for Developmental Disabilities has funds available for **event** stipends grants. Funds for this grant are made available to the Texas Council for Developmental Disabilities by the Administration on Developmental Disabilities.

DD Council Intent

Event Stipend stipends funds are provided to Texas organizations to enable individuals with developmental disabilities and their family members to attend established in-state professional or informational conferences, workshops, **seminars**, or legislative advocacy skills training events. The intent of this RFP is to promote participant direction and involvement in activities that enhance independence, productivity and community inclusion of people with developmental disabilities. **Event Stipend stipends** support is limited to Texas residents who are not eligible for conference, workshop, or training reimbursement from other organizations of which they are an employee or member.

Individuals are not eligible for these grants.

Project Components

Applications for **event stipends grants** funding must be received by TCDD at least 90 days in advance of the starting date of the ~~meeting~~, conference, workshop, **seminar**, or legislative advocacy skills training event. **If the application requests funding for stipends for a series of legislative skills training events, the application must be received by TCDD at least 90 days in advance of the first event.** The request must:

- demonstrate that the ~~meeting~~, conference, workshop, **seminar**, or legislative advocacy skills training event has educational and/or advocacy objectives related to developmental disabilities issues;
- outline how the stipends will be used consistent with the mission, philosophical principles, goals, and/or objectives of the Council;
- provide assurance that funds will be used only to support the participation of persons who have disabilities that also meet the federal definition of a developmental disability (and their family members) and who have no other organizational or agency source of funding to attend the ~~meeting~~, conference, workshop, **seminar**, or legislative advocacy skills training event;
- provide assurance that a priority will be given to individuals who have not previously received TCDD stipends support; and
- describe the potential recipients of the stipends.

Limitations

It is **not** the intent of the Council that these funds be used for weekend retreats, summer family camps or similar recreation activities.

- **Event stipends grant applications** Applications will be considered only for in-state conferences, workshops, **seminars**, and legislative advocacy skills training events and will not be considered for organizational board meetings.
- **Event stipends** Stipends funds are intended to enable additional Texas residents **that have not previously received TCDD stipend support** to attend a ~~meeting~~, conference, workshop, **seminar**, or legislative advocacy skills training event that would occur without DD funds for stipends. Therefore priority will be given to support individuals who are attending an event with TCDD stipends support for the first time. Stipends funds are not intended to fund the ~~meeting~~, conference, workshop, **seminar**, or legislative advocacy skills training event. DD funds are only available for up to 49% of the cost of the event.
- The organization applying for funding to provide stipends must be a sponsoring organization of the conference ~~meeting~~, workshop, **seminar**, or legislative advocacy skills training event.
- TCDD funds can only be used for direct costs relating to transportation, meals, lodging, registration, personal assistance services and respite for individuals with developmental disabilities (and their family members). Transportation and meals are allowable at state designated rates. Meals are only allowable for stipend recipients participating in events of such duration that limits one's access to meals and typically require out-of-town travel and/or an overnight stay. In allowing TCDD funds to be used to cover transportation and meals, it is the intent that participation by first time participants would increase.
- Match (cost sharing) expenses are those direct costs relating to lodging, registration, meals, transportation, and personal assistance services for recipients and respite for individuals with developmental disabilities attending the sponsored event.
- No more than one **event stipends** grant will be awarded to any one organization annually during the period June 1 – May 31 with the following exceptions:
 - a. TCDD may consider more than one application annually for **an event** stipends grant when the event is a national conference hosted by the state affiliate in Texas, and
 - b. TCDD will consider an additional application for **an event** stipends grant annually from the same organization if the second request is related to a legislative advocacy skills training event.
- Documentation and receipts will be required for all expenditures.
- Verification of developmental disabilities will be required for all stipend recipients.

Products

- Program report summarizing the results and benefits of the activity.

Terms

- Organizations that receive funds will be responsible for complying with all rules and procedures of the Texas Council for Developmental Disabilities.
- Obligations must be liquidated within 30 days of the ~~meeting~~, conference, workshop, **seminar**, or legislative advocacy skills training.

- A minimum of 10% matching funds as a share of direct costs are required.
- Funds are limited to one \$6,000 **event stipends** grant per organization, per year, for one in-state conference ~~meeting~~, **seminar**, or workshop. TCDD may consider an application for a second \$3,000 **event stipends** grant during the same year for a legislative advocacy skills training event only; however, first priority will be given to requests from organizations who have not received **an event stipends grant** during that annual period.
- **In either of the above situations, an organization may also request event stipends funds for a series of legislative advocacy training events that are coordinated over a 4-5 month period. In such situations, the limitations on funding amounts noted in the preceding paragraph apply.**
- Exception for co-sponsored events:
If two or more organizations jointly sponsor a single event, each organization is eligible for **an event stipends** grant award for that event if they have not received **an event stipends** grant during that annual period. No one organization may receive more than \$6,000 for a jointly sponsored event. If multiple applications are submitted for the same event by co-sponsoring organizations, funds are limited to not more than \$15,000 for *all event stipends* grants awarded for that event. Co-sponsoring organizations that have received **an event stipends** grant during the same year may apply for a \$3,000 **event stipends** grant if, and only if, the event is a legislative advocacy skills training event. If one or more co-sponsoring organizations requesting event stipends is only eligible for a \$3,000 **event stipends** grant, funds are limited to not more than \$7,500 for *all stipends* awarded for the event.

Application and Submission Process

- To obtain the required stipend information, **please review** the [TCDD Assurances](#) **and check the "accept" box in in agreement to indicate an intent to comply with the** ~~must be read and the applicant agrees to certify compliance with~~ stated requirements. **The complete application can then be downloaded.**
- ~~If the applicant agrees with the requirements, highlight the "accept" box and proceed to download and complete the application.~~
- ~~**Submit one** Two hard **copy** copies, one with the original signatures, should be submitted. Proposals may be delivered by hand or mailed to TCDD's physical office at 6201 East Oltorf, Suite 600, Austin, Texas, 78741-7509. **Direct** Proposals should be directed to the attention of (name). Faxed proposals cannot be accepted.~~
- **Also, submit one** ~~TCDD also requests that applicants send an~~ electronic copy at the same time the hard copies are submitted. Electronic copies should be addressed to name.name@tcdd.state.tx.us.

Exceptions

- TCDD reserves the right to waive limitations on this RFP on an individual or case-by-case basis based on the merits of the proposal submitted.

Revised May 2011

Proposed Revisions - July 2012

**COMMITTEE OF THE WHOLE
DRAFT MINUTES
July 26, 2012**

COUNCIL MEMBERS PRESENT

Mary Durham, Chair	Kathy Griffis-Bailey, DSHS	Amy Sharp, A&M CDD
Hunter Adkins	Cindy Johnston	Tricia Stinson, DARS
Kristine Clark	Scott McAvoy	Cindy Swain, TEA
Gladys Cortez	Katherine McCormick, DADS	David Taylor
Kristen Cox	John Morris	Lora Taylor
Mateo Delgado	Dana Perry	Richard Tisch
Kevin Estes, HHSC	Joe Rivas	Susan Vardell
Mary Faithfull, DRT	Penny Seay, UT CDS	

COUNCIL MEMBERS ABSENT

Kimberly Blackmon	Andrew Crim
Brenda Coleman-Beattie	Diana Kern

STAFF MEMBERS PRESENT

Roger Webb, Executive Director	Sonya Hosey	Koren Vogel
Belinda Carlton	Melissa Loe	Lucy Walker
Joanna Cordry	Jessica Ramos	
	Melissa Rosser	

GUESTS PRESENT

Chris Adams, DADS	Sarah Dodd	Anna Phillips
Patty Anderson, DRT	Maria Granados	Ilene Robinson
Chynna Burwell	Stacy Mayfield	Jason Sabo
Lillian Davis	Val Meixner	Thelma Scott

CALL TO ORDER

The Committee of the Whole of the Texas Council for Developmental Disabilities convened on Thursday, July 26, 2012, in the Ballroom B of the Renaissance Hotel - Austin, 9721 Arboretum Blvd, Austin, TX 78759. Council Chair Mary Durham called the meeting to order at 9:10 AM.

1. INTRODUCTIONS

Council members, staff and guests were introduced.

2. PUBLIC COMMENTS

Public Comments were provided by Ilene Robinson asking members to visit day habilitation workshops and by Thelma Scott and Lillian Davis on behalf of the Barbara Jordan Endeavors Corporation.

3. PRESENTATION – STATE SUPPORTED LIVING CENTERS STATUS REPORT

Chris Adams, Assistant Commissioner for State Supported Living Centers, Department of Aging and Disability Services, provided an update on activities to comply with requirements of the Settlement

Agreement between the Department of Justice and the State. Adams indicated that DOJ monitoring teams are now completing the fifth round of monitoring reviews at each SSLC. He also noted that it is highly unusual for DOJ to monitor all institutions in a state at the same time, and is the first time that DOJ has used multiple monitoring teams. That creates some problems regarding consistent expectations for complying with the terms of the Settlement Agreement across all three teams. Adams also indicated that substantial compliance for most conditions was set at a high bar by DOJ in the Agreement. Adams indicated that DADS believes most facilities are making notable progress towards compliance but many concerns still remain. DADS had expected to be further along in meeting the compliance expectations in the Agreement by this point and is continuing to actively address these issues.

The census in the 13 SSLC facilities continues to decrease by an average of 17 individuals each month. And of the 106 admissions this year, 85 percent were admitted via the forensic commitment process. Of those individuals who have transitioned to community programs, only three returned to a SSLC in 2011 and four in 2012. DADS has initiated efforts to increase the number of individuals transitioning from Austin SSLC to community programs due to significant infrastructure issues with that facility. DADS is reviewing a proposal from the Texas Council of Community Centers for local authorities to be actively involved in the transition process beginning with the “community living options information process” (CLOIP) and building a relationship with each individual interested in transitioning that continues through and after placement in the community. DADS anticipates 5-6 individuals will transfer to community residences each month when the pilot begins in September. DADS also has hired an attorney to educate judges about alternatives to SSLC commitment.

4. PRESENTATION – REGION 17 EDUCATION SERVICE CENTER – POSITIVE BEHAVIORAL INTERVENTIONS AND SUPPORTS PROJECTS

Val Meixner and Anna Phillips of the Region 17 Education Service Center, and Dr. Sara Dodd, Director of the Texas Tech University Center for Prevention and Resiliency, provided an overview of two Positive Behavioral Interventions and Supports (PBIS) grant projects: Head Start and Impacting Disproportionality. Ms. Phillips discussed the Head Start project, which focuses on pre-school and early childhood settings, followed by Ms. Meixner who discussed the Impacting Disproportionality project which addresses the over-representation of children with disabilities who are also ethnic minorities in disciplinary referrals. Each presentation featured an overview demonstrating need, background research, program implementation model, outcomes, data, and anecdotal evidence of success. Dr. Dodd, who has lead two special projects at PBIS-ID districts showed a video demonstrating the project at a middle school. Council Members expressed appreciation for the work of both projects.

5. PRESENTATION – PUBLIC POLICY ADVOCACY STRATEGIES

Public Policy Director Jessica Ramos introduced Jason Sabo, Frontera Strategy, to talk about the budget issues likely facing the next Texas Legislature and public policy advocacy strategies that might be helpful for TCDD. Sabo indicated that 50 members of the Texas House of Representatives will be in their first or second term when the 83rd Legislature convenes in January 2013. And, less than 10% of the Legislature is from areas west of I-35. The majority of legislators are from heavily populated urban areas. Sabo suggests these factors are important when considering public policy advocacy strategies.

Sabo reviewed the budget deficit faced by the last Legislature and the decisions about how to address those issues in the current two-year budget. The appropriations bill passed by the Legislature, and signed by Governor Perry, included only 18 months of funding for the state's Medicaid program, and did not fully fund expected caseload growth for Medicaid entitlement programs. The Legislature also changed funding formulas for public education to reduce per student funding, and did not fully fund student enrollment growth. Most other budget functions also saw sizable reductions in funding. And the Legislature chose to not use "Rainy Day" funds to offset those reductions. Sabo indicated that the 83rd Legislature will face similar pressures to not increase taxes and to not use Rainy Day funds for ongoing services. At the same time, the state's business tax continues to generate less revenue than anticipated and the state's population continues to grow rapidly which results in more students enrolled in schools, and continued growth in enrollment in entitlement programs such as Medicaid. The good news is that revenues are increasing more rapidly than projected which should create some additional funds that the Legislature could use to fund the projected shortfalls in the current two year budget.

Sabo next discussed various ways Council members can provide input on key public policy issues facing individuals with disabilities. Social media (Facebook, Twitter, etc.) is increasingly becoming an effective tool for communicating with legislators. Members expressed enthusiasm for Sabo's presentation and encouraged Sabo to return for continued discussion at future meetings.

ADJOURN

Council Chair Durham adjourned the Committee of the Whole at 1:45 PM.

Roger A. Webb
Secretary to the Council

Date