

**Texas Council for Developmental Disabilities  
Quarterly Meeting  
Wyndham Garden Hotel  
3401 IH-35 South  
Austin, Texas 78741**

***Meeting Schedule***

**Wednesday, October 23, 2013**

**3:00 PM – 6:00 PM**  
Executive Committee Meeting  
Room: Guadalupe/Barton Creek

**Thursday, October 24, 2013**

**8:30 AM – 10:15 AM**  
Audit Committee Meeting  
Room: Guadalupe/Barton Creek

**10:30 AM – 1:30 PM**  
Committee of the Whole  
Room: Lady Bird Lake  
*Lunch provided for Council Members and staff*

**1:45 PM – 5:00 PM**  
Project Development Committee Meeting  
Room: Guadalupe/Barton Creek  
Public Policy Committee Meeting  
Room: Lake LBJ

**Friday, October 25, 2013**

**8:30 AM – 11:30 AM**  
Council Meeting  
Room: Lady Bird Lake



# Texas Council for Developmental Disabilities

## Executive Committee Meeting - Agenda

Wyndham Garden Hotel

Room: Guadalupe/Barton Creek

Wednesday, October 23, 2013 3:00 PM – 6:00 PM



Action Item

### Call to Order

1. **Introductions of Committee Members, Staff and Visitors**
2. **Public Comments**
3. **Consideration of August 8, 2013, Minutes** Tab 1 
4. **Chair's Report** Tab 2
  - A. DADS Person Centered Thinking Training Support
  - B. Other Updates
5. **Executive Director's Report** Tab 3
  - A. Staffing Update
  - B. State and Federal Affairs Update
  - C. Stipends Approved
  - D. Other Updates
6. **Grants Activities Reports** Tab 4
  - A. Grants and Projects Update
  - B. Independent Audit Status Report
  - C. Grants Monitoring Exceptions Report
7. **TCDD Sunset Review Update** Tab 5
8. **Consideration of Review Panel Recommendations for Accessible Parking Project** Tab 6 
9. **Consideration of Outreach and Development Project Proposals** Tab 7 
10. **Consideration of Grant Awards** Tab 8
  - A. A Circle of Ten – *Capacity Building Project* Continuation 
  - B. DARS Project HIRE – *Higher Education* Continuation 
  - C. Texas Tech University – *Higher Education* Continuation 
  - D. Texas SILC – *Leadership Development and Advocacy Skill Training* Continuation 
  - E. West Central Texas Regional Foundation – *Inclusive Faith Based Symposium* Continuation 
  - F. Texas Tech University – *Building Community Capacity* Strategic Plan 
11. **TCDD Quarterly Financial Report** Tab 9
12. **Conflict of Interest Disclosures**
13. **Other Updates**

Adjourn



# Texas Council for Developmental Disabilities

## Audit Committee Meeting - Agenda

Wyndham Garden Hotel

Room: Guadalupe/Barton Creek

Thursday, October 24, 2013 8:30 AM – 10:15 AM



Action Item

### Call to Order

1. Introductions
2. Consideration of October 8, 2012, Minutes
3. Review of Audit Committee Roles and Responsibilities
4. FY 2014 Internal Audit Charter
5. Audit Report 2013-1 Grantee Communications
6. Audit Report 2013-2 Governance Audit
7. FY 2013 Annual Internal Audit Report
8. FY 2014 Annual Internal Audit Plan & Risk Assessment
9. Other Discussion Items

Tab 21



Tab 22



Tab 22



Tab 22



Tab 23



Adjourn



# Texas Council for Developmental Disabilities

## Committee of the Whole Meeting - Agenda

Wyndham Garden Hotel

Room: Lady Bird Lake

Thursday, October 24, 2013 10:30 AM – 1:15 PM



Action Item

### Call to Order

1. Introductions
2. Public Comments
3. Chair & Executive Director Remarks
4. Presentation: OneStar Inclusive Faith-Based Symposium

*Lunch Buffet*

5. Grant Project Highlights

Tab 12

6. Other Updates

Tab 10

Adjourn



# Texas Council for Developmental Disabilities

## Project Development Committee Meeting - Agenda

Wyndham Garden Hotel

Room: Guadalupe/Barton Creek

Thursday, October 24, 2013 1:30 PM – 5:00 PM



Action Item

### Call to Order

1. **Introductions**
2. **Public Comments**
3. **Consideration of August 8, 2013, Minutes** Tab 11 
4. **Chair's Remarks**
5. **Member Updates**
6. **Staff Reports** Tab 12
  - A. Public Information Report Tab 19
  - B. Status of New/Approved Projects
  - C. Projected Available Funds
  - D. Other Updates
7. **Selection of Nominating Committee Member** Tab 13
8. **Future Activities for State Plan Implementation** Tab 14
  - A. Accessible Transportation Project 
  - B. Understanding Employment Options and Supports Conference 
  - C. Assistive Technology in Education 
9. **Future Project Funding Priorities** Tab 15 
10. **Other Discussion Items**

**Adjourn**



# Texas Council for Developmental Disabilities

## Public Policy Committee Meeting - Agenda

Wyndham Garden Hotel

Room: Lake LBJ

Thursday, October 24, 2013 1:30 PM – 5:00 PM



Action Item

### Call to Order

1. Introductions of Committee Members, Staff and Visitors
2. Public Comments
3. Consideration of August 8, 2013, Minutes Tab 16 
4. Chair's Remarks
5. Member Updates
6. Selection of Nominating Committee Member Tab 13 
7. Public Policy Issues Tab 17
  - A. State Policy Issues
  - B. Update on State Supported Living Center Activities
  - C. Federal Policy Issues
8. TCDD Position Statement Review Schedule Tab 18 
9. Public Information Report Tab 19
10. Other Discussion Items

Adjourn



# Texas Council for Developmental Disabilities

## Council Meeting - Agenda

Wyndham Garden Hotel

Room: Lady Bird Lake

Friday, October 25, 2013 8:30 AM – 11:30 PM



Action Item

### Call to Order

1. **Introductions of Members, Staff and Visitors**
2. **Public Comments**
3. **Consent Items**
  - A. Consideration of Minutes Tab 20 
  - B. Excused Absences of Council Members  
4. **Chair's Report**
5. **Executive Director's Report**
6. **Presentation: DARS Project HIRE**
7. **Selection of Nominating Committee Member** Tab 13 
8. **FY 2014 Internal Audit Charter** Tab 21 
9. **FY 2013 Internal Audit Reports** Tab 22 
10. **FY 2014 Internal Audit Plan** Tab 23 
11. **Future Activities for State Plan Implementation** Tab 14
  - A. Accessible Transportation Project  
  - B. Employment Projects  
  - C. Future Project Funding Priorities Tab 15 
12. **Executive Committee Report**
  - A. Grants Activities Report Tab 4
  - B. Grant Awards Tab 6-8
  - C. TCDD Quarterly Financial Report Tab 9
  - D. Conflict of Interest Disclosures
  - E. Other Discussion Items
13. **Audit Committee Report**
14. **Project Development Committee Report**
  - A. Grants and Projects Report Tab 12
  - B. Future Funding Activities
  - C. Other Discussion Items
15. **Public Policy Committee Report**
  - A. Public Information Report Tab 19
  - B. Public Policy Issues Tab 17
  - C. Other Discussion Items Tab 18
16. **Announcements and Updates** Tab 24

### Adjourn

**Executive Committee Meeting Minutes**

**Tab 1**

**Background:**

Minutes of the August 8, 2013, Executive Committee meeting are included for your review.

**Executive Committee**

**Agenda Item 3.**

**Expected Action:**

The Committee will review, revise as appropriate, and approve.



Webb briefly discussed TCDD's federal funds noting that the final award for FY 2013 was \$4,794,740 which is a 5.7% reduction from FY 2012. FY 2014 funding levels are pending until Congress develops the budget.

Webb discussed the internal audit activity for FY 2013 and noted that Internal Auditor Jaye Stepp is finishing both reports. The grantee survey report has been completed and the governance report is pending. The Audit Committee reviews those reports next quarter.

Stipends grants were awarded during the past quarter for the following applicants:

- Texas Advocates: Events stipend grant for up to \$5,988 for the *2013 Texas Advocates Annual Convention* on August 9-11, 2013, in Houston.
- Arc of Greater Beaumont: Presenters stipend grant for up to \$6,000 for the *Special Education Conference* on August 24, 2013, in Beaumont.
- Providers Alliance for Community Services of Texas: Presenters stipend grant for up to \$5,000 for the *PACSTX 2013 Annual Conference* on September 25- 27, 2013, in San Marcos.
- University of Texas at El Paso: Speakers stipend grant for up to \$5,000 for the *Ability Awareness Week* on October 7-11, 2013, in El Paso.
- A Circle of Ten, Inc.: Events stipend grant for up to \$6,000 for the *Historical Diverse "Unique Abilities" Event* on October 12, 2013 in Houston.
- Barbara Jordan Endeavors: Events stipend grant for up to \$6,000 for the *Historical Diverse "Unique Abilities" Event* on October 12, 2013 in Houston.
- Volar Center for Independent Living: Events stipend grant for up to \$6,000 for the *Our Lives Disabilities Conference & Service Providers Expo* on October 24, 2013 in El Paso.
- Area Network on Disabilities and Aging: Events stipend grant for up to \$2,600 for the *Our Lives Disabilities Conference & Service Providers Expo* on October 24, 2013 in El Paso.

Webb also noted that discussions took place with the University of North Texas on a proposal for webinar registration fees but it was determined that this is not eligible as a stipend grant project.

Webb indicated that the Governor's appointments staff do not expect to consider TCDD appointments or reappointments until later this fall. Durham expressed concerns that a change in Council Chair not take place during the Sunset Commission review.

He discussed recent news reports of fraudulent use of funds at the Arc of Texas and noted that after discussions with Arc staff it appears that no TCDD funds were mis-used. The Arc of Texas has contracted with a forensic accountant to review financial records and should be able to verify that all TCDD grant funds were used properly.

Chair Durham approved the potential reviewers for the Accessible Parking project but this project has been on hold due to the recent departure of project coordinator Melissa Loe. Planning coordinator Joanna Cordry will coordinate the review panel during the coming quarter.

Webb reviewed Council member absences for these meetings including Kristen Cox, Lora Taylor, Rick Tisch, Mateo Delgado, Susan Vardell, and Kris Clark. DARS will be represented by Cassie Fisher and Health and Human Services Commission (HHSC) will be represented by Nancy Walker at the Council meeting only. Both Walker and Fisher will be in a non-voting capacity.

**5. CONSIDERATION OF MINUTES**

A quorum now being present, the committee reviewed the minutes of the May 1, 2013, Executive Committee meeting. No revisions were offered.

**MOTION:** To approve the minutes of the May 1, 2013, Executive Committee meeting as presented.

**MADE BY:** Mary Durham

**SECOND:** Gladys Cortez

The motion **passed** unanimously.

**6. GRANT ACTIVITIES REPORT**

Executive Director Webb provided the Grants Activities Reports. The Audit Status Report and Grants Monitoring Exceptions reports do not reflect any staff concerns. In response to questions about documentation needed on lease agreements and accessibility of training facilities, staff explained that these exceptions reflected documents not available during the onsite review. Staff did not have any concerns overall about those items. Staff also noted that SER Jobs for Progress has elected to forgo the last year funding for expansion of leadership development and advocacy skills training.

Webb updated members about information requested previously about the Texas A&M University's Leadership Development and Advocacy Skills Training project. That project has now expanded to two schools as indicated in the work plan. Separately, Webb noted that policies allow for the executive director to approve a reduction in match funds for projects. Match reductions were approved for NAMI-Tx and Brighton School. Both projects are still providing above the required match amounts.

**7. SUNSET REVIEW SELF-EVALUATION REPORT**

Webb and Operations Director Martha Cantu reviewed the key issues proposed by staff to include in the TCDD Sunset Self-Evaluation Report. Timelines for the review process were also discussed. Committee members were in agreement with the issues as presented.

**MOTION:** To recommend Council approval of the major issues as presented in the draft TCDD Self- Evaluation for Sunset Review.

**MADE BY:** Mary Durham

**SECOND:** Gladys Cortez

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

Webb further discussed the current statutory requirement of the TCDD Biennial Disability Report. He noted that this report is similar to other reports prepared by Health and Human Services agencies and inquired if the Council wants to continue this project or request its

removal from statute. Durham noted that elimination of the report would free up Council staff to do other projects without the constraint of the report.

**MOTION:** To pursue the elimination of the Biennial Disability Report requirement from state statute.

**MADE BY:** Mary Durham

**SECOND:** Andy Crim

The motion **passed** unanimously.

**8. CONSIDERATION OF CONTINUATION GRANT AWARDS**

TCDD Grants Management Specialists reviewed Executive Summaries for projects eligible for continuation grant awards. Senior Grants Specialist Cynthia Ellison reviewed the summary for the Helpful Interventions Gulf Coast of Texas African American Family Support Conference (GCTAAFSC) project and discussed progress of the project. The Committee previously approved an increase in funding for this project. Grants Management Director Sonya Hosey is closely monitoring all project activities. GCTAAFSC plans its first conference for November 1, 2013, in Houston and has set a goal for 200 attendees. Central Texas AAFSC staff are collaborating with Helpful Interventions on project activities. TCDD staff have no concerns with this project.

**MOTION:** To approve funding of up to \$75,000 to Helpful Interventions for the second year of a three-year Gulf Coast of Texas African American Family Support Conference project.

**MADE BY:** Mary Durham

**SECOND:** Gladys Cortez

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

Grants Specialist Wendy Jones reviewed the Executive Summary for Texas Tech University Project SEARCH. This project provides support for organizations in Texas that want to contract with the Project SEARCH transition model with a goal of 10 newly certified projects in Texas by the end of the fourth project year. Three sites were established in the first year and anticipate up to 10 students per site for the next year. Jones noted that the project has had difficulty negotiating with Project SEARCH and the Project Advisory Committee (PAC) was not established until the 3<sup>rd</sup> quarter. TCDD staff are working with the grantee to assist with negotiations with Project Search and will monitor that the project has quarterly PAC meetings.

**MOTION:** To approve funding of up to \$174,666 to Texas Tech University for the second of a five-year Project SEARCH support project.

**MADE BY:** Mary Durham

**SECOND:** Andy Crim

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

**9. TCDD QUARTERLY FINANCIAL REPORT**

TCDD Operations Director Martha Cantu reviewed the quarterly financial report with members. She presented the summary of funds for each fiscal year noting that although a deficit shows for FY 2013 and FY 2014, unexpended funds from operating expenses and from other grants will cover this deficit. Members reviewed the Administrative and Expense Budget for FY 2013 and the Grants and Contracts Awards Report for FY 2011-2013 and did not have concerns.

**10. FY 2014 OPERATING EXPENSE BUDGET**

Cantu reviewed the proposed Operating Expense budget for FY 2014. This budget “assumes” level funding federal funding with FY 2013 although appropriations are unknown at this point. The FY 2014 budget includes decreases from FY 2013 for salaries and benefits, professional services, rental of office space and equipment and utilities. These decreases are based on actual expenses from FY 2012 & FY 2013.

**MOTION:** To recommend Council approval of the FY 2014 Operating Expense Budget as presented.

**MADE BY:** Andy Crim

**SECOND:** Mary Durham

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

**11. MEMORANDUM OF UNDERSTANDING WITH TEXAS EDUCATION AGENCY**

Webb reminded members that the Memorandum of Understanding (MOU) with Texas Education Agency is reviewed annually. This MOU delineates the roles and responsibilities of the designated state agency for its administrative support of TCDD. No revisions are proposed for the MOU from FY 2013.

**MOTION:** To recommend Council approval of the Memorandum of Understanding with Texas Education Agency for FY 2014.

**MADE BY:** Mary Durham

**SECOND:** Gladys Cortez

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

**12. CONFLICT OF INTEREST DISCLOSURES**

Committee members reviewed updated conflict of interest disclosure information for Council members and staff. No concerns were noted.

**13. OTHER DISCUSSION ITEMS**

The Committee reviewed the schedule of upcoming Council meetings and discussed future meeting dates and locations. The proposed May 2014 dates could become a conflict with hotel space due to the scheduled *X Games* in Austin.

**ADJOURN**

Vice-Chair Crim adjourned the Executive Committee at 10:04 AM.

\_\_\_\_\_  
Roger A. Webb  
Secretary to the Council

\_\_\_\_\_ Date \_\_\_\_\_

# **Attachment 1**

# Sunset in Texas

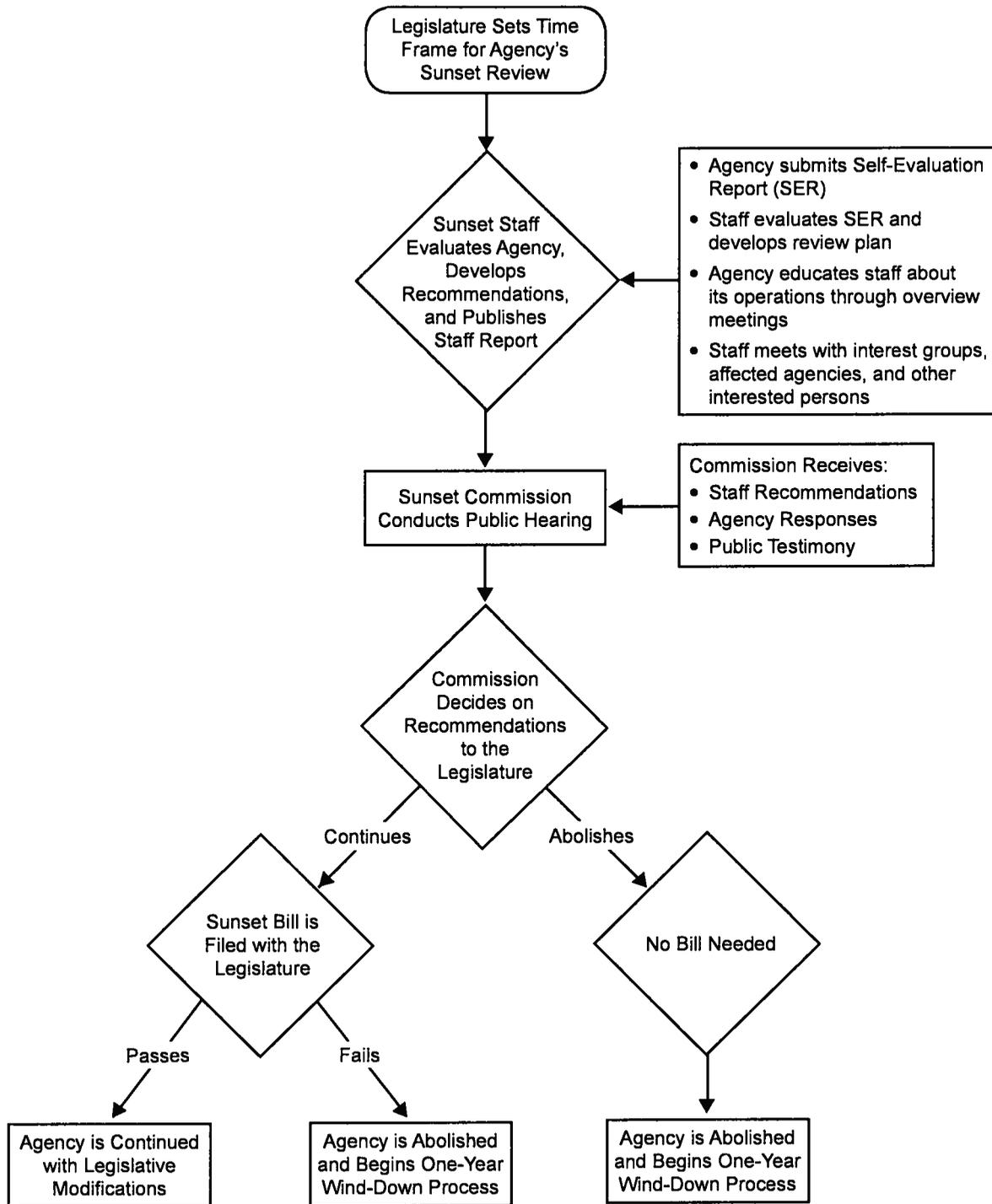
## *Sunset Review Questions*

1. How efficiently and effectively does the agency and its advisory committees operate?
2. How successful has the agency been in achieving its mission, goals, and objectives?
3. Does the agency perform any duties that are not statutorily authorized? If so, what is the authority for those activities and are they necessary?
4. What authority does the agency have related to fees, inspections, enforcement, and penalties?
5. In what ways could the agency's functions/operations be less burdensome or restrictive and still adequately protect and serve the public?
6. How much do the agency's programs and jurisdiction duplicate those of other agencies and how well does the agency coordinate with those agencies?
7. Does the agency promptly and effectively address complaints?
8. To what extent does the agency encourage and use public participation when making rules and decisions?
9. How has the agency complied with state and federal requirements regarding equal employment opportunity, the rights and privacy of individuals, and purchasing guidelines for historically underutilized businesses?
10. How effectively does the agency enforce rules on potential conflicts of interest of its employees?
11. How effectively and efficiently does the agency comply with the Public Information Act and the Open Meetings Act?
12. Would abolishing the agency cause federal government intervention or loss of federal funds?
13. Do the agency's statutory reporting requirements effectively fulfill a useful purpose?

## *Sunset Review Timeframes*

<b>September 2013</b>	Agencies submit Self-Evaluation Reports.
<b>October 2013 to January 2015</b>	<p>Sunset Commission staff:</p> <ul style="list-style-type: none"> <li>• Conducts evaluations of each agency</li> <li>• Prepares staff reports and recommendations</li> <li>• Holds public hearings on each agency</li> <li>• Finalizes recommendations</li> </ul> <p>Sunset Board</p> <ul style="list-style-type: none"> <li>• Reviews and makes decisions about each agency under review</li> </ul>
<b>February 2015</b>	Sunset Commission submits Report to 84 <sup>th</sup> Texas Legislature with recommendations on each of the agencies under review.
<b>January 2015 to May 2015</b>	84 <sup>th</sup> Texas Legislature considers Sunset bills on each agency under review.

## Sunset Review Process



# TCDD Sunset Self Evaluation Report

## Section IX. Major Issues

### Policy Issue No. 1: Support for Self Advocacy

#### A. Brief Description of Issue

TCDD is required by federal law to engage in activities that support self advocate groups in the state, leadership and advocacy training for self advocates, and to promote self advocacy (“Self advocate,” used in this context, refers to an individual who has an intellectual or other developmental disability). TCDD’s mission incorporates these aspects of self advocacy: to create change so that all individuals with disabilities can participate fully in their communities and have control over their own lives. However, creating such change can be difficult for various reasons including:

- disagreement exists regarding the definition of “self advocate” and “self advocate organization”,
- relatively few self advocate organizations are established as entities that can legally receive and manage funding,
- little ongoing funding is available to support operational costs for self advocate groups,
- guardianship laws, inaccurate assumptions about people who have developmental disabilities, and a lack of resources sometimes prevent people from serving in leadership roles for which they are otherwise qualified.

#### B. Discussion

TCDD has awarded grant funds to numerous organizations for leadership development and advocacy skills training projects. However, some self advocates feel that only organizations lead and run by self advocates are legitimate self advocacy organizations. As such, they feel that funds awarded for activities to increase self advocacy should be granted only to entities that are run and lead solely by self advocates. Compounding this issue, disagreement exists among self advocates and others about the definition of a “developmental disability.” Some suggest that people only with certain diagnoses can be considered as being a person with a developmental disability. For example, some believe that individuals whose primary disability is mental illness are not considered to have a developmental disability and should not be served by TCDD grants. However, Congress has provided specific guidance that individuals with mental illness can be considered to have a developmental disability if they otherwise meet the definition in the DD Act (SER Attachment 1). Others believe that any person who has an intellectual disability – regardless of their abilities and capabilities – is a person with a “developmental disability” even though the DD Act is clear that individuals with developmental disabilities have significant deficits in at least three areas of major life activities. And some people consider family members or parents of a person with developmental disabilities to be a “self advocate.”

Most self advocate groups, however they are defined, have difficulty finding consistent and flexible funding to maintain their organizations. Nationally, the total operating budgets of self-advocacy organizations are extremely low, often dependent on short-term funding streams, and vulnerable to cuts. Very few states have secured enough funding for a paid executive director for a state self-advocacy organization. Self advocates also have concerns about top-down approaches and about depending on funding sources that may require certain activities and not allow others.

TCDD has funded numerous self-advocacy skill development projects, using the federal definition of DD and guidance from Congress. However, because the funds must be provided to an established entity that can meet certain requirements, organizations receiving funding typically are not entities that are run and lead solely by self advocates. Also, TCDD funding is tied to certain activities that might not be the activities for which self advocacy organizations desire funding, and TCDD does not provide funding for ongoing operations or activities of an unspecified nature.

### C. Possible Solutions and Impact

The Rehabilitation Act, Individuals with Disabilities Education Act (IDEA), Americans with Disabilities Act, and U.S. Supreme Court Olmstead decision have provided a generation of self-advocates and their families with greater opportunities, rights, and expectations for full inclusion in all aspects of community life. The movement continues to evolve and change as younger self-advocates enter and share their experiences.

TCDD works to ensure that self-advocates are included in the design of their services. Self-advocates are increasingly able to represent themselves and their peers on statewide advisory bodies to offer valuable stakeholder input, and TCDD provides funding for travel expenses of self-advocates and family members appointed to some state advisory entities to support their active participation. Self-advocates, including self-advocates with intellectual disabilities, are included in the membership of TCDD. However, programs in some areas that strongly encourage guardianship for individuals who have disabilities means that some people who would be strong candidates for membership on an advisory or policymaking board might be unable to serve since their guardianship status means that they are not legally able to represent themselves. Additionally, many individuals who have developmental disabilities could not afford to serve on statewide advisory board if their expenses were not reimbursed by the sponsoring state agency.

TCDD has awarded many grants to self-advocacy organizations to promote leadership and advocacy by self-advocates, and TCDD always expects that individuals with developmental disabilities and family members of individuals with developmental disabilities will serve in leadership roles in grant projects. TCDD also funds, or intends to fund, projects to:

- Recruit, advertise and provide administrative support to promote self-advocates as speakers and facilitators at Texas conferences;
- Host and provide technical support for the Advocacy U, a self-advocate website;
- Develop and conduct activities to increase the widespread use of the Advocacy U website;
- Provide support to grassroots community organizing activities conducted by self-advocates;
- Demonstrate a volunteer self-advocate support project as an alternative to guardianship for individuals with intellectual disabilities; and
- Provide leadership and advocacy training to individuals with developmental disabilities and their families.

It would be extremely beneficial if additional opportunities to serve in leadership roles were made available to people who have received training through TCDD projects. TCDD has no doubt that programs and agencies would benefit from the input and work of this part of their constituency.

TCDD recommends that Texas state entities promote and support self-advocacy in any way possible. For example, TCDD hopes that:

- The Governor's Appointments Office continues to place a high priority on appointing well-qualified individuals who are self-advocates serve on the Council and in other governor-appointed positions.
- The Texas Legislature consider studying ways in which current guardianship laws may inappropriately exclude qualified people from participating on advisory or policymaking boards.
- The Texas Legislature direct state entities whose constituents include individuals who have developmental disabilities to fully include self-advocates on advisory boards. This would include non-health and human service agencies such as the Texas Department of Housing and Community Affairs and the Texas Department of Transportation.
- State entities offer additional training or support to self-advocates who are on their advisory boards to encourage full participation.
- State-funded programs that offer leadership and/or management training (including training provided to youth) be directed to recruit and support the full participation of people with developmental disabilities in their programs.

Additionally, any efforts on behalf of state entities and/or the Texas Legislature to support the development of additional self-advocacy groups that are run and led by self-advocates (of all ages) would be beneficial.

## Policy Issue No. 2: Competing Stakeholder Priorities

### A. Brief Description of the Issue

Although advocates for people with disabilities agree on the vast majority of issues that affect all persons with disabilities, there are occasions where disability advocates and developmental disabilities advocates disagree, as well as occasions when various advocates for people with developmental disabilities do not agree with each other. This results in confusion when one group's position is applied to all people with disabilities and conflict when the Council's position is contrary to the wishes of overlapping stakeholders. In addition, the Council has received feedback previously that TCDD should address the needs of all people with disabilities, rather than just those with "developmental disabilities" as well as feedback that the Council should support the positions of advocates who support institutional placement of people with disabilities.

### B. Discussion

The DD Act provides a definition of "developmental disability" that is not based on specific diagnoses or labels. TCDD focuses its advocacy and grant funds toward improving systems used by persons with developmental disabilities. Frequently, this work overlaps with work being done by and for the community made up of seniors and persons with physical disabilities, persons with disabilities that occurred after the person's 21st birthday, or persons with disabilities that do not cause significant impairment in three areas of functioning (as is required by the federal definition of developmental disabilities). Research indicates that a significant disability that occurs to the developmental period of life generally has a more significant impact on learning than a traumatic onset disability that occurs later in life. However, the federal definition of developmental disability in the DD Act was conceptualized in the mid-1970's. Since that time, advances in medical technology allow lives to be saved at accident scenes resulting in significant increases in the number of individuals living in communities across the state and country with substantial, long-term impairments that are a result of a traumatic brain injury or spinal cord injury. That their accident occurred before or after the age of 21 has little impact on the type and nature of services and supports they need to remain active in community life. The age of onset for a developmental disability in the DD Act may seem to some like an arbitrary line in the sand, but to others it is still a key factor particularly as it impacts the typical developmental process for children that enhance their ability to represent themselves as capable self advocates.

Federal funds available to TCDD are subject to the requirements of the DD Act. Councils are expected to gather public input about the unmet needs of individuals who are considered as having a developmental disability as described by the definition in the Act. Those issues and concerns are the basis for developing the required State Plan. The DD Act allows Councils to initiate activities that benefit a larger group of constituents so long as those activities clearly benefit individuals that meet the definition of developmental disabilities in the Act. The DD Act also clearly states that Councils are to support individuals with developmental disabilities to exercise self-determination, be independent, be productive, and be integrated and included in community life.

Additionally, many fail to understand the unique positions of various disability advocacy organizations because the groups frequently work together and because it is expected that all people with disabilities agree on issues that affect them. Some stakeholders inappropriately speak on behalf of everyone with disabilities, despite the awareness that there are those that do not wish to be included.

### C. Possible Solutions and Impact

TCDD's mission in part is to ensure that people with developmental disabilities are given opportunities to speak for themselves. Sometimes advocates and advocacy groups will express different viewpoints.

Again, although some conflict is inherent, advocates work together collegially on a number of workgroups and committees. TCDD continues to support education and advocacy efforts relating to the unique needs of persons with developmental disabilities and their families, as well as those of the broader disability community. For example, a TCDD grant supported the creation of the Disability Policy Consortium and funded it for a number of years; and although some organizations expressed concerns about whether it could be sustained when grant support for DPC was concluded, DPC activities have continued as a "consortium" effort of member

organizations.

The purpose and responsibilities of TCDD could be revised to focus on a broader role related to individuals with disabilities, not only those with developmental disabilities. However, those activities would require additional funds for TCDD beyond federal funds currently available pursuant to the DD Act. However, a solution that would not require additional funding would be for agencies setting policy to seek input from a diverse group of stakeholders who have different types of disabilities and/or a cross-disability group such as the DPC.

### **Policy Issue No. 3: Long Term Funding of Successful Projects**

#### **A. Brief Description of Issues**

Some TCDD grantees have expressed frustration that their grants are time limited. They are concerned that their grants end just when the project is fully implemented and that this isn't enough time to realize the benefits of the program and plan for sustainability.

#### **B. Discussion**

The DD Act expects TCDD grants to be time-limited. Projects are funded to incubate and test new ideas; establish new programs, services, and supports; or create permanent change in existing systems. The DD Act precludes Council's from funding long-term services or ongoing activities. Grantees are required to develop a plan for sustainability from the project's initiation through the life of the grant. However, this knowledge does not limit the frustration of grantees when grant funding concludes. TCDD has funded a number of successful projects that were unable to achieve sustainability. Despite substantial satisfaction with project outcomes, the Council's role is not to provide long term funding since doing so would be contrary to the systems change intent of the Act.

#### **C. Possible Solutions and Impact**

TCDD is currently funding an organization to assist grantees to plan for and achieve sustainability. The outcomes of this effort are currently unclear. We are not aware of changes to statute that would address this issue without requiring additional state appropriations.

### **Policy Issue No. 4: Travel Reimbursement**

#### **A. Brief Description of Issue**

Numerous advisory bodies are established in state law to provide input to agencies on issues impacting people with disabilities. However, many of these advisory bodies lack authority to reimburse public members for travel expenses necessary to participate.

#### **B. Discussion**

TCDD has provided funds since FY 2000 to support travel of approximately 20 public members to participate on about 24 state level advisory committees, councils, and workgroups that focus on issues of importance to individuals with developmental disabilities. This support recognizes the importance for individuals with disabilities and their families to participate in policy discussions about the services and programs that impact their lives. And it recognizes the impact of a disability on the financial resources of the individual and their family, thereby limiting their ability to provide meaningful input as a totally volunteer effort. TCDD funding approval is intended to support self-advocates with disabilities or their family members who do not have support of a sponsoring organization or association for their travel so that they can participate as members of advisory bodies that are established by statute, approval of agency's governing board, or authorization of the agency head. TCDD expects these public members to be appointed by the agency chief of the sponsor state agency.

TCDD initiated this effort following a difficult state fiscal period, expecting this financial support for travel expenses to be temporary. However, legislative approval to reimburse travel expenses for public members for

most of these important advisory committees has not occurred. And in some instances, the sponsoring agency has been reluctant to request additional authorization for travel expenses at least in part due to concerns that the legislature might dissolve the stakeholder input opportunities.

Additionally, the federal government expects meaningful public input into most federally funded programs including Medicaid.

### **C. Possible Solutions and Impact**

The Texas Legislature and the agencies need to reaffirm the importance of including public members with disabilities and their families as active participants on agency advisory committees and workgroups and authorize funds necessary for travel support for those members. If such cannot be accomplished in a single measure, a phase-in plan should be initiated.

Texas funds only limited travel for advisory committees. The Legislature should re-evaluate which public members should receive travel reimbursement. Representatives of many state associations could be supported by those organizations, allowing state resources to assist public members without such support, including low-income persons with disabilities.

## **Policy Issue No. 5: Public Input About TCDD Activities and Priorities**

### **A. Brief Description of Issues**

TCDD at times receives concerns about how public input is solicited and used in setting priorities.

### **B. Discussion**

TCDD has adopted Rules in Texas Administrative Code indicating that opportunities for public comments will be provided at each Council and Committee meeting (§876.11 (b)). Agendas for each Council and Committee meeting include an item for public comments. Comments are generally limited to three minutes per commenter but more time may be allowed at the discretion of the Chair. Individuals may also request, in advance, consideration of a presentation or discussion item by the Council or Committee. The public may also provide input to TCDD through the TCDD website at [www.tcdd.texas.gov](http://www.tcdd.texas.gov), via focus and stakeholder groups, by U.S. Mail or email, or through Facebook or Twitter.

TCDD solicits input on certain topics or at certain times to inform Council or Committee discussions. As a part of the process to develop the FY 2012-2016 State Plan, TCDD solicited input through one-on-one conversations with individuals; attending public events (such as a community center picnic and resource fairs); conducting focus groups; meeting with self-advocacy groups; distributing online and paper surveys; and reviewing input gathered by other DD Network partners. The Council also views unsolicited ideas submitted by the public; information, resource, and referral calls; reports from grantees; information provided by Council members; and available data as “public input” that is used in developing an understanding of critical issues and unmet needs in the State while developing State Plan Goals and Objectives.

All Council and Committee discussions about future State Plan activities take place in open meetings that are announced in advance on the Council’s website and by other means. And, proposed amendments to the State Plan are posted for public comments for at least 45 days prior to final action. TCDD maintains an electronic subscription service through which individuals or organizations may sign up to receive announcements of meetings and other important events.

Even so, TCDD receives concerns at times from public members who do not feel they had adequate information about how to provide input concerning Council activities, or from individuals who do not feel some decisions fairly represent critical issues and preferences of individuals with developmental disabilities.

In other instances, organizations that do not share TCDD’s values oppose positions taken by the Council. For example, a parent organization that supports State Supported Living Centers is opposed to some of the positions

taken by the Council. Specifically, they disagree with the Council's support for a moratorium on admissions to SSLCs until they reach substantial compliance with the Department of Justice Settlement Agreement, sustainability measures that would rebalance the system of long term services and supports and efforts to educate SSLC residents about opportunities for community living. The Council supports the position that all people with disabilities should have access to the services and supports they need to live in the community. The Council also supports the position that the state of Texas must allocate the requisite resources to support community living for people with disabilities and that the state must rapidly expand the availability of individualized community options, and transition individuals in state institutions to community living. These positions are firmly girded in the tenets of the DD Act. Although some organizations disagree with the Council on some issues, the Council maintains respect for individual experiences and TCDD staff work collegially with PART stakeholders in a number of venues.

### **C. Possible Solutions and Impact**

TCDD has approved funding for various projects that are intended to enhance the ability of persons with DD to provide public input to the Council and to other entities, including:

- Providing support to promote self-advocates as speakers and facilitators at Texas conferences;
- Hosting Advocacy U, a self advocate website;
- Initiating activities to increase the use of the Advocacy U website;
- Providing support to community organizing activities conducted by self-advocates; and
- Providing leadership and advocacy training to individuals with developmental disabilities and their families.

TCDD will continue to use social media, email and website strategies to inform the public about TCDD activities and opportunities to provide input about TCDD priorities and activities. Additionally, TCDD recognizes that other organizations may at time have different perspectives. TCDD welcomes input but considers positions within the context of the values and principles inherent in the DD Act regarding community options.

# **Attachment 2**

**Texas Council for Developmental Disabilities  
Executive Committee**

Date: 8/07/13

**Review of Proposed Activities & Budget**

ITEM: A

Grantee: **Helpful Interventions, Inc.**

Year: 2 of 3

Project Title: **Gulf Coast African American Family Support Conference (GCAAFSC)**

Project Location: **Houston**

Website: <http://gcaafsc.net/>

**TCDD RFP Intent:**

**Primary Goal:** To establish a sustainable Gulf Coast of Texas African American Family Support Conference (modeled on the Central Texas African American Family Support Conference) with the goals of strengthening family and individual awareness of available behavioral and physical health care services through culturally sensitive education, supports, and partnerships; reducing stigma, and eliminating health disparities.

**Authorized Funding** Increased (original): Yr 1: \$75,000 (\$35,000) Yr 2: \$75,000 (\$35,000) Yr 3: \$50,000 (\$15,000)

**Expected Results:** To become a sustainable network to unite the African American community in the Houston area. At least 200 participants will attend the GCAAFSC.

**Project Goals and Accomplishments for Year 1:**

**Goal:** To strengthen individual and family awareness of available behavioral and physical healthcare services.

*Accomplishments per goal:* Helpful Interventions, in collaboration with diverse community stakeholders, hosted a "Family Breakfast Summit" with keynote speaker Representative Garnett Coleman, District 147, Texas House of Representatives, in December 2012. The summit attracted 80 attendees, including 20 community-based agencies, social, health and faith based organizations, advocates, consumers and families. Participants shared their ideas on mental health issues, physical and spiritual health, as well as developmental disabilities and substance use. The satisfaction survey indicated 90%+ satisfaction of the event, and measured the attendee's interests and needs for the upcoming conference scheduled for November 1, 2013. The project will host a pre-conference August 14, 2013.

**Proposed Goals and Objectives for Year 2:**

**Goal 1:** Same as above.

**Objectives:** 1) To integrate research, data, resources and practice to plan an annual conference in Houston, Texas; 2) 200 conference attendees will be able to express an overall increase in awareness about life wellness and risk factors; 3) Conference attendees will be able to identify a life and wellness factor to apply in practical life situations; 4) GCAAFSC promotion and outreach will be able to report a contrast in the conference attendance from 2011, 2013 and 2014; 5) and, Community Stakeholders will be able to engage in activities that support the sustainability of having an annual conference; 6) Community Stakeholders will be able to identify an activity to increase wellness and decrease overall health disparities among African Americans.

**Staff Recommendations:**

**Public Policy Considerations:** The conference will bring culturally appropriate awareness and foster commitment to addressing disproportionality and disparity in the Houston area African American community. By harnessing the power and influence of the community's natural supports and strengths, and providing a safe forum for real and difficult conversations, the conference has the potential to be the catalyst for the community to identify and support the use of already available resources and implement policy changes to increase service accessibility to those in need. The interest in the conference and the data yielded from the conference will give formal and informal community leaders the legitimacy and support they need to seek policy changes. **Grants Management Considerations:** Risk Assessment: Moderate Risk (awards within award); increased monitoring will be provided as a result of increased funding. TCDD staff frequently participate in PAC and committee meetings. **Staff Recommendations:** TCDD staff recommends continuation funding for this project with increased fiscal and programmatic monitoring.

**Continuation Budget Detail Summary**

	Federal	Match	Totals
<b>Expended Year 1 (10 months) (Consultant: \$47,771)</b>	\$75,000/ \$36,433	\$40,421/ \$22,763	\$115,421/ \$61,330
<b>Amount requested for Year 2 budget:</b>			
<b>I. Personnel Services</b>	0	0	0
<b>II. Travel</b>	1,127	522	1,649
<b>III. Purchased Services (Consultant \$67,341)</b>	67,341	30,557	97,898
<b>IV. Property/Materials</b>	2,100	175	22,276
<b>V. Rental/Leasing</b>	3,225	5,515	8,740
<b>VI. Utilities</b>	1,207	2,400	3,607
<b>VII. Other</b>	0	0	0
<b>Budget period totals</b>	<b>\$75,000</b>	<b>\$39,169</b>	<b>\$114,169</b>

# **Attachment 3**

**Texas Council for Developmental Disabilities  
Executive Committee**

Date: 8/07/13

**Review of Proposed Activities & Budget**

ITEM: B

Grantee: Texas Tech University  
Project Title: Project SEARCH  
Project Location: Statewide

Year: 2 of 5

Website: [www.projectsearch.us](http://www.projectsearch.us)

**TCDD RFP Intent:**

The project intent is to provide support for school districts, businesses, and/or other entities who wish to contract with Project SEARCH®. Project SEARCH® is a business-led school-to-work transition model with demonstrated success in developing internships for student with developmental disabilities.

**Authorized Funding:** \$175,000 per year for up to five years.

**Expected Results:** TechWorks for Texas (TWT) will support the development of 10 newly certified Project SEARCH® sites in Texas by the end of year 4 of this grant.

**Project Goals and Accomplishments for Year 1:**

**Goal:** To select and develop the first cohort of 3-4 sites.

*Accomplishments per goal:*

Planning and preliminary project implementation activities took place in the first year, including conference calls with the Project SEARCH® national office and the Department of Assistive and Rehabilitative Services (DARS). Communities for the first sites were selected: Lewisville, Garland, and Forth Worth. Training and technical assistance have been provided to the selected communities. A difficult negotiation process to contract with the Project SEARCH® national office was completed. All sites have developed their local teams, including school districts that provide a teacher and aide and DARS for a community rehabilitation provider (CRP) and job coach. All sites have arranged internships for 8-10 students each.

**Proposed Goals and Objectives for Year 2:**

**Goal:** Same as above.

**Objectives:** 1) Develop the infrastructure and leadership team who will be responsible for the development and implementation of a strategic plan for TWT; 2) Develop a marketing plan; 3) Assist entities across the state indicating to establish a Project SEARCH® site to receive technical assistance and training; 4) Provide evaluative information on the implementation of Project SEARCH® in Texas community sites to TCDD, DARS, and other relevant stakeholders.

**Staff Recommendations:**

**Public Policy Considerations:** The grantee will summarize information about barriers and opportunities to employment for people with developmental disabilities that will help promote changes in state/federal laws or policies and regulations that are barriers. That information should be used to inform the Employment First Task Force formed as a result of SB 1226. The grantee might consider recommending participants – self-advocates, employment providers, and employers – for the stakeholder Employment First Task Force.

**Grants Management Considerations:** The grantee is not in compliance with TCDD policies regarding PAC meetings. The first PAC meeting was conducted in the third quarter.

**Staff Recommendations:** TCDD staff recommends continuation funding for this project with increased programmatic monitoring.

**Continuation Budget Detail Summary**

	Federal	Match	Totals
<b>Expended Year 1 (6 months) (Consultant: \$57,487)</b>	\$174,854/ \$84,376	\$58,784/ \$23,840	\$233,638/ \$108,216
<b>Amount requested for Year 2 budget:</b>			
<b>I. Personnel Services</b>	91,649	0	91,649
<b>II. Travel</b>	19,153	0	19,153
<b>III. Purchased Services (\$45,000 consultants)</b>	45,200	0	45,200
<b>IV. Property/Materials</b>	1,198	0	1,198
<b>V. Rental/Leasing</b>	0	0	0
<b>VI. Utilities</b>	0	0	0
<b>VII. Other (Indirect Costs)</b>	17,466	58,751	76,217
Budget period totals	\$174,666	\$58,751	\$233,417

# **Attachment 4**

**TEXAS COUNCIL FOR DEVELOPMENTAL DISABILITIES  
PROPOSED FY 2014 BUDGET**

	BUDGETED FY 2013 (10/12-9/13)	% OF WHOLE	PROJECTED YEAR END EXPENDITURES FY 2013 (10/12-9/13)	% OF WHOLE	PROPOSED BUDGET FY 2014 (10/13-9/14)	% OF WHOLE	VARIANCE	NOTES
<b>Revenues</b>								
<i>Federal Allotment</i>	\$4,794,740	100.0%	\$4,794,740	100.0%	\$4,794,740	100.0%	\$0	1
		0.0%		0.0%				
<b>Total Revenues</b>	<b>\$4,794,740</b>	<b>100.0%</b>	<b>\$4,794,740</b>	<b>100.0%</b>	<b>\$4,794,740</b>	<b>100.0%</b>	<b>\$0</b>	
<b>Expenses</b>								
<b>Council Operations</b>	<b>17 FTE</b>		<b>17 FTE</b>		<b>17 FTE</b>			
Salaries	\$960,403	20.0%	901,647	18.8%	\$909,359	19.0%	(\$51,044)	
Benefits	287,138	6.0%	271,666	5.7%	261,249	5.4%	(25,889)	
Professional Services	82,000	1.7%	59,685	1.2%	75,000	1.6%	(7,000)	2
Out-of-State Travel	26,050	0.5%	9,728	0.2%	27,000	0.6%	950	3
In-State Travel	63,000	1.3%	55,619	1.2%	63,000	1.3%	0	3
Supplies	10,000	0.2%	12,163	0.3%	10,000	0.2%	0	
Utilities	41,700	0.9%	26,238	0.5%	35,000	0.7%	(6,700)	4
Rent - Building - Space	79,618	1.7%	63,282	1.3%	69,450	1.4%	(10,168)	5
Rent - Computers - Equip	64,220	1.3%	25,131	0.5%	46,000	1.0%	(18,220)	6
Capital Expenditures	0	0.0%	-	0.0%	0	0.0%	0	
Other Oper. Expenses	118,250	2.5%	63,232	1.3%	132,150	2.8%	13,900	7
<b>Total Operating Expenses</b>	<b>\$1,732,379</b>	<b>36.1%</b>	<b>\$1,488,390</b>	<b>31.0%</b>	<b>\$1,628,208</b>	<b>34.0%</b>	<b>#####</b>	
Admin. Reimb. To TEA	\$50,000	1.0%	\$50,000	1.0%	\$50,000	1.0%		
Available for Grants	\$3,012,361	62.8%	\$3,256,350	67.9%	\$3,116,532	65.0%	\$104,171	
<b>TOTAL EXPENSES</b>	<b>\$4,794,740</b>	<b>100%</b>	<b>\$4,794,740</b>	<b>100%</b>	<b>\$4,794,740</b>	<b>100%</b>	<b>\$0</b>	

**NOTES:**

<sup>1</sup> Level funding with FY 2013

<sup>2</sup> Professional Services: Training - \$4,000; Auditing Services - \$29,000; CPA Desk Reviews - \$10,000; Legal Services - \$3,000; Attendant Care - \$4,500; Review Panelist - \$4,500; DD Suite - \$0; Web Hosting - \$5,000; Computer Programming w/TEA \$10,000; Other contracted \$5,000

<sup>3</sup> Travel - In-State Council - \$45,000; Out-of-State Council - \$15,900

Travel - In-State Staff - \$18,000; Out-of-State Staff - \$11,100

<sup>4</sup> Utilities -\$8,860; Telecommunications - \$21,140; Dedicated Circuit - \$5,000

<sup>5</sup> Rent-Building & Space: Office & Storage Space - \$43,450; Quarterly Council Facility Rooms - \$26,000

<sup>6</sup> Rent-Machine - Rental of laptops - \$15,950; Quarterly Council AV rental - \$25,000; Rental of copier - \$5,050

<sup>7</sup> Other OE: NACDD Dues - \$20,442; Printing, Registration, Publications, Maintenance & Repair, Postage, Cleaning, Delivery, Advertising, Interpreter/translator, Security, Furniture & Equipment, Software, and Awards - \$111,708

Proposed Out-of-State Travel / Events	Members		Attendants		Staff	
	FY 13	FY14	FY 13	FY 14	FY 13	FY 14
NACDD Fall Conference	0	0	0	0	0	0
Executive Director's Mee	0	0	0	0	0	1
Disability Policy Seminar	2	2	1	1	2	0
ADD Technical Assistant	3	2	1	1	2	3
Other (TBD)	2	3	2	1	3	3
<b>Total Travelers</b>	<b>7</b>	<b>7</b>	<b>4</b>	<b>3</b>	<b>7</b>	<b>7</b>
<b>Estimated Expenses</b>	<b>\$10,500</b>	<b>\$12,500</b>	<b>\$5,450</b>	<b>\$3,400</b>	<b>\$10,100</b>	<b>\$11,100</b>

Estimated Total Expenses

FY13	\$26,050
FY14	\$27,000

# **Attachment 5**

# 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.tcdd.texas.gov) and email (e.g. Roger.Webb@tcdd.texas.gov)

## **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, 2013, and shall terminate on August 31, 2014. 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: \_\_\_\_\_

**Background:**

During this past quarter, discussions continued between TCDD, the Department of Aging and Disability Studies and the Center for Disability Studies at UT related to Person Centered Thinking practices training for staff at state supported living centers and community programs. DADS recently expressed interest in training for staff from SSLCs, DADS central office, and local authorities to become certified Person Centered Thinking trainers who in turn can train others in their organizations. Given some time constraints for making final decisions about the project, Council Chair Mary Durham, with input from Vice-Chair Andy Crim, approved up to \$30,000 from TCDD over two years as part of the funding for this effort. DADS committed \$72,500 to the project and the Center for Disability Studies has committed at least \$36,647.

TCDD Policies authorize the Council Chair to act on behalf of the Council on matters which require action when neither the appropriate Committee nor the Council can meet. The Committee will review this training activity during the Committee meeting. A summary of the project is enclosed.

The Project Development Committee and the Public Policy Committee may also discuss this project.

**Executive Committee**

**Agenda Item 3.**

**Expected Action:**

The Committee will receive a report on the Chair’s decisions.

**Council**

**Agenda Item 12.**

**Expected Action:**

The Council will receive a report on the Committee’s discussion.

## **Proposed DADS Person-Centered Thinking Training**

### **Background**

Person Centered Thinking (PCT) practices encourage the use of a variety of tools to discover information that supports individuals with disabilities to have a better life. These tools offer specific methods to discover what is important TO a person and what is important FOR that person, and to guide the process that leads to finding the balance between important to and important for each individual. This then serves as the basis to create a description of a person that leads to action planning.

PCT tools of discovery were developed by Michael Smull and The Learning Community to support people to acquire better lives ... not just better plans. The Institute of Person Centered Practices, a collaborative between the Texas Center for Disability Studies at UT-Austin and the Center on Disability and Development at Texas A&M, is a member and partner in The Learning Community for Person Centered Practices. The Institute offers a variety of training opportunities, including professional certification of individuals as trainers who can train others in Person Centered Practices.

The Institute partnered with the Department of Aging and Disability Services (DADS) to provide PCT training at various state supported living centers (SSLCs), including a 2-day training at Austin SSLC in May 2013 for 40 individuals. DADS is now partnering with the Institute to support 56 individuals to become certified trainers who will be qualified to train other staff in SSLCs and community programs. TCDD has agreed to co-sponsor this training in collaboration with the Texas Center for Disability Studies and the Center on Disability and Development. An outline of the project activities and funding commitments follows.

### **Training of PCT Trainers**

A total of 56 people will become certified PCT Trainers over a 2- year period starting in January 2014.

- 2 staff from each of the 13 SSLCs
- 2 staff from DADS Central Office (C.O.)
- 2 staff from the Office for Independent Ombudsman and 1 staff from the Ombudsman Offices at each SSLC
- 1 staff from DADS Center for Policy and Innovation
- 12 staff from I/DD Local Authorities

### **PCT Trainer Requirements**

To become a certified PCT Trainer, each person must work with a Mentor **Trainer** during the training period and:

- Attend one 2-day PCT Training as a participant
- Attend one 2-day PCT Training with trainer manual (to view training as if a trainer)
- Model training during a 2-day PCT Training, with a partner, two times, with a Mentor observing
- Attend an annual Gathering of Trainers meeting
- Provide ongoing training and technical assistance to organization staff as appropriate
- Complete various other activities

### **Funding Commitments**

- DADS will contract with the Texas Center for Disabilities Studies for \$70,000 over two years.
- TCDS will discount rates for two mentor trainers by 50% (estimated at approximately \$40,000+)
- TCDD has approved up to \$30,000 as needed over two years for the project.

**Background:**

- **Stipends Grants Applications Approved** - TCDD Policies provide for the Executive Director to make final decisions about applications for Events Stipends and Presentation Support Stipends. No applications were received this quarter prior to assembling these materials. Should other applications be received and reviewed prior to the meeting, those actions will be reviewed with the Committee.
- **State and Federal Affairs Update** – TCDD staff will provide updates about various state and federal matters during the meetings.
- **Attendance Report** – A quarterly summary of attendance of Council members at meetings is also enclosed.

**Important Terms:**

**Events Stipend Grants:** Organizations may apply for up to \$6000 to pay for conference registration, hotel rooms, attendants, respite, travel expenses, etc. for self-advocates and their family members to attend conferences and other events.

**Disability-Related Presentation Support Stipend Grants:** Sponsoring organization of the meeting, conference, workshop, or seminar may apply for up to \$6000 per event for transportation, meals, and lodging for speakers, expenses for an attendant, respite care or other accommodations, as well as speaker fees.

**Executive Committee**

**Agenda Item 5.**

**Expected Action:**

The Executive Committee will review the information provided and may provide guidance to staff.

**Council**

**Agenda Item 12.**

**Expected Action:**

The Council will receive a report on the Executive Committee discussion.

**TCDD QUARTERLY COUNCIL MEETINGS  
ATTENDANCE REPORT  
November 2011 – August 2013**

<b>Council Member</b>	<b>8/13</b>	<b>5/13</b>	<b>2/13</b>	<b>10/12</b>	<b>7/12</b>	<b>5/12</b>	<b>2/12</b>	<b>11/11</b>
H. Adkins	P	EA	P	P	P	P	P	P
K. Blackmon	P	EA	P	P	EA	P	P	P
K. Clark	EA	P	EA	P – Th EA – Fr	P	EA	P	P
G. Cortez	P	P	P	EA	P	P	P	P
K. Cox	EA	P	P	P	P	P	P	EA
A. Crim	P	EA	EA	P	EA	P – Th EA – Fr	P	P – Th EA – Fr
M. Delgado	EA	P	EA	P	P	EA	EA	P
M. Durham	P	P	P	P	P	P	EA	P
S. Gersuk	P	P	P	P	NA	NA	NA	NA
C. Johnston	P	P	EA	EA	P	P	P	P
D. Kern	EA – Th P – Fr	P	P – Th EA – Fr	P	EA	P	EA	EA
S. McAvoy	P	P	P	EA	P	P	NA	NA
J. Morris	EA	P	P	P	P	EA	P	P
D. Perry	P	EA	EA	EA	P	P	P	EA
J. Rivas	P	P – Th EA – Fr	P	P	P	P	P	P
D. Taylor	P	P	P	P	P	P	NA	NA
L. Taylor	EA	P	P	P	P	P	P	P
R. Tisch	EA	P	P	P	P	P	P	EA
S. Vardell	EA	EA	EA	P – Th EA – Fr	P	P	P	P
DRT (AI)	P	P	P	P	P	EA	P	P
UT CDS	P	P – Th EA – Fr	P	P	P	EA	P	P
A&M CDD	P	EA	P	P – Th EA – Fr	P	EA	P	EA
DADS	P	P	P	P	P	P	P	P
DARS	P	P	P	P	P	EA	P	P
DSHS	P	P	P	P	P	P	P	P
HHSC	P	P	P	P	P – Th EA – Fr	P	P	P
TEA	P	P	P	P	P	P	P	P

**Key:** P = Present  
A = Absent  
EA = Excused Absence  
NA = Not Applicable

**Background:**

- **Independent Audit Status Report** – Grants Management Staff will review the Independent Audit Status report that summarizes the status of desk reviews of annual independent audits submitted by grantees.
- **Grants Monitoring Exceptions Report** – The Grants Monitoring Exceptions Report enclosed summarizes concerns noted by TCDD Grants Management staff in their ongoing monitoring activities, and the status of resolving those concerns.
- **Grants Risk Assessment Report** – The Grants Risks Assessment Report enclosed summarizes the risk assessment matrix for continuation grant awards and new grant awards.

**Executive Committee**

**Agenda Item 6.**

**Expected Action:**

The Executive Committee will review the information provided and may provide guidance to staff.

**Council**

**Agenda Item 12. A.**

**Expected Action:**

The Council will receive a report on the Executive Committee discussion.

**TEXAS COUNCIL FOR DEVELOPMENTAL DISABILITIES**

**INDEPENDENT AUDIT STATUS REPORT**

<b>GRANTEE</b>	<b>FYE</b>	<b>DATE RECEIVED</b>	<b>AUDIT FIRM</b>	<b>EXCEPTIONS NOTED</b>	<b>RECOMMENDATIONS/ RESOLUTIONS</b>
Any Baby Can of San Antonio, Inc	6/30/2012	4/4/2013	BDO USA, LLP	None.	None/None.
Brighton School, Inc.	8/31/2012	1/14/2013	Cundiff, Rogers & Solt	None.	The last two audits have an unqualified opinion. Per TCDD procedures the current audit was reviewed by TCDD staff. No concerns are noted, thus this audit was not sent to Don Mikeska, CPA, for desk review.
Community Healthcare	8/31/2012	1/29/2013	Henry & Peters, P. C.	None.	The last two audits have an unqualified opinion. Per TCDD procedures the current audit was reviewed by TCDD staff. No concerns are noted, thus this audit was not sent to Don Mikeska, CPA, for desk review.
Department of Assistive and Rehabilitative Services	8/31/2012	8/22/2013	State of Texas	None.	None/None.
Epilepsy Foundation Texas	12/31/2012	7/18/2013	Gainer, Donnelly & Destroches, LLP	None.	None/None.
Family to Family Network Inc	6/30/2012	4/3/2013	Tribolet Fuller & Company, PLLC	None.	None/None.

**Key:** Audits were submitted to TCDD during the fiscal year (Oct. 1, 2012 – Sept. 30, 2013). Independent Audit Reports are due not later than nine months after the end of the grantee's fiscal year(s) for which an audit is performed. This document includes audits that were received after the due date, but during the fiscal year.

GRANTEE	FYE	DATE RECEIVED	AUDIT FIRM	EXCEPTIONS NOTED	RECOMMENDATIONS/ RESOLUTIONS
Paso del Norte Children's Development Center	8/31/2012	4/29/2013	Gibson, Ruddock, Patterson, LLC.	None.	None/None.
Region 17 ESC	8/31/2012	12/27/2012	Bolinger, Segars, Gilbert & Moss, LLP	None.	The last two audits have an unqualified opinion. Per TCDD procedures the current audit was reviewed by TCDD staff. No concerns are noted, thus this audit was not sent to Don Mikeska, CPA, for desk review.
Region 19 ESC	8/31/2011	10/3/2012	Gibson, Ruddock Patterson, LLC	None.	The last two audits have an unqualified opinion. Per TCDD procedures the current audit was reviewed by TCDD staff. No concerns are noted, thus this audit was not sent to Don Mikeska, CPA, for desk review.
SafePlace	12/31/2012	7/31/2013	Atchley & Associates, LLP	None.	None/None.
SER Jobs for Progress	8/31/2012	4/18/2013	Doeren Mayhew	None.	None/None.
Texas Tech University	8/31/2012	12/5/2012	State of TX	None.	Forward for Desk Review.

**Key:** Audits were submitted to TCDD during the fiscal year (Oct. 1, 2012 – Sept. 30, 2013). Independent Audit Reports are due not later than nine months after the end of the grantee's fiscal year(s) for which an audit is performed. This document includes audits that were received after the due date, but during the fiscal year.

## GRANTS MONITORING EXCEPTIONS REPORT

GRANTEE PROJECT TITLE	TYPE OF ONSITE	DATE OF ONSITE	CONCERNS NOTED	CORRECTIVE ACTIONS	STATUS
<b>Epilepsy Foundation</b> <i>(Health &amp; Fitness)</i>	Follow-up	5/23/13	*Independent audit; Service agreements; April 2012 Photocopy Log.	Documents requested: 6/21/13 Documents received: 7/21/13	Complete
<b>Texas Statewide ILC</b> <i>(Health &amp; Fitness)</i>	Follow-up	6/10/13 6/11/13	Project Advisory Committee (PAC); *Independent audit; Ledger; Service and Lease agreements	Documents requested: 7/17/13 Documents received: 8/16/13	Complete
<b>Texas Parent to Parent</b> <i>(Public Policy Collaboration)</i>	Follow-up	7/02/13	PARs; PAC; *Independent Audit; CPA contract; Ledger; Lease agreement and Utility.	Documents requested: 8/2/13 Documents received: 9/2/13	Complete
<b>Imagine Enterprises</b> <i>(Promoting Self Advocates at Conferences)</i>	Initial	7/09/13	Facilities Checklist; PARs; PAC; Ledger; Photocopy and verify match claimed for salaries. (Received all except match)	Documents requested: 8/2/13 Documents received: 9/2/13 Additional document still due by 10/4/13	Pending
<b>VSA Arts of Texas</b> <i>(Promoting Self Advocates at Conferences)</i>	Initial	8/14/13	Personnel Activity Reports (PARs); Organizational chart; Ledgers; Travel logs/Reimbursements; Photocopy log; Equipment list; Phone bills and Volunteer logs.	Documents requested: 8/20/13 Documents received: 9/17/13 – 9/23/13 Additional document still due by 10/11/13	Pending
<b>Department of Assistive and Rehabilitative Services (DARS)</b> <i>(Higher Education)</i>	Follow-up	8/15/13	Equipment list	Documents requested: 8/29/13 Documents due: 9/29/13	Pending

Date of report – 9/25/13

\*Independent audits are due at the end of the FY 12; no later than FY 12

**RISK ASSESSMENT FOR CONSIDERATION OF CONTINUATION AWARDS  
06/01/13 – 05/31/14**

Item	Grantee	TCDD Funds	Other Fed Funds	Risk Activity	Risk Code
A	Circle of Ten (Building Capacity Contract)*	\$25,000	\$75,000	NA	NA
B	Department of Assistive and Rehabilitative Services (Higher Education)	\$225,000	\$488mil	2	
C	Texas Tech University (Higher Education)	\$220,089	\$35mil	2	
D	Texas State Independent Living Center (New LDATP)	\$75,000	\$815,000	2	
E	West Central Texas (Inclusive Faith-Based)	\$74,988	\$2.9 mil	2,5	
F	Texas Tech University (BC3) – Strategic Planning Submittal	\$150,000	\$35mil	2	

\*To request an additional award up to 25,000 for expansion of contract.

**ACCESSIBLE PARKING AWARENESS - NEW AWARDS**

Item	Grantee	TCDD Funds	Other Fed Funds	Risk Activity	Risk Code
A	Access Empowerment (Accessible Parking Awareness)	\$40,053	\$0	1,2,8	
B	EGS Research & Consulting(Accessible Parking Awareness)	\$40,000	\$0	1,2,8	
C	Travis County(Accessible Parking Awareness)	\$37,125	\$11 mil	1,2	

**OUTREACH & DEVELOPMENT - NEW AWARDS**

Item	Grantee	TCDD Funds	Other Fed Funds	Risk Activity	Risk Code
A	Launch Point CDC, Inc	\$9,985	\$0	NA	NA
B	Moody Clinic	\$10,000	\$0	NA	NA
C	The Arc of Del Paso	\$10,000	\$0	NA	NA

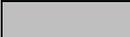
**KEY**

	Extensive Risk Management (all levels of control plus audit)
	Considerable Risk Management (most levels of control plus independent review by CPA)
	Moderate Risk (operating & monitoring controls & agreed upon procedures engagement by CPA)
	Monitor or Accept (basic monitoring only)

**TCDD RISK MATRIX  
FY 2013**

<i>Award Amounts</i> →	- \$75,999.	\$76,000. – \$199,999.	\$200,000.- \$499,999.	\$500,000. +
<b>Risk Activities</b> ↓				
<b>1. New Grantee</b> (i.e., no previous project or no project within 2 year period)	LH	MH	HH	HH
<b>2. Awards within Award</b> (e.g., consultants, presenters, sub-contractors, etc.)	LH	MH	HH	HH
<b>3. Funding Issues</b> (e.g., budget/procurement concerns, match, sustainability, etc.)	LM	LM	MM	HM
<b>4. Compliance Issues</b> (e.g., OMB, UGMS, TCDD policy, oversight issues, etc.)	LM	LM	MM	HM
<b>5. Performance Issues</b> (e.g., unmet goals, milestones, special conditions, etc.)	LM	LM	MM	HM
<b>6. Legal Actions</b>	LL	LL	ML	HL
<b>7. Fiscal Office Located Out-Of-State</b>	LL	LL	ML	HL
<b>8. No Audit Prior To Grant Award</b>	LL	LL	ML	HL

KEY: 1<sup>st</sup> letter denotes impact; 2<sup>nd</sup> letter denotes probability.

	HM, HH	Extensive Risk (all levels of control plus audit)
	MM, MH, HL	Considerable Risk (most levels of control plus independent review by CPA)
	LH, ML	Moderate Risk (operating/monitoring controls + agreed upon procedures by CPA)
	LL, LM	Acceptable Risk (basic monitoring only)

*Use for Risk Management Plan:*

	Audit work performed and the Executive Director performs oversight via quarterly report* provided to ensure supervisory and operating controls are working.
	Department heads reporting to Executive Director perform oversight functions to ensure supervisory and operating controls are working.
	Department staff perform oversight functions to ensure supervisory and operating controls are working.
	Department staff perform basic oversight functions to ensure controls are in place.

*Use for Annual Audit or Review Determination:*

	Red indicates areas to be audited or reviewed by independent CPA.
	Yellow indicates areas to be covered through oversight, supervisory and operating controls with guidance from the contracted internal audit services provider.
	Green indicates areas to be covered through staff oversight with guidance from the contracted internal audit services provider as needed.
	Gray indicates areas to be covered through basic staff oversight and reporting.

**Grants Monitoring Exceptions Report provided to E.D. and Council quarterly for review.**

**No risk activities means monitoring strategies will be performed at the lowest level under the award amount.**

**NOTE: Risk Matrix reviewed annually with TCDD staff and Internal Auditor; updated when needed.**

**MONITORING STRATEGIES  
FY 2013**

**STIPENDS (\$6,000. Or less):**

Website instructions	Special Conditions (GMD letter)
Technical support (Budget Support Specialist)	Review FROE & other reports submitted

**Mini-Grants (\$10,000. Or less):**

Orientation	Program Performance Review = Six Months
Technical support (Senior Specialist)	Final Program Performance Report
RAR & Supplemental Report	Approvals (e.g., dissemination, etc)
RAR Documentation Review = Six Month	

**Level 1 GRAY**

Orientation	Approvals (e.g., equipment, travel, speakers, etc.)
Onsite Review = Initial	Project Advisory Committee Meetings
Program Performance Review = Annual	Final Program Performance Report
RAR Documentation Review	Other as determined necessary (e.g., audit desk review)

**Level 2 GREEN**

Orientation	Project Advisory Committee Meetings
Onsite Review = Initial & 3 <sup>rd</sup> year	Final Program Performance Report
Program Performance Review = Quarterly	Agreed upon Procedures Engagements CPA
RAR Documentation Review	Other as determined necessary (e.g., audit desk review)
Approvals (e.g., equipment, travel, speakers, etc.)	

**Level 3 YELLOW**

Orientation	Project Advisory Committee Meetings
Onsite Review = Initial & 3 <sup>rd</sup> & 5 <sup>th</sup> years	Final Program Performance Report
Program Performance Review = Quarterly	Independent Review by CPA = Annual (A-133 Audit at \$500k or more)
RAR Documentation Review	Project Staff Meeting (1X per annum)
Approvals (e.g., equipment, travel, speakers, etc.)	Other as determined necessary (e.g., audit desk review)

**Level 4 RED**

Orientation	Final Program Performance Report
Onsite Review = Initial & Annual	A-133 Audit = Annual (Independent under \$500k)
Program Performance Review = Quarterly	Audit Desk Review = Annual
RAR Documentation Review	Project Staff Meeting (2X per annum)
Approvals (e.g., equipment, travel, speakers, etc.)	Interim Program Performance Report
Project Advisory Committee Meetings	

**ADDITIONAL MONITORING STRATEGIES FOR GRANT PROJECTS**

**To be selected and implemented on an as needed basis.**

- Re-orient
- Add milestones or special conditions
- Move up to the next level of monitoring (see above tables)
- Payment holds (reimbursement only no advance or no reimbursement & no advance)
- Require additional onsite reviews

**Background:**

Sunset is the regular assessment of the continuing need for a state agency to exist. While legislative oversight is concerned with agency compliance with legislative policies, Sunset asks a more basic question: "*Do the agency's functions continue to be needed?*" The Sunset process works by setting a date in law on which an agency will be abolished unless legislation is passed to continue the agency's functions. This creates a unique opportunity for the Legislature to look closely at each agency and make fundamental changes to an agency's mission or operations if needed.

The Sunset process is guided by a 12-member body appointed by the Lieutenant Governor and the Speaker of the House of Representatives. Assisting the Commission is a staff whose reports provide an assessment of an agency's programs, giving the Legislature the information needed to draw conclusions about program necessity and workability. The result of the sunset review process is to continue the agency's functions (with or without modifications), transfer or consolidate functions with another agency, or allow the agency's functions to end and the agency to be abolished.

TCDD has submitted the Self-Evaluation report to Sunset Commission staff who have advised that they will begin the agency review of TCDD in May 2014. Additional information is enclosed summarizing the sunset review process and agencies under review during the current biennium.

**Executive Committee**

**Agenda Item 7.**

**Expected Action:**

The committee will receive an update from staff and may provide further guidance.

**Council**

**Agenda Item 12.**

**Expected Action:**

The Council will receive a report from the Committee and may discuss the TCDD sunset review further.

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----- **Agency Sunset Reviews 2014 – 2015** -----  
**84<sup>th</sup> Legislature**

The following agencies are scheduled for Sunset review during the 2014 – 2015 biennium. You may contact Sunset staff by using this feedback form, by writing directly to [sunset@sunset.state.tx.us](mailto:sunset@sunset.state.tx.us), or by calling (512) 463-1300.

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### **21 Reviews**

Administrative Hearings, State Office of  
Aging and Disability Services, Department of  
Assistive and Rehabilitative Services, Department of  
Children With Special Needs, Interagency Task Force for  
Developmental Disabilities, Texas Council for  
Education Agency, Texas\*  
Special Review: TEA Contracts for Assessment Instruments  
Facilities Commission, Texas\*  
Family and Protective Services, Department of  
Health and Human Services Commission  
Health Care Information Council, Texas  
Health Services, Department of State  
Health Services Authority, Texas  
People with Disabilities, Governor's Committee on  
Purchasing From People with Disabilities, Texas Council on  
Soil and Water Conservation Board, State\*\*  
Special Review: Entry criteria for Self-Directed Semi-Independent Agencies  
Tax Division, State Office of Administrative Hearings  
University Interscholastic League  
Workforce Commission, Texas  
Workforce Investment Council, Texas

\*Review limited to the appropriateness of recommendations made to the 83rd Legislature.

\*\*Limited scope review.

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## **Sunset Advisory Commission**

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### **Senate Members**

**Jane Nelson, Chair**  
Brian Birdwell  
Dan Patrick  
Juan "Chuy" Hinojosa  
Charles Schwertner  
Public Member

### **House Members**

**To be appointed, Vice Chair**  
Harold V. Dutton, Jr.  
Four Price  
To be appointed  
To be appointed  
Public Member

## ***Sunset Review Timeframes***

<b><i>September 2013</i></b>	Agencies submit Self-Evaluation Reports.
<b><i>October 2013 to January 2015</i></b>	Sunset Commission staff: <ul style="list-style-type: none"> <li>• Conducts evaluations of each agency</li> <li>• Prepares staff reports and recommendations</li> <li>• Holds public hearings on each agency</li> <li>• Finalizes recommendations</li> </ul> Sunset Board <ul style="list-style-type: none"> <li>• Reviews and makes decisions about each agency under review</li> </ul>
<b><i>February 2015</i></b>	Sunset Commission submits Report to 84 <sup>th</sup> Texas Legislature with recommendations on each of the agencies under review.
<b><i>January 2015 to May 2015</i></b>	84 <sup>th</sup> Texas Legislature considers Sunset bills on each agency under review.

## **Sunset in Texas**

### ***Sunset Review Questions***

1. How efficiently and effectively does the agency and its advisory committees operate?
2. How successful has the agency been in achieving its mission, goals, and objectives?
3. Does the agency perform any duties that are not statutorily authorized? If so, what is the authority for those activities and are they necessary?
4. What authority does the agency have related to fees, inspections, enforcement, and penalties?
5. In what ways could the agency's functions/operations be less burdensome or restrictive and still adequately protect and serve the public?
6. How much do the agency's programs and jurisdiction duplicate those of other agencies and how well does the agency coordinate with those agencies?
7. Does the agency promptly and effectively address complaints?
8. To what extent does the agency encourage and use public participation when making rules and decisions?
9. How has the agency complied with state and federal requirements regarding equal employment opportunity, the rights and privacy of individuals, and purchasing guidelines for historically underutilized businesses?
10. How effectively does the agency enforce rules on potential conflicts of interest of its employees?
11. How effectively and efficiently does the agency comply with the Public Information Act and the Open Meetings Act?
12. Would abolishing the agency cause federal government intervention or loss of federal funds?
13. Do the agency's statutory reporting requirements effectively fulfill a useful purpose?

# Consideration of Accessible Parking Awareness Campaign

Tab 6

## Review Panel Recommendations

### Background:

Staff coordinated one independent review panel to evaluate proposals received in response to TCDD Request for Proposals 2013-1: "Accessible Parking Awareness Campaign." Summaries of the recommendations from the panels and staff comments will be provided electronically to Executive Committee members for review prior to the meeting, and included in handout materials for all Council members at the meeting.

### Executive Committee

#### Agenda Item 8.

### Expected Action:

The Executive Committee will consider this information and make final decisions about proposals to approve for final negotiations for these projects.

### Council

#### Agenda Item 12. B.

### Expected Action:

The Council will receive a report of Executive Committee decisions.

**Background:**

Executive Summaries for five (5) current grant projects that are eligible for continuation funding are enclosed for consideration by the Committee (Items A-E). Grants monitoring strategies are noted under staff recommendations which follow the grants risk assessment report. Note that grantee organizations’ names below are “hyperlinks” to summary information about each project on the TCDD website.

- A. A Circle of Ten, Inc. – Capacity Building Training Contract – Year 3
- B. Department of Assistive and Rehabilitative Services Project HIRE (Higher Education)
- C. Texas Tech University (Higher Education)
- D. TX State Living Independent Living Council (Leadership Development and Advocacy Skills Training)
- E. West Center Texas Regional Foundation (Faith-based Symposium)
- F. Texas Tech University (Building Community Capacity Strategic Plan)

An executive summary for the 3<sup>rd</sup> year contract with A Circle of Ten, Inc. is included. A Circle of Ten has provided training to certain TCDD grantees to build capacity and sustainability of their projects. A Circle of Ten proposes to continue those efforts in year three and to also coordinate a Funders Forum in Houston. These additional activities would require approval of an increased funding level for this third year. If the Committee approves the expanded range of activities, the Council will be asked to approve the increased funding for the 3<sup>rd</sup> year of this training effort.

An executive summary for one (1) the Building Community Capacity project (BC3) is also enclosed for consideration (Item F). BC3 grantees are eligible to submit at the completion of **Phase 1** a strategic plan describing the network’s targeted issue(s) and planned approach. Each network has an opportunity to request up to \$150,000 per year, for up to five years, for **Phase 2** to implement their strategic plan to collaborate and to increase a community’s capacity to provide community-based services that will decrease the need for individuals who have disabilities to be served in an institution. In the application for funding for **Phase 2**, the network must include information from the community assessment to support their strategic plan. The proposed plan must address:

- How the plan relates to Goal 5 of the TCDD FY 2012-2016 State Plan;
- How the change achieved through the plan will either be sustained beyond the funding period or will result in permanent systems change;
- How specific public policy implications will be identified, and if they will be addressed, the strategy to be used; and
- How people with developmental disabilities and people who are members of groups who are identified as being underserved or unserved will be involved in meaningful ways in the implementation of the plan.

**Grants Risk Assessment Report** – The Grants Risk Assessment Report enclosed summarizes the risk assessment matrix for consideration of grant awards.

**Important Terms:**

**Continuation Grant Awards:** For each grant project funded by TCDD, the number of years of funding available (usually 3 to 5 years) is approved by the Council, but projects must reapply for funding each year.

**Executive Committee**

**Agenda Item 10.**

**Expected Action:**

The Executive Committee will review the information provided and consider approving funding for each continuation award.

**Council**

**Agenda Item 12. B.**

**Expected Action:**

The Council will receive a report on Executive Committee decisions and may be asked to consider approving increased funding for the project.

# Texas Council for Developmental Disabilities

## Executive Committee

### Review of Proposed Activities & Budget

Date: 10/23/13

ITEM: A

Grantee: A Circle of Ten, Inc. (C10)

Year: 3 of 3

Project Title: Increasing Capacity in the Existing Development and Advocacy Skills Training Project

Project Location: Austin, Houston, Dallas &/or San Antonio

#### TCDD RFP Intent:

TCDD initially posted an RFP for activities to train and assist TCDD grantees that provide leadership development and advocacy skills training to successfully obtain funding or other resources that increase the ability of those training activities to be sustained when grant support from TCDD terminates. The Contractor will provide training and assistance to 10-17 grants within Houston, Dallas, and Austin. TCDD approved funding up to \$25,000 to provide training to increase the capacity expecting to review after year one for possible continuation. TCDD later approved up to 2 additional years; the second award period will end December 2013.

TCDD is seeking this grantee to continue contract and to incorporate some activities beyond the current contract in the building community capacity contract. Additional activities include training additional TCDD grantees; and coordinating a Funder's Forum & conference that includes public policy issues and advocacy opportunities (pre-session); an opportunity to provide input into state plan objectives & activities; and a meeting of the Texas Funders Roundtable. Council approval is requested for an increased amount to include these additional activities in addition to continuing activities from the current contract.

**Current Authorized Funding:** TCDD has approved up to \$25,000 for up to three years.

**Expected Outcomes:** Funding leveraged to assist sustainability efforts of various TCDD grant projects; evidence of projects sustained with various types of funding and resources past TCDD grant funds; C10 will identify specific outcomes/accomplishments for each of 10-17 TCDD grantees; and C10 will provide information about grantees that need additional support to sustain their programs.

#### Project Goals and Accomplishments for Year(s)1 - 2:

**Goal:** To build the capacity of 10-17 TCDD grantees in three locations (Austin, Houston, Dallas &/or San Antonio) through leadership training and support to 20-34 staff &/or family members of people with developmental disabilities to leverage TCDD funding and sustain programs with various types of funding and resources past TCDD grants.

*Accomplishments per goal:* Year One: Worked with 16 of 17 TCDD leadership and advocacy grantees to offer three 3-day seminars on grant writing and incorporating collaborative grant ideas. Had thirty-seven (37) participants in capacity building training, capacity building surveys, and phone interviews. Identified statewide and regional grant resources; and involved additional partners to gain State, Federal and private funding to leverage funds. The Meadows Foundation funded Circle of Ten and the City of Houston Parks & Recreation finalized a Memorandum of Understanding to include TCDD grantees and non-TCDD agencies in their services and grants with an option to host the Funders' Forum. The funding and memorandum brings together 10 partners to address veterans, people with disabilities, and at-risk youth.

Year Two: Offered 7 TCDD grantees: 1) Six 3-day seminars with 30 representatives; 2) 3-day seminar incorporating collaborative grant ideas; and 3) submitted eight new grants that included existing/potential TCDD grantees and complimentary agencies and identified finalization of program and budget development for at least one large collaborative effort. As a result, partners received two awards for TCDDs BC3 Expanding Community Collaborative Capacity grants; TCDD stipend award for DiversAbility Event; and submitted grant proposals to Houston Endowment, US Department of Agriculture Rural Utility Services, Kresge Foundation, and the US Department of Housing & Urban Development for Asian Housing Initiative in Harris & Ft. Bend Counties.

## Texas Council for Developmental Disabilities

### Proposed Goals and Objectives for Year 3:

**Goal:** Build the capacity of the 5-10 TCDD select grantees from Years One/Two and an additional \*10-15 TCDD grantee agencies in existing/new networks; and host Funders Forum & Conference. \*New TCDD grantees identified by TCDD.

**Objectives:** 1) Provide a 3-day Process of Collaboration Seminar on Linking Leadership, Grassroots Community Organizing, Innovative Program Development, Grant Research, and Grant Writing; 2) Part II – The Next Step, incorporates real grant ideas into the curriculum; 3) Guided Alliance will guide from concept through next steps of finalization of program development, budget development and completion/submission of grant application (s) for at least one collaborative effort; and 4) Present the 10<sup>th</sup> Annual Funder’s Forum & Conference to 75-100 staff and/or family members of people with developmental disabilities to leverage funding and sustain programs with various resources past TCDD grants.

**Council Considerations:** No staff concerns, match not required per contract; If recommended favorably by the Executive Committee, the Council will be asked to consider funding to continue contract and additional \$25,000 to incorporate additional activities for final year of contract. Staff included 2-separate budgets to include the current capacity building contract and additional budget to include the Funders Forum and Conference Event.

<b>Continuation Budget Detail Summary</b>			
	Federal	Match	Totals
Amount expended in year 1 (no consultants)	\$25,000/\$25,000	\$0/\$0	\$25,000
Amount expended in year 2	\$25,000/\$15,947	\$0/\$0	\$15,947
<b>Amount requested for year 3 contract:</b>			
<b>I. Personnel Services</b>	22,559	10,098	32,657
<b>II. Travel</b>	1690	0	1690
<b>III. Purchased Services</b>	550	500	1050
<b>IV. Property/Materials</b>	200	0	200
<b>V. Rental/Leasing</b>	0	1,500	1,500
<b>VI. Utilities</b>	0	0	0
<b>VII. Other</b>	0	0	0
Budget period totals	\$24,999	12,098	37,097
<b>Amount requested for Funders Forum/Conference</b>			
<b>I. Personnel Services</b>	21,048	10,098	31,146
<b>II. Travel</b>	2520	0	2520
<b>III. Purchased Services</b>	550	0	550
<b>IV. Property/Materials</b>	522	0	522
<b>V. Rental/Leasing</b>	0	7500	7500
<b>VI. Utilities</b>	360	0	360
<b>VII. Other</b>	0	0	0
Budget period totals	\$25,000	\$17,598	\$42,598

**Texas Council for Developmental Disabilities`  
Executive Committee**

**Date:** 10/23/2013

**Review of Proposed Activities & Budget**

**ITEM: B**

**Grantee:** Department of Assistive & Rehabilitative Services (DARS)

**Year: 3 of 5**

**Project Title:** Higher Education for People with Developmental Disabilities (Project HIRE)

**Project Location:** Hidalgo County

**Website:** <http://drsprojecthire.com>

**TCDD RFP Intent:**

The project intent is to develop, demonstrate, and evaluate more inclusive models of post-secondary education through which students with severe disabilities receive the supports they need to succeed in college, university, and/or or vocational/technical programs that were originally designed for students with disabilities.

**Authorized Funding:** TCDD has approved up to \$225,000 for up to five years.

**Expected Results:** Project HIRE, by grant year five, will graduate or certify at least ten (10) individuals with developmental disabilities from South Texas College (STC).

**Project Goals and Accomplishments for Years 1-2:**

**Goal:** Select 18 individuals with developmental disabilities for the project and provide initial college and vocational readiness trainings, job shadowing opportunities, and wrap-around services for academic success

*Accomplishments per goal:*

Contracts were developed between DARS and the University of Texas-Pan American (UTPA), STC, Dr. Paul Wehman, Access Granted, and Dr. Lynn Fischer, who, with the project advisory committee (PAC), conducted program design and planning meetings. Participant applications were developed and orientations were conducted at STC in English, Spanish, and American Sign Language. Individual meetings with potential participants and their families took place. PAC members developed an applicant scoring mechanism and counselors prepared packets for the interview team, which met with each applicant along with parents and school personnel. Assistive Technology (AT) Evaluations were completed for each of a total of 27 participants. All completed the summer training and began classes at STC. A total of 12 long-term business mentors have been secured. The project has presented at hearings, conferences, and has garnered considerable publicity. There are currently 23 actively enrolled participants, 13 with business mentors and it is expected that 2 participants from the first cohort will graduate spring 2014.

**Proposed Goals and Objectives for Year 3:**

**Goal:** Select a minimum of 10 additional individuals with developmental disabilities for Cohort 3.

**Objectives:** Continue to work with project partners to provide assistive technology and business mentors; Continue the post-secondary programs.

**Staff Recommendations:**

**Public Policy Considerations:** This project has elevated disability policy issues in their community, improving educational opportunities and access to accommodations beyond expectations. Other higher education institutions would benefit from learning about their experiences. The "money follows the person" approach to providing supported higher education is as innovative as it is exciting.

**Grant Management Considerations:** No concerns; high risk monitoring (awards within award).TCDD staff frequently participate in trainings and annual onsite reviews.

**Staff Recommendation:** TCDD staff recommends continued funding for this project.

**Continuation Budget Detail Summary**

	Federal	Match	Totals
<b>Expended Year 1</b>	\$225,000 / \$225,000	\$31,425 / \$32,093	\$256,425 / \$257,093
<b>Expended Year 2 (6 months) (Consultant:\$81,326)</b>	\$225,000 / \$89,458	\$15,060 / \$4,270	\$240,060 / \$93,728
<b>Amount requested for Year 3 budget:</b>			
<b>I. Personnel Services</b>	0	0	0
<b>II. Travel</b>	0	0	0
<b>III. Purchased Services (\$196,812 consultants)</b>	200,700	14,760	215,460
<b>IV. Property/Materials</b>	3,845	0	3,845
<b>V. Rental/Leasing</b>	0	300	300
<b>VI. Utilities</b>	0	0	0
<b>VII. Other (Indirect Costs)</b>	20,455	0	20,455
<b>Budget period totals</b>	<b>\$225,000</b>	<b>\$15,060</b>	<b>\$240,060</b>

**Texas Council for Developmental Disabilities`  
Executive Committee**

**Date:** 10/23/2013

**Review of Proposed Activities & Budget**

**ITEM: C**

**Grantee:** Texas Tech University

**Year: 3 of 5**

**Project Title:** Higher Education for People with Developmental Disabilities (Project CASE)

**Project Location:** Statewide

**Website:** none

**TCDD RFP Intent:**

The project intent is to develop, demonstrate, and evaluate more inclusive models of post-secondary education through which students with severe disabilities receive the supports they need to succeed in college, university, and/or or vocational/technical programs that were originally designed for students with disabilities.

**Authorized Funding:** TCDD has approved up to \$225,000 for up to five years.

**Expected Results:** Project CASE will create a replicable, sustainable higher education model that will build a collaborative partnership with the Burkhart Center, TX Tech University, South Plains College, the Byron Martin Advanced Technology Center, DARS, and the business community to identify, recruit, and retain individuals with developmental disabilities across Texas, ages 18-25, who are seeking to further their education beyond high school and securing meaningful paid employment in their field of choice.

**Project Goals and Accomplishments for Years 1-2:**

**Goal:** Select 18 individuals with developmental disabilities for the project and provide initial college and vocational readiness trainings, job shadowing opportunities, and wrap-around services for academic success

*Accomplishments per goal:*

A totally of 23 participants have been enrolled in Project CASE. Of those, 2 have graduated and one has transferred to the Sul Ross Gaming Program in Alpine, TX. The remaining participants are expected to complete their programs between 2014-2017 and 1 will have completed a Master's Degree in Architecture. Several business mentors have been secured. Most students request to do their internships in the summer due to heavy study and tutoring schedules, but 4 students have found full- or part-time employment in their field of choice.

**Proposed Goals and Objectives for Year 3:**

**Goal:** Select a minimum of 10 additional individuals with developmental disabilities for Cohort 3.

**Objectives:** Maintain a caseload of 10 Project CASE participants per Learning Specialist.

**Staff Recommendations:**

**Public Policy Considerations:** This grantee is encouraged to leverage the project's positive outcomes to enhance local community awareness of and support for sustainability and expansion.

**Grant Management Considerations:** No concerns; high risk monitoring due to award amount. TCDD staff will conduct annual onsite reviews.

**Staff Recommendation:** TCDD staff recommends continued funding for this project

<b>Continuation Budget Detail Summary</b>			
	<b>Federal</b>	<b>Match</b>	<b>Totals</b>
<b>Expended Year 1</b>	\$209,384/\$209,054	\$79,725/\$98,256	\$289,109/\$307,310
<b>Expended Year 2 (9 months) (Consultant:\$13,686)</b>	\$217,079/\$117,638	\$72,377/\$45,874	\$289,456/\$163,512
<b>Amount requested for Year 3 budget:</b>			
<b>I. Personnel services</b>	190,144	0	190,144
<b>II. Travel</b>	11,107	0	11,107
<b>III. Purchased Services (\$13,788 sub awards)</b>	16,838	0	16,838
<b>IV. Property/Materials</b>	2,000	0	2,000
<b>V. Rental/Leasing</b>	0	0	0
<b>VI. Utilities</b>	0	0	0
<b>VII. Other (Indirect Costs)</b>	0	73,363	20,455
<b>Budget period totals</b>	<b>\$220,089</b>	<b>\$73,363</b>	<b>\$293,452</b>

**Texas Council for Developmental Disabilities`  
Executive Committee**

**Date:** 10/23/2013

**Review of Proposed Activities & Budget**

**ITEM: D**

**Grantee:** Texas Statewide Independent Living Council (TX SILC)

**Year: 3 of 3**

**Project Title:** New Leadership Development and Advocacy Skills Training

**Project Location:** Statewide

**TCDD RFP Intent:**

The intent of the new Leadership Development and Advocacy Skills Training Projects RFP is to create programs that provide leadership development and advocacy skills training for people with developmental disabilities, their families, and their allies.

**Authorized Funding:** TCDD has approved up to \$75,000 for up to 3 years.

**Project Goals and Accomplishments for Years 1-2:**

**Goal:** Provide a comprehensive Statewide Independent Living Conference targeting consumers, family members, service providers, rehabilitation counselors, and other stakeholders in the disability community for the purpose of networking, information sharing, and advocacy training.

*Accomplishments per goal:*

The project specialist conducted extensive planning activities prior to the conference, collected registrations and stipend applications, sought new and previous conference sponsors, and promoted the conference via e-mail blasts and weekly newsletters. The "Connected to Independent Living" conference was held March 3-5, 2013. Attendees received 2 full days of sessions with 30 exhibitors, including community partners. Conference evaluation and other follow-up activities were conducted to determine needs, growth areas, and consumer satisfaction, which will guide planning for the 2014 conference. In Year 2, the SILC used social media and web-based communication applications. The project facilitated the experience of 60 individuals with disabilities at the conference. TCDD funds allows the offering of stipends to at least 48 people with developmental disabilities to attend the conference; cover expenses for a full-time employee to coordinate activities and to network with the community; and create an active advisory committee that provides input, advocacy and leadership initiatives that has helped with planning and outreach activities.

**Proposed Goals and Objectives for Year 3:**

**Goal:** Same as above.

**Objectives:** Recruit diverse community partners, associations, and stakeholders; research and develop agency, identifying keynote speakers; create a marketing plan to provide extensive statewide outreach; and create evaluation tools and disseminate findings.

**Staff Considerations:**

**Public Policy Considerations:** Because DARS failed to receive funding for new Independent Living Centers and in order to ensure statewide access to IL services, all entities associated with ILCs should concentrate efforts on identifying, developing and articulating ILD outcomes in every available venue, including the Statewide Independent Living Conference. **Grants Management Considerations:** No concerns; moderate risk monitoring due to award amount and sub-awards. **Staff Recommendations:** TCDD staff recommends continued funding for this project.

<b>Continuation Budget Detail Summary</b>			
	<b>Federal</b>	<b>Match</b>	<b>Totals</b>
<b>Expended Year 1</b>	\$75,000/\$75,000	\$25,000/\$27,530	\$100,000/\$102,530
<b>Expended Year 2 (7 months)(Consultants \$1200)</b>	\$75,000/\$53,685	\$29,000/\$23,884	\$104,000/\$77,569
<b>Amount requested for Year 2 budget:</b>			
<b>I. Personnel Services</b>	42,707	0	42,707
<b>II. Travel</b>	2,124	0	2,124
<b>III. Purchased Services (\$1,200 consultants)</b>	22,779	29,000	51,779
<b>IV. Property/Materials</b>	1,040	0	1,040
<b>V. Rental/Leasing</b>	3,633	0	3,633
<b>VI. Utilities</b>	2,717	0	2,717
<b>VII. Other</b>	0	0	0
<b>Budget period totals</b>	<b>\$75,000</b>	<b>\$29,000</b>	<b>\$104,000</b>

**Texas Council for Developmental Disabilities`  
Executive Committee**

**Date:** 10/23/13

**Review of Proposed Activities & Budget**

**Item: E**

**Grantee:** West Central Texas Regional Foundation

**Year: 3 of 3**

**Project Title:** Inclusive Faith-Based Communities Symposium

**Project Location:** Abilene (Callahan, Jones, & Taylor Counties)

**Website:** [www.wctcog.org](http://www.wctcog.org)

**TCDD RFP Intent:** The project intent is to collaborate with leaders of faith-based organizations in order to compare experiences and share resources so that formal and informal community supports available to people with developmental disabilities may be increased. TCDD has approved funding of up to \$75,000 per year for up to three years.

**Authorized Funding:** TCDD has approved up to \$75,000 for up to three years  
Year 1: \$74,894 Year 2: \$74,322 Year 3: \$74,988

**Expected Results:** Faith communities will understand the benefit of inclusion.

**Project Goals and Accomplishments for Year 2:**

**Goal:** To work with faith-based community organizations, community partners and persons with disabilities to more fully include underserved people with disabilities in outreach and programming across the rural region and within the metropolitan area, ensuring active participation within faith-based communities for all.

*Accomplishments per goal:* Held first faith inclusion symposium on April 13, 2013. Several media were developed for this event: program of events, booth registration form, attendee registration form, and a satisfaction survey. Staff secured a keynote speaker for the event as well as sign language interpreters and community members to lead the required breakout sessions. Developed a self-evaluation survey to distribute to representatives of faith-based organizations. Turnout to the symposium was lower than expected; Therefore, project staff worked with the PAC to develop a corrective action plan to address difficulties in reaching project goals. The action plan includes hosting several smaller events leading up to the next symposium (April 2014) as well as an information session for community members and the leadership of faith-based organizations.

**Proposed Goals and Objectives for Year 3:**

**Goal:** Same as above.

**Objectives:** Hold a series of good quality workshops as well as a symposium that encourages attendance from faith based and community based organizations in an effort to advocate for and support Faith based Organizations that currently have programming for the disabled community or those organizations that are attempting to create such programming.

**Staff Recommendations:**

**Public Policy Considerations:** Over 15 million Texans belong to a faith-based group. Increasing exposure of members of faith communities to persons with developmental disabilities will make it more likely that members of faith communities will have awareness about issues important to persons with disabilities. Having people who are not connected with the service delivery system in the lives of persons with developmental disabilities also is a significant protective factor. Finally, faith leaders typically also are leaders in the broader community with access to decision makers. **Grant Management Considerations:** The grantee is not in compliance with the requirements of the Request for Proposal (RFP). However, project staff has developed a comprehensive corrective action plan to address these concerns. **Staff Recommendations:** TCDD staff recommends continuation funding for this project with increased programmatic monitoring if the grantee successfully achieves corrective action plan goals.

<b>Continuation Budget Detail Summary</b>			
	Federal	Match	Totals
<b>Expended Year 1</b> (Consultant: \$0)	\$74,894/\$74,894	\$20,193/\$20,794	\$95,087/\$95,688
<b>Expended Year 2</b> (4 months) (Consultant: \$748)	\$74,322/\$22,822	\$24,576/\$7,113	98,898/\$29,935
<b>Amount requested for Year 2 budget:</b>			
<b>I. Personnel Services</b>	58,731	16,518	75,249
<b>II. Travel</b>	750	0	750
<b>III. Purchased Services</b> (\$748 consultants)	4,112	7,551	11,663
<b>IV. Property/Materials</b>	500	460	960
<b>V. Rental/Leasing</b>	4,122	450	4,572
<b>VI. Utilities</b>	900	0	900
<b>VII. Other (Indirect Costs)</b>	5,873	0	5,873
Budget period totals	\$74,988	\$24,979	\$99,967

**Texas Council for Developmental Disabilities`  
Executive Committee**

**Date:** 10/23/2012

**Review of Proposed Activities & Budget**

**ITEM: F**

**Grantee:** Texas Tech University

**Year: 1 of 5**

**Project Title:** Building Community Capacity through Collaboration

**Project Location:** West Texas

**Website:** none

**TCDD RFP Intent:**

The project intent is to establish and/or strengthen a network of appropriately diverse organizations to develop a strategic plan to build the capacity of that community to provide community-based services that will decrease the need for individuals with developmental disabilities to be served in an institution.

**Authorized Funding:** TCDD has approved up to \$150,000 for up to five years.

**Expected Results:** The West Texas Community Network (WTCN) originated as a partnership among the Burkhart Center, High Point Village, and the HALI Project established to increase access to community-based and strength-based supports and services for individuals with developmental disabilities and their families. A strategic plan has been developed to encourage higher expectations for individuals with DD to live, work and play in more inclusive communities that value their contributions and unique gifts.

**Project Goals and Accomplishments for Planning Year:**

**Goal:** Develop a strategic plan, based on a community needs assessment, and identify resources necessary to build the capacity of a community to provide: culturally appropriate, person-centered or family-centered healthcare services (including both physical and mental); behavior supports; respite to community members who have developmental disabilities and their families; and other supports identified by the community support network.

*Accomplishments per goal:*

Partnerships were established and/or strengthened with several community organizations to address respite, transportation, employment opportunities, behavior support, occupational and physical therapy, family support services and training. A strategic plan was developed and submitted for TCDD review.

**Proposed Goals and Objectives for Year 1:**

**Goal:** Identify supports, services and programs that are in the community and develop a resource list accordingly. Research and partner with local and state stakeholders to determine location of individuals with DD and assess their needs.

**Staff Recommendations:**

**Public Policy Considerations:** Public Policy staff identified several concerns regarding the activities completed thus far with the overall assessment that the project did not adequately research and identify the primary reasons why individuals with DD become institutionalized.

**Grant Management Considerations:** In addition to the above, grants staff cited problems with the needs assessment, lack of involvement from key community stakeholders, lack of input from individuals with DD, and lack of diversity, both ethnic and economic.

**Staff Recommendation:** TCDD staff recommends funding for Phase 2 of this project with heightened involvement from the Grants Management Specialist to address the issues identified above.

<b>Continuation Budget Detail Summary</b>			
	Federal	Match	Totals
<b>Expended Planning Year:</b> (8 months) (Consultant:\$8,860)	\$74,996 / \$42,226	\$25,226/\$14,203	\$100,222/ \$56,429
<b>Amount requested for Year 1 budget:</b>			
<b>I. Personnel services</b>	87,707	0	87,707
<b>II. Travel</b>	6,359	0	6,359
<b>III. Purchased Services</b> (\$38,000 consultants)	41,383	0	41,383
<b>IV. Property/Materials</b>	915	0	915
<b>V. Rental/Leasing</b>	0	0	0
<b>VI. Utilities</b>	0	0	0
<b>VII. Other (Indirect Costs)</b>	13,636	50,455	64,091
Budget period totals	\$150,000	\$50,455	\$200,455

**Background:**

The **Quarterly Financial Report** is included for review by the Executive Committee and Council and includes the following information:

- **Summary of Funds FY 2011-2014** – The report summarizes funds budgeted from the federal allotment for each fiscal year and actual or projected expenditures for each of those years. From those amounts, a projected balance of funds available for each year is shown. Note that expenditures are tied to the federal fiscal year grant awarded to TCDD regardless of whether those funds are expended during the 1st, 2nd, or 3rd year when they are available. This report reflects a small amount of FY 11 funds were not fully expended (lapsed) by grantees (\$14,180), and also projects a deficit of funds for FY 2014. However, funds not spent by current grantees or for staff operations and other funds management strategies are expected to address that concern.
- **FY 2013 Expense Budgets** – This report compares the approved budget for fiscal year 2013 (Oct. 1, 2012, thru Sept. 30, 2013) with expenses year-to-date (Oct. 1, 2012 thru Sept. 30, 2013), and provides year-to-date projected expenses for each category if expenses were evenly distributed during the year. All expenses are reported by expense category and by type of staff activity, and indicate that expenses are within the approved budget for the year.
- **2011, 2012 and 2013 Grants & Contracts Awards Reports** –The Grants and Contracts Awards Reports provide simplified information of active grantees during each funding year. The reports include the budget period for each award; approved RFP amounts; awarded amounts (regardless of the year of funds used); expended amounts to date; and balances to be spent before the current budget period ends. Amounts shown as expended year to date are based on requests for reimbursements from grantees that have been processed. That data is usually 1-2 months behind actual expenditures on most grants.
- **Stipends Expenditures** – Provides a summary of funds awarded or expended for each stipend grant recipient, the number of individuals attending the conference or seminar who benefited from those stipend funds, and how many of those participants also received TCDD stipend support previously from that organization.

Notes:

- ◆ The TCDD fiscal year is the federal fiscal year: October 1 through September 30.
- ◆ The DD Act allows two full federal fiscal years for initial awards/obligations of funds, and allows three federal fiscal years for final expenditure/liquidation of funds.

**Executive Committee**

**Agenda Item 11.**

**Expected Action:**

The Committee will review the Quarterly Financial Report and may provide additional guidance to staff.

**Council**

**Agenda Item 12. C.**

**Expected Action:**

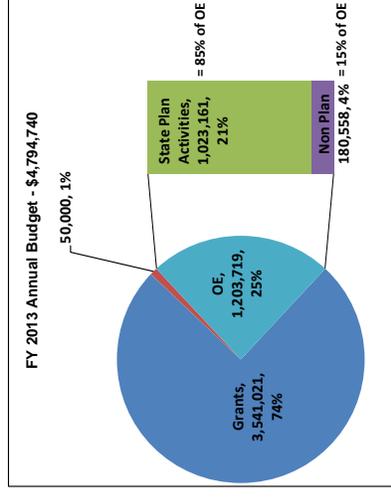
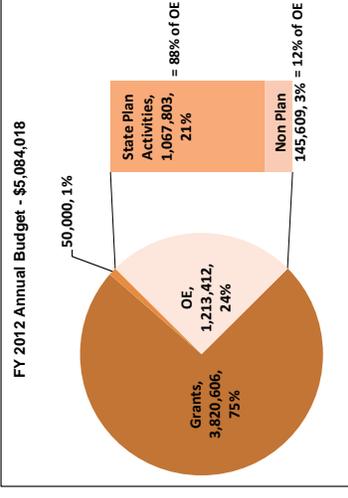
The Council will receive a report from the Executive Committee about the Committee’s review of the Quarterly Financial Report and may also provide additional guidance.

**Texas Council for Developmental Disabilities  
Summary of Funds FY 2011 - 2014  
September 2013**

<b>Model Key</b>						
<b>Numbers in black represent budget numbers or actuals for the current or prior years. Numbers in blue represent forecast numbers.</b>						
<b>Line Item</b>	<b>10/1/2009- 9/30/2012 FY 2011</b>	<b>10/1/2010- 9/30/2013 FY 2012</b>	<b>10/1/2011- 9/30/2014 FY 2013</b>	<b>10/1/2012- 9/30/2015 FY 2014</b>		
<b>REVENUES</b>						
<b>Federal Funds</b>						
Estimate of Federal Award	\$5,095,817	\$5,084,018	\$4,794,740	\$4,794,740	\$4,794,740	
Actual Award <sup>1</sup>	\$5,095,817	\$5,084,018	\$4,794,740	\$4,794,740	\$4,794,740	
Prior year difference (Current FY Award - Prior FY Award)	<b>(\$10,213)</b>	<b>(\$11,799)</b>	<b>(\$289,278)</b>		\$0	
<b>EXPENDITURES</b>						
<b>Operating Expenses</b>						
Approved by Council	\$1,813,039	\$1,788,829	\$1,782,379	\$1,782,379	\$1,678,208	
Expenses <sup>2</sup>	\$1,440,554	\$1,263,412	\$1,253,719	\$1,253,719	\$1,381,676	
Balance of Operating Expense funds	\$372,485	\$525,417	\$528,660	\$528,660	\$296,532	
<b>Grants and Projects Expenses</b>						
Available from Current Fiscal Year	\$3,655,263	\$3,820,606	\$3,541,021	\$3,541,021	\$3,413,064	
Actual/Estimated Grant Awards <sup>3 &amp; 4</sup>	\$3,641,083	\$3,788,244	\$3,762,533	\$3,762,533	\$3,549,586	
<b>Current Projects Difference (Available - Actual)</b>	<b>\$14,180</b>	<b>\$32,362</b>	<b>(\$221,512)</b>	<b>(\$221,512)</b>	<b>(\$136,522)</b>	
Prior Year Funds Available	\$0	\$0	\$32,362	\$32,362	(\$464,150)	
<b>BALANCE OF FUNDS AVAILABLE</b>	<b>\$0</b>	<b>\$0</b>	<b>(\$189,150)</b>	<b>(\$189,150)</b>	<b>(\$600,672)</b>	
Planned Projects <sup>5</sup>	\$0	\$0	\$275,000	\$275,000	\$910,000	
<b>BALANCE AFTER PLANNED PROJECTS <sup>6</sup></b>	<b>\$14,180 <sup>7</sup></b>	<b>\$32,362</b>	<b>(\$464,150)</b>	<b>(\$464,150)</b>	<b>(\$1,510,672)</b>	

**NOTES:**

- <sup>1</sup> Final FY13 NOGA \$4,794,740; FY14 estimated NOGA level funding.
- <sup>2</sup> FY11 operating expenses charged to FY10 funds resulting in FY12-14 operating expenses partially charged to prior year funds.
- <sup>3</sup> Funds awarded or anticipated to be awarded for authorized projects are included in projections of Grants and Project Expenses.
- <sup>4</sup> Funds awarded each Fiscal Year (FY) can be expended within 3 FY periods.
- <sup>5</sup> Planned Grants & Projects Expenses include projects planned and approved but not initiated. Total amounts authorized are reflected although actual awards approved may be less.
- <sup>6</sup> 2012 Balance was fully obligated by the end of Sept. 2013.
- <sup>7</sup> FY 11 balance lapsed by grantee, not available for future years.



# Texas Council for Developmental Disabilities

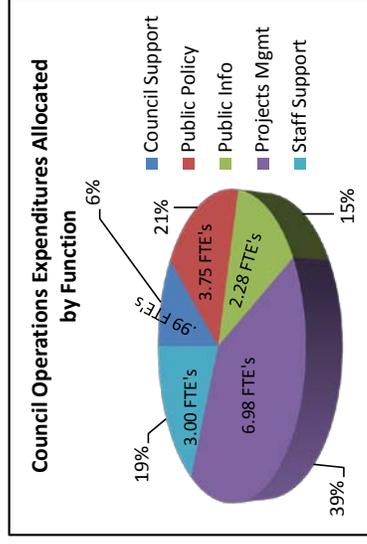
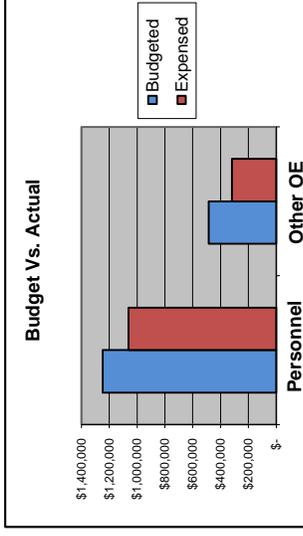
## FY 13 Admin & Expense Budget

Oct. 1, 2012 thru  
Sep. 30, 2013

Expenses (Council Operations)	Budget	Year to Date Projected	Expended	Variance
<b>Personnel (17 FTEs)</b>				
Salaries	960,403	960,403	816,534	143,869
Benefits	287,138	287,138	244,869	42,270
<b>Total Personnel</b>	<b>\$ 1,247,541</b>	<b>\$ 1,247,541</b>	<b>\$ 1,061,402</b>	<b>\$ 186,139</b>
<b>Operating</b>				
Professional Services <sup>1</sup>	82,000	82,000	55,073	26,927
Out-of-State Travel <sup>2</sup>	26,050	26,050	18,415	7,635
In-State Travel <sup>3</sup>	63,000	63,000	52,872	10,128
Supplies	10,000	10,000	13,408	(3,408)
Utilities	41,700	41,700	24,890	16,810
Rent - Building - Space	79,618	79,618	63,450	16,168
Rent - Computers - Equip <sup>4</sup>	64,220	64,220	24,501	39,719
Capital Expenditures	-	-	-	-
Other OE <sup>5</sup>	118,250	118,250	64,959	53,291
<b>Total Operating</b>	<b>\$ 484,838</b>	<b>\$ 484,838</b>	<b>\$ 317,567</b>	<b>\$ 167,271</b>
<b>Total Expenses</b>	<b>Budget 1,732,379</b>	<b>YTD Budgeted 1,732,379</b>	<b>Actual 1,378,969</b>	<b>Variance 353,410</b>
<b>Admin Reim to TEA</b>	<b>50,000</b>	<b>100.0%</b>	<b>79.6%</b>	
<b>TOTAL</b>	<b>\$ 1,782,379</b>		<b>\$ 1,428,969</b>	
<b>Expenditures by Function</b>				
<b>Council Support</b>	<b>Public Policy \$ 253,299</b>	<b>Public Info \$ 175,277</b>	<b>Projects Mgmt \$ 546,985</b>	<b>Staff Support \$ 252,099</b>
	<b>151,310</b>			

### NOTES:

- Auditor - \$25,000/\$20,038; CPA Desk Reviews - \$8,000/\$4,150; Legal Svs - \$3,000/\$0  
Web Hosting - \$2,000/\$1,650; Data Center Services - \$15,000/\$7,154  
Other Professional Services - \$13,000/\$9,346; Reviewers - \$10,000/\$1,905; Temp Services - \$0/\$9,931
- Travel - Out-of-State Council - \$14,200 /\$13,264; Travel - Out-of-State Staff - \$13,050 /\$5,150
- Travel - In-State Council - \$45,000 /\$38,940; Travel - In-State Staff - \$18,000 /\$13,932;
- Computer lease - \$22,800/\$1,076; AV Equipment - \$35,000/\$19,118; Copier - \$6,420/\$4,283
- Other OE - NACDD Dues - \$20,834, interpreter svs, registration fees, other training, maintenance, advertising, postage, printing, software, furniture, non-cap equip, security, and janitorial services-\$44,125.



# 2011 GRANTS & CONTRACTS AWARDS REPORT

Budget Period	RFP Amount	Awarded Amount	YTD Expended Amount	Balance
<b>Apalachicola Creek Indians</b>				
1/1/2011 - 12/31/2011	\$10,000	\$10,000	\$10,000	\$0
<b>Barbara Jordan Endeavors Corp</b>				
8/1/2011 - 7/31/2012	\$10,000	\$9,855	\$8,919	\$936
<b>Community Healthcare</b>				
6/1/2011 - 8/31/2012	\$125,000	\$112,704	\$112,704	\$0
<b>Easter Seals</b>				
10/1/2010 - 10/31/2011	\$100,000	\$100,000	\$96,307	\$3,693
<b>Family to Family Network Inc</b>				
6/1/2011 - 5/31/2012	\$75,000	\$75,000	\$75,000	\$0
<b>Friends and Families of Asians with Special Needs</b>				
2/1/2011 - 3/31/2012	\$10,000	\$10,000	\$9,866	\$134
<b>Region 17 ESC</b>				
6/1/2011 - 5/31/2012	\$115,000	\$115,000	\$115,000	\$0
<b>Region 17 ESC</b>				
6/1/2011 - 5/31/2012	\$120,000	\$120,000	\$120,000	\$0
<b>Region 19 ESC</b>				
2/1/2011 - 6/30/2011	\$50,000	\$50,000	\$46,055	\$3,945
<b>SafePlace</b>				
4/1/2011 - 4/30/2012	\$125,000	\$105,475	\$105,475	\$0
<b>Texas A&amp;M University</b>				
7/1/2011 - 6/30/2012	\$150,000	\$150,000	\$111,226	\$38,774
<b>Texas Parent to Parent</b>				
2/1/2011 - 2/29/2012	\$0	\$65,588	\$65,588	\$0
<b>Texas Tech University</b>				
9/16/2011 - 11/30/2011	\$200,000	\$199,999	\$199,915	\$84

Budget Period	RFP Amount	Awarded Amount	YTD Expended Amount	Balance
<b>The Arc of Greater Houston</b>				
1/1/2011 - 12/31/2011	\$10,000	\$7,170	\$7,170	\$0
<b>The Arc of San Angelo</b>				
4/1/2011 - 4/30/2012	\$75,000	\$74,922	\$74,922	\$0
<b>The Arc of Texas</b>				
10/1/2010 - 9/30/2011	\$0	\$85,059	\$85,059	\$0
<b>Totals:</b>	<b>\$1,175,000</b>	<b>\$1,290,772</b>	<b>\$1,243,206</b>	<b>\$47,566</b>

# 2012 GRANTS & CONTRACTS AWARDS REPORT

Budget Period	RFP Amount	Awarded Amount	YTD Expended Amount	Balance
<b>A Circle of Ten</b>				
Capacity Building (Contract)				
1/2/2012 - 12/31/2012	\$25,000	\$25,000	\$24,996	\$4
<b>Any Baby Can of San Antonio, Inc</b>				
Health & Fitness 1				
3/1/2012 - 2/28/2013	\$250,000	\$228,610	\$228,610	\$0
<b>Austin Travis County Integral Care</b>				
Central Texas African American Family Support Conference (Contract)				
11/1/2011 - 8/31/2012	\$6,355	\$6,355	\$300	\$6,055
<b>Austin Travis County Integral Care</b>				
Central Texas African American Family Support Conference (Contract)				
9/1/2012 - 8/31/2013	\$8,060	\$8,060	\$2,027	\$6,033
<b>Brighton School, Inc.</b>				
Exp of Existing Leadership Development & Advocacy Skills Trng Projects (ELDAST 2)				
10/1/2011 - 9/30/2012	\$40,000	\$40,000	\$40,000	\$0
<b>Centro di Mi Salud</b>				
Outreach & Development 6				
9/1/2012 - 9/30/2013	\$10,000	\$10,000	\$10,000	\$0
<b>Community Healthcare</b>				
Self-Employment 1				
9/1/2012 - 11/30/2012	\$37,635	\$37,635	\$32,062	\$5,573
<b>Department of Assistive and Rehabilitative Services</b>				
Higher Education 3				
1/1/2012 - 1/31/2013	\$225,000	\$225,000	\$225,000	\$0
<b>Educational Programs Inspiring Communities, Inc.</b>				
Enabling Technology 1				
4/1/2012 - 5/31/2013	\$225,000	\$225,000	\$225,000	\$0
<b>Epilepsy Foundation Texas</b>				
Health & Fitness 2				
4/1/2012 - 5/31/2013	\$250,000	\$249,538	\$249,538	\$0
<b>Helpful Interventions</b>				
Gulf Coast African American Family Support Conference				
9/1/2012 - 9/30/2013	\$75,000	\$75,000	\$63,946	\$11,054
<b>Imagine Enterprises Inc</b>				
Exp of Existing Leadership Development & Advocacy Skills Trng Projects (ELDAST 3)				
10/1/2011 - 12/31/2012	\$40,000	\$40,000	\$40,000	\$0

Budget Period	RFP Amount	Awarded Amount	YTD Expended Amount	Balance
<b>Jewish Family Service of Dallas</b>				
3/1/2012 - 4/30/2013	\$75,000	\$75,000	\$75,000	\$0
<b>Morningside Research and Consulting, Inc.</b>				
3/1/2012 - 12/31/2012	\$25,000	\$24,960	\$24,960	\$0
<b>NAMI Texas</b>				
2/1/2012 - 3/31/2013	\$75,000	\$75,000	\$75,000	\$0
<b>OneStar Foundation</b>				
2/1/2012 - 4/15/2013	\$75,000	\$71,453	\$71,453	\$0
<b>Paso del Norte Children's Development Center</b>				
10/1/2011 - 9/30/2012	\$40,000	\$40,000	\$40,000	\$0
<b>Region 17 ESC</b>				
6/1/2012 - 5/31/2013	\$120,000	\$120,000	\$120,000	\$0
<b>Region 17 ESC</b>				
6/1/2012 - 5/31/2013	\$115,000	\$115,000	\$115,000	\$0
<b>Region 19 ESC</b>				
10/1/2011 - 9/30/2012	\$40,000	\$40,000	\$40,000	\$0
<b>SafePlace</b>				
5/1/2012 - 7/31/2013	\$125,000	\$117,022	\$117,022	\$0
<b>SER Jobs for Progress</b>				
12/1/2011 - 11/30/2012	\$40,000	\$40,000	\$39,754	\$246
<b>Strategic Education Solutions, LLC</b>				
4/1/2012 - 4/30/2013	\$225,000	\$224,967	\$224,967	\$0
<b>Texas A&amp;M University</b>				
1/1/2012 - 2/28/2013	\$225,000	\$225,000	\$225,000	\$0

Budget Period	RFP Amount	Awarded Amount	YTD Expended Amount	Balance
<b>Texas A&amp;M University</b>				
6/1/2012 - 7/31/2013	\$75,000	\$75,000	\$75,000	\$0
<b>Texas A&amp;M University</b>				
7/1/2012 - 10/31/2013	\$150,000	\$214,742	\$193,049	\$21,693
<b>Texas Advocates</b>				
3/1/2012 - 4/30/2013	\$75,000	\$75,000	\$75,000	\$0
<b>Texas Center for Disability Studies</b>				
11/1/2011 - 10/31/2012	\$38,546	\$38,546	\$44,704	(\$6,158)
<b>Texas Parent to Parent</b>				
3/1/2012 - 2/28/2013	\$0	\$61,780	\$61,780	\$0
<b>Texas State Independent Living Council</b>				
2/1/2012 - 1/31/2013	\$75,000	\$75,000	\$75,000	\$0
<b>Texas State Independent Living Council</b>				
4/1/2012 - 3/31/2013	\$250,000	\$219,472	\$219,472	\$0
<b>Texas Tech University</b>				
10/1/2011 - 11/30/2012	\$225,000	\$209,384	\$209,054	\$330
<b>Texas Tech University</b>				
12/1/2011 - 9/30/2012	\$200,000	\$199,999	\$199,915	\$84
<b>The Arc of Dallas</b>				
4/1/2012 - 3/31/2013	\$75,000	\$75,000	\$75,000	\$0
<b>The Arc of Greater Tarrant County</b>				
5/1/2012 - 6/30/2013	\$75,000	\$75,000	\$75,000	\$0
<b>The Arc of San Angelo</b>				
5/1/2012 - 4/30/2013	\$75,000	\$73,941	\$73,941	\$0

Budget Period	RFP Amount	Awarded Amount	YTD Expended Amount	Balance
<b>The Arc of Texas</b>				
New Leadership Development & Advocacy Skills Trng (NLDAST 5)				
3/1/2012 - 4/30/2013	\$75,000	\$75,000	\$75,000	\$0
<b>The Arc of Texas</b>				
Texas Microboard Collaboration				
10/1/2011 - 9/30/2012	\$0	\$76,834	\$76,834	\$0
<b>The Sower Foundation</b>				
Outreach & Development 7				
9/1/2012 - 8/31/2013	\$10,000	\$10,000	\$10,000	\$0
<b>VSA Arts of Texas</b>				
Self-Employment 2				
6/1/2012 - 7/31/2012	\$25,000	\$25,000	\$25,000	\$0
<b>West Central Texas Regional Foundation</b>				
Inclusive Faith-Based Symposium 4				
2/1/2012 - 1/31/2013	\$75,000	\$74,894	\$74,894	\$0
<b>Totals:</b>	<b>\$3,870,596</b>	<b>\$3,993,192</b>	<b>\$3,948,278</b>	<b>\$44,914</b>

# 2013 GRANTS & CONTRACTS AWARDS REPORT

Budget Period	RFP Amount	Awarded Amount	YTD Expended Amount	Balance
<b>A Circle of Ten</b>				
Building Community Capacity through Collaboration Projects-1				
1/1/2013 - 12/31/2013	\$75,000	\$75,000	\$53,042	\$21,958
<b>A Circle of Ten</b>				
Capacity Building (Contract)				
1/2/2013 - 12/31/2013	\$21,000	\$21,000	\$15,947	\$5,053
<b>Advocacy for Living in Mainstream America (ALMA)</b>				
Outreach & Development 8				
1/1/2013 - 12/31/2013	\$10,000	\$10,000	\$6,020	\$3,980
<b>Any Baby Can of San Antonio, Inc</b>				
Health & Fitness 1				
3/1/2013 - 2/28/2014	\$250,000	\$228,610	\$123,279	\$105,331
<b>ARCF Community Services</b>				
Outreach & Development 9				
7/1/2013 - 6/30/2014	\$10,000	\$7,367	\$306	\$7,061
<b>Austin Travis County Integral Care</b>				
Central Texas African American Family Support Conference (Contract)				
9/1/2013 - 8/31/2014	\$6,870	\$6,870	\$0	\$6,870
<b>Brighton School, Inc.</b>				
Exp of Existing Leadership Development & Advocacy Skills Trng Projects (ELDAST 2				
10/1/2012 - 9/30/2013	\$20,000	\$20,000	\$19,943	\$57
<b>Community Healthcare</b>				
Building Community Capacity through Collaboration Projects-2				
2/1/2013 - 7/31/2014	\$75,000	\$75,000	\$7,363	\$67,637
<b>Data Momentum</b>				
Support for Advocacy U (Contract)				
3/1/2013 - 2/28/2014	\$15,000	\$15,000	\$4,100	\$10,900
<b>Department of Assistive and Rehabilitative Services</b>				
Higher Education 3				
2/1/2013 - 1/31/2014	\$225,000	\$225,000	\$89,458	\$135,542
<b>East Texas Center for Independent Living</b>				
Building Community Capacity through Collaboration Projects-3				
1/1/2013 - 12/31/2013	\$75,000	\$74,640	\$38,796	\$35,844
<b>Educational Programs Inspiring Communities, Inc.</b>				
Enabling Technology 1				
6/1/2013 - 5/31/2014	\$225,000	\$225,000	\$128,580	\$96,420

Budget Period	RFP Amount	Awarded Amount	YTD Expended Amount	Balance
<b>Epilepsy Foundation Texas</b>				
Health & Fitness 2				
6/1/2013 - 5/31/2014	\$250,000	\$249,750	\$38,391	\$211,359
<b>Imagine Enterprises Inc</b>				
Self-Advocacy as Speakers 2				
5/1/2013 - 4/30/2014	\$125,000	\$124,999	\$24,993	\$100,006
<b>Imagine Enterprises Inc</b>				
Exp of Existing Leadership Development & Advocacy Skills Trng Projects (ELDAST 3				
1/1/2013 - 9/30/2013	\$20,000	\$20,000	\$12,060	\$7,940
<b>Jewish Family Service of Dallas</b>				
Inclusive Faith-Based Symposium 3				
5/1/2013 - 4/30/2014	\$75,000	\$75,000	\$14,539	\$60,461
<b>NAMI Texas</b>				
New Leadership Development & Advocacy Skills Trng (NLDAST 3)				
4/1/2013 - 3/31/2014	\$75,000	\$74,971	\$22,413	\$52,558
<b>OneStar Foundation</b>				
Inclusive Faith-Based Symposium 1				
4/16/2013 - 4/30/2014	\$75,000	\$64,833	\$0	\$64,833
<b>Paso del Norte Children's Development Center</b>				
Exp of Existing Leadership Development & Advocacy Skills Trng Projects (ELDAST 1				
10/1/2012 - 9/30/2013	\$20,000	\$20,000	\$18,409	\$1,591
<b>REACH Families</b>				
Outreach & Development 10				
9/1/2013 - 8/31/2014	\$10,000	\$9,910	\$0	\$9,910
<b>Region 17 ESC</b>				
Families in Schools				
6/1/2013 - 5/31/2014	\$300,000	\$300,000	\$9,246	\$290,754
<b>Region 19 ESC</b>				
Exp of Existing Leadership Development & Advocacy Skills Trng Projects (ELDAST 4				
10/1/2012 - 9/30/2013	\$20,000	\$20,000	\$19,716	\$284
<b>SafePlace</b>				
Meaningful Relationships				
8/1/2013 - 3/31/2014	\$125,000	\$123,527	\$8,716	\$114,811
<b>SER Jobs for Progress</b>				
Exp of Existing Leadership Development & Advocacy Skills Trng Projects (ELDAST 5				
12/1/2012 - 11/30/2013	\$20,000	\$20,000	\$0	\$20,000
<b>Strategic Education Solutions, LLC</b>				
Enabling Technology 2				
5/1/2013 - 4/30/2014	\$225,000	\$225,000	\$102,679	\$122,321

Budget Period	RFP Amount	Awarded Amount	YTD Expended Amount	Balance
<b>Texas A&amp;M University</b>				
3/1/2013 - 2/28/2014	\$225,000	\$225,000	\$153,977	\$71,023
<b>Texas A&amp;M University</b>				
8/1/2013 - 7/31/2014	\$75,000	\$75,000	\$0	\$75,000
<b>Texas Advocates</b>				
5/1/2013 - 4/30/2014	\$75,000	\$75,000	\$6,654	\$68,346
<b>Texas Center for Disability Studies</b>				
10/1/2012 - 10/31/2012	\$38,546	\$38,546	\$44,704	(\$6,158)
<b>Texas Center for Disability Studies</b>				
11/1/2012 - 10/31/2013	\$45,747	\$45,747	\$25,439	\$20,308
<b>Texas Parent to Parent</b>				
3/1/2013 - 2/28/2014	\$0	\$58,700	\$23,485	\$35,215
<b>Texas State Independent Living Council</b>				
2/1/2013 - 1/31/2014	\$75,000	\$75,000	\$53,685	\$21,315
<b>Texas State Independent Living Council</b>				
4/1/2013 - 3/31/2014	\$250,000	\$250,000	\$76,707	\$173,293
<b>Texas Tech University</b>				
10/1/2012 - 9/30/2013	\$175,000	\$174,854	\$125,000	\$49,854
<b>Texas Tech University</b>				
1/1/2013 - 12/31/2013	\$75,000	\$74,996	\$42,226	\$32,770
<b>Texas Tech University</b>				
12/1/2012 - 1/31/2014	\$225,000	\$217,079	\$117,638	\$99,441
<b>The Arc of Dallas</b>				
4/1/2013 - 3/31/2014	\$75,000	\$75,000	\$27,157	\$47,843
<b>The Arc of Greater Tarrant County</b>				
7/1/2013 - 6/30/2014	\$75,000	\$75,000	\$8,333	\$66,667

Budget Period	RFP Amount	Awarded Amount	YTD Expended Amount	Balance
<b>The Arc of San Angelo</b>				
Alternatives to Guardianship-Volunteer Advocate Pilot Program				
5/1/2013 - 3/31/2014	\$75,000	\$75,000	\$0	\$75,000
<b>The Arc of Texas</b>				
New Leadership Development & Advocacy Skills Trng (NLDAST 5)				
5/1/2013 - 4/30/2014	\$75,000	\$75,000	\$16,168	\$58,832
<b>The Arc of Texas</b>				
Texas Microboard Collaboration				
10/1/2012 - 9/30/2013	\$0	\$62,596	\$61,756	\$840
<b>Volar Center for Independent Living</b>				
Building Community Capacity through Collaboration Projects-5				
1/1/2013 - 6/30/2014	\$75,000	\$75,000	\$28,797	\$46,203
<b>VSA Arts of Texas</b>				
Self-Advocacy as Speakers 1				
5/1/2013 - 4/1/2014	\$125,000	\$125,000	\$34,875	\$90,125
<b>West Central Texas Regional Foundation</b>				
Inclusive Faith-Based Symposium 4				
2/1/2013 - 1/31/2014	\$74,000	\$74,322	\$40,227	\$34,095
<b>Totals:</b>	<b>\$4,181,163</b>	<b>\$4,258,317</b>	<b>\$1,644,824</b>	<b>\$2,613,493</b>

# PLANNED GRANTS/CONTRACTS

Budget Period	RFP Amount	Awarded Amount	YTD Expended Amount	Balance
<b>Accessible Parking Campaign</b>				
9/1/2013 - 8/31/2014	\$80,000	\$0	\$0	\$0
<b>Partnership with AA Clergy to Support Families</b>				
12/1/2013 - 11/30/2014	\$75,000	\$0	\$0	\$0
<b>Self Advocate Community Organizing</b>				
12/1/2013 - 11/30/2014	\$100,000	\$0	\$0	\$0
<b>Texas Center for Disability Studies</b>				
1/1/2014 - 12/31/2014	\$20,000	\$0	\$0	\$0
<b>Totals:</b>	<b>\$275,000</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>

**S T I P E N D E X P E N D I T U R E S**

ORGANIZATION	MONTH OF EVENT	EXPENDED	NUMBER SERVED	PREVIOUSLY SERVED	COMMENTS/CLOSED
<b>FYE 9-30-12</b>					
Volar Center for Independent Living	Oct-2011	6,000	73	5	✓
Partners Resource Network	Dec-2011	5,998	22	0	✓
Texas A&M University	Feb-2012	3,794	16	0	✓
ADDA-SR	Feb-2012	6,000	30	0	✓
The Arc of Texas	Feb-2012	3,036	38	0	✓
SW Chapter Autism Society of America	Mar-2012	1,200	20	6	✓
Texas Parent to Parent	Jun-2012	6,000	29	9	✓
American Association on Intellectual & Developmental Disabilities Texas Chapter (AAIDD-TX)	Jul-2012	5,352	13	4	✓
Texas Advocates	Jul-2012	5,988	54	21	✓
Coalition of Texans with Disabilities	Sep-2012	4,880	22	5	✓
<b>TOTALS:</b>		<b>\$48,248</b>	<b>317</b>	<b>50</b>	

**FYE 9-30-13**

ADTRC	Oct-2012	4,566	19	1	✓
Volar Center for Independent Living	Oct-2012	6,000	53	11	
Community Options, Inc.	Nov-2012	6,000	6	0	✓
NAMI Texas	Nov-2012	5,890	62	0	✓
Austin Travis County Integral Care	Feb-2013	5,500	16	0	Speakers ✓
ADDA-SR	Feb-2013	5,912	47	0	✓
The Arc of Texas	Feb-2013	3,556	20	9	✓
Austin Travis County Integral Care	Feb-2013	6,000	16	0	✓
Jewish Family Services of Houston	Feb-2013	5,000	500	0	✓
Texas A&M University	Feb-2013	5,813	34	3	✓
Coalition of Texans with Disabilities	Mar-2013	1,893	7	4	✓
Harris County Department of Education	Jun-2013	4,102			Speakers
University of North Texas	Jul-2013	4,750	50	0	✓
American Association on Intellectual & Developmental Disabilities Texas Chapter (AAIDD-TX)	Jul-2013	3,775	10	1	✓
Texas Parent to Parent	Jul-2013	6,000	37	5	✓
Texas Advocates	Aug-2013	5,988	54	19	
The Arc of Greater Beaumont	Aug-2013	6,000			Speakers ✓
Providers Alliance for Community Services of Texas (PACSTX)	Sep-2013	5,000			Speakers
<b>TOTALS:</b>		<b>\$91,745</b>	<b>931</b>	<b>53</b>	

**NOTE: Budgeted amount used if stipend is not closed.**

**Background:**

Staff provide this document to assist Council members in monitoring progress towards goals in the current State Plan and to inform future discussions about activities or Plan amendments. The document includes suggested “Next Steps” that might include possible amendments to the Plan.

**Committee of the Whole**

**Agenda Item 6.**

**Expected Action:**

The Committee will review and provide guidance to staff.

**TCDD FY2012 – 2016 State Plan:  
Progress in Year 2 and Suggested Next Steps**

<b>Goal 1:</b> Build collaborations within at least one geographic region served by an Education Service Center (ESC) to demonstrate ways to create measurable improvement in at least two identified indicators of educational success for students with developmental disabilities by 9/30/16.		
<b>Objective</b>	<b>Status as of 9/30/2013</b>	<b>Suggested Next Step(s)</b>
<p><b><u>Objective 1</u></b> Evaluate achievements of Project IDEAL relative to the impact the program might have on the identified indicators of educational success and determine next steps by 2/28/14.</p>	<p>Reviewed by the Council in FY 2013 and deleted from the State Plan for FY 2014.</p>	<p>Not Applicable (N/A).</p>
<p><b><u>Objective 2</u></b> Identify two indicators of educational success and key criteria to solicit interest from organizations for partnering on activities in a region, by 9/30/12.</p>	<p>Completed in FY 2012.</p>	<p>Continue to monitor Region 17 and Texas as a whole.</p>
<p><b><u>Objective 3</u></b> In the selected ESC region, provide training and/or intervention to support active engagement by at least one family member for every four students who have developmental disabilities, by 9/30/16.</p>	<p>Region 17 Education Service Center selected to implement grant project to address this Objective.</p> <p>Project began 6/1/13. Project period 6/1/13 to 5/31/18</p>	<p>Continue to monitor, provide technical assistance as needed, and evaluate.</p>
<p><b><u>Objective 4</u></b> Partner with other organizations to develop and evaluate a user-friendly template for a summary report of educational outcomes of students with developmental disabilities within a school district or school that may be used by organizations to provide information to parents, by 9/30/15.</p>	<p>Information determined to be easily available through a searchable database called the Academic Excellence Indicator System on the TEA website.</p> <p>Reviewed by the Council in FY 2013 and deleted from the State Plan for FY 2014.</p>	<p>Not Applicable (N/A).</p>
<p><b><u>Objective 5</u></b> Demonstrate how appropriate assistive technology can enable students with developmental disabilities to reach their educational goals, by 3/31/16.</p>	<p>No action taken.</p>	<p>Review and determine if this continues to be a priority or if an amendment is needed.</p>

**Goal 2:** Establish at least two programs that assist Texans with developmental disabilities to gain competitive employment and/or to increase their personal income and assets, and that continue to operate after the completion of a maximum of 3-5 years of TCDD funding, by 9/30/16.

Objective	Status as of 9/30/2013	Suggested Next Step(s)
<p><b><u>Objective 1</u></b>            Implement a program that provides supports and on-the-job learning opportunities to students with developmental disabilities in a post-secondary program that results in at least 80 percent of students who participate for two or more years in the program gaining jobs related to their desired careers within six months of completing their education, by 3/31/16.</p>	<p>Three projects:</p> <p>Texas Tech            Project CASE            10/1/2011-9/30/2016</p> <p>DARS            Project Hire            1/1/2012-12/31/2016</p> <p>TAMU            Bridge to Career in Human Service            10/1/2011-9/30/2016</p>	<p>Continue to monitor, provide technical assistance as needed, and evaluate.</p>
<p><b><u>Objective 2</u></b>            Develop and implement a plan to demonstrate to employers, people with developmental disabilities, and/or family members how available assistive technology can increase job performance and employment options, by 3/31/16.</p>	<p>Two projects:</p> <p>Strategic Educational Solutions            Virtual Job Coach            4/1/12 – 3/31/17</p> <p>Educational Programs Inspiring Communities, Inc.            Application to take inventory            3/1/12-3/28/17</p>	<p>Continue to monitor, provide technical assistance as needed, and evaluate.</p>
<p><b><u>Objective 3</u></b>            Partner with other organizations to expand and evaluate the impact of Project SEARCH in Texas, by 9/30/16.</p>	<p>Tech Works for TX (Administrative Support for Project SEARCH)            Texas Tech            10/1/2012 – 9/30/2017</p>	<p>Continue to monitor, provide technical assistance as needed, and evaluate.</p>
<p><b><u>Objective 4</u></b>            Each year, advocate for legislative and/or policy change to increase the assets a person receiving SSI and/or Medicaid can retain without losing benefits and to remove other policy-related barriers to full-time or part-time employment.</p>	<p>TCDD worked with others to provide technical assistance to legislative offices on two new bills:</p> <ul style="list-style-type: none"> <li>• SB 1226 affirms an “Employment First” policy.</li> <li>• SB 45 requires employment assistance and supported employment to be available services in all Medicaid waivers.</li> </ul>	<p>Continue to participate in advocacy efforts.</p> <p>Project Development Committee to review an Executive Summary for a project entitled “Understanding Employment-Related Supports” (to address certain barriers identified by staff and other advocates) in October 2013.</p>

**Goal 3:** Conduct ongoing educational campaigns in collaboration with community leaders, organizations, and businesses to enable them to better support, include, and/or provide services to people with developmental disabilities by 9/30/2016.

Objective	Status as of 9/30/2013	Suggested Next Step(s)
<p><b><u>Objective 1</u></b> Develop, implement, and evaluate at least two targeted educational campaigns to increase awareness of specific issues and/or to reduce stigma that may negatively impact the life of a person who has a developmental disability, by 9/30/14.</p>	<p>Council selected “Accessible Parking” as the topic for the first campaign. RFP posted 5/31/2013.</p>	<p>Executive Committee to consider review panel comments and recommendations at October 2013 meeting of 3 proposals received.</p> <p>Begin discussion of possible topic for second educational campaign.</p>
<p><b><u>Objective 2</u></b> Provide increased level of support to TCDD during legislative sessions as needed to implement communication activities and to provide information requested by members of the legislature and/or the media.</p>	<p>Completed. Major work included creation of various documents and provision of support to Council members and staff to use Social Media to raise awareness and educate others on disability issues.</p>	<p>No action recommended.</p>
<p><b><u>Objective 3</u></b> Provide information and/or technical assistance to at least four organizations that promote general community development, so that they may better include, support, and address the needs of community members who have developmental disabilities by 9/30/16.</p>	<p>Staff continued to work directly with Circle of 10; OneStar Foundation; West Central Texas Regional Foundation.</p>	<p>Continue to work with organizations, as needed and appropriate, to help them better understand how to include people with developmental disabilities.</p> <p>Develop formal evaluation and tracking system.</p>
<p><b><u>Objective 4</u></b> Work with others to provide information to at least 200 community organizations and/or businesses to better support inclusion of people with developmental disabilities more fully by 9/30/16.</p>	<p>DD network partners have not identified materials needing broader dissemination.</p> <p>Four “Inclusive Faith-Based Communities” grantees continue to assist faith-based communities to better include people with IDD.</p> <p>In FY 2013, developed and awarded stipends to support disability-related presentations at conferences.</p> <p>Staff provided technical assistance to several community organizations.</p>	<p>Continue to consider requests for providing resources to disseminate materials as needed.</p> <p>Consider offering to translate resources to other languages if needed.</p> <p>Continue to monitor and develop tracking system to decrease likelihood of counting the same organization twice.</p>

**Goal 4:** In at least one Health and Human Service (HHS) region, increase the percentage of people with developmental disabilities surveyed who report they have access to the transportation they need to participate in their community in the manner they wish, by 9/30/16.

<b>Objective</b>	<b>Status as of 9/30/2013</b>	<b>Suggested Next Step(s)</b>
<p><b><u>Objective 1</u></b> Partner with disability advocacy groups, public transportation advocacy groups, and/or leadership and advocacy training programs to increase the number of individuals with disabilities who serve on transportation planning entities and are active in transportation planning by 9/30/15.</p>	<p>Accessible Transportation, Accessible Communities RFP posted 6/8/12; one response received. Negotiations with the proposer followed, but ultimately changes in their staffing pattern resulted in being unable to initiate the project.</p> <p>Discussed possible future project with the Project Development Committee.</p>	<p>In October 2013, the Project Development Committee will review an Executive Summary for a project to build the capacity of local communities to improve transportation in their areas. “</p> <p>Consider amending Goal 4 and both Objectives to reflect any decisions made by the Council regarding future transportation projects.</p>
<p><b><u>Objective 2</u></b> Build the capacity of at least four local organizations in the selected Region to provide transportation training to people with developmental disabilities by 9/30/16.</p>	<p>Accessible Transportation, Accessible Communities RFP posted 6/8/12; one response received. Negotiations with the proposer followed, but ultimately changes in their staffing pattern resulted in being unable to initiate the project.</p> <p>Discussed possible future project with the Project Development Committee.</p>	<p>In October 2013, the Project Development Committee will review an Executive Summary for a project to build the capacity of local communities to improve transportation in their areas. “</p> <p>Consider amending Goal 4 and both Objectives to reflect any decisions made by the Council regarding future transportation projects.</p>

**Goal 5:** Demonstrate how to prevent unnecessary admissions to State Supported Living Centers (SSLC) by supporting community organizations in at least 1 HHS Region to increase their capacity to provide community-based services that support people with developmental disabilities to improve and maintain their health and to have access as needed to necessary healthcare, behavior supports, and/or respite, by 9/30/16.

Objective	Status as of 9/30/2013	Suggested Next Step(s)
<p><b><u>Objective 1</u></b> Determine evaluation methodology and gather baseline data.</p>	<p>Plan to use National Core Indicators. Building Community Capacity projects funded to work in East Texas, West Texas, and the Gulf Coast.</p>	<p>Continue as planned.</p>
<p><b><u>Objective 2</u></b> Provide funding to enable at least 10 organizations working in the target region(s) to implement plans that will increase their capacity to provide healthcare services, behavior supports, and/or respite to support people with developmental disabilities living in the community by 9/30/16.</p>	<p>Projects addressing this objective:</p> <p>Building Community Capacity through Collaboration (4):</p> <ul style="list-style-type: none"> <li>Circle of 10 1/1/13 – 6/30/19</li> <li>TX Tech 1/1/13 – 6/30/19</li> <li>Volar CIL 2/1/13 – 1/31/19</li> <li>Community Healthcore 2/1/13 – 1/31/19</li> </ul> <p>Gulf Coast of TX African American Family Support Conference Helpful Interventions, Houston 9/1/12-8/31/13</p> <p>The Council approved an Executive Summary for a project to work a group of African American Pastors to address issues specific to their communities.</p> <p>Two Positive Behavior Interventions and Supports (PBIS) Projects were completed. The Council approved addition of an objective related to PBIS in schools under Goal 1.</p>	<p>Continue to consider whether specific actions need to be taken to address disproportionality of access to, use of, and outcomes from healthcare that is experienced by people who are black, Asian, Hispanic, or Native American.</p> <p>Review Building Community Capacity through Collaboration Projects Strategic Plans as received.</p> <p>Continue to monitor, provide technical assistance as needed, and evaluate.</p>

**Goal 5 (Continued):** Demonstrate how to prevent unnecessary admissions to State Supported Living Centers (SSLC) by supporting community organizations in at least 1 HHS Region to increase their capacity to provide community-based services that support people with developmental disabilities to improve and maintain their health and to have access as needed to necessary healthcare, behavior supports, and/or respite, by 9/30/16.

Objective	Status as of 9/30/2013	Suggested Next Step(s)
<p><b><u>Objective 3 (revised in FY 2013)</u></b>            Pilot at least 5 different strategies to support IDD and their families to be able to have increased control over their personal health and well-being by 9/30/16.</p>	<p>Projects continued this year:            Volunteer-Supported Decision-Making            Arc of San Angelo            4/1/11-3/31/14</p> <p>Meaningful Relationships project:            SafePlace, Austin            2/1/11-1/31/14</p> <p>Three Health and Fitness projects:            “Health and Fitness for People with Developmental Disabilities”            SILC            4/1/12-3/31-17</p> <p>“Any Body Can Wellness Program”            Any Baby Can, San Antonio            3/1/12-2/28/17</p> <p>“Get Fit Texas”            Epilepsy Foundation, Houston            4/1/12-3/31/17</p>	<p>Continue to monitor, provide technical assistance as needed, and evaluate.</p>
<p><b><u>Objective 4</u></b>            Each year of the plan, advocate for reallocation and/or more efficient use of existing resources, necessary policy changes, and/or increased funding to enable individuals with developmental disabilities to access necessary healthcare services, behavioral supports, and respite in the communities in which they wish to live and to prevent unnecessary institutionalization.</p>	<p>Public Policy staff participated in numerous workgroups and advisory committees, offered testimony as appropriate, and provided information to legislative staff as requested.</p> <p>Staff worked with the DD Network Partners on the SSLC Person Centered Thinking (PCT) Proposal, which resulted in development of a project to train 56 PCT Certified Trainers. Expected to begin January 2014.</p> <p>One Microboard project demonstrated an alternative to traditional service provision.            The Arc of Texas, Austin            10/1/08-9/30/13.</p>	<p>Continue and track efforts.</p>

**Goal 5 (Continued):** Demonstrate how to prevent unnecessary admissions to State Supported Living Centers (SSLC) by supporting community organizations in at least 1 HHS Region to increase their capacity to provide community-based services that support people with developmental disabilities to improve and maintain their health and to have access as needed to necessary healthcare, behavior supports, and/or respite, by 9/30/16.

Objective	Status as of 9/30/2013	Suggested Next Step(s)
<p><b>Objective 5</b> Beginning in FY13, develop opportunities to partner with people who have developmental disabilities, families, providers, medical schools, licensing and certification boards, agencies, and/or community-based organizations to provide or develop training and/or practice guidelines that include knowledge related to disability and incorporate components of successful TCDD projects.</p>	<p>Planning staff are exploring projects:</p> <ul style="list-style-type: none"> <li>• training for medical personnel through webinars</li> <li>• facilitating development of a dental clinic, associated with a dental school, to give students experience providing basic dental services to people with developmental disabilities</li> <li>• collaborating with others to adapt Mental Health First Aid training to address how mental health needs might present in someone with a developmental disability</li> </ul>	<p>Continue to gather information to present to the Project Development Committee.</p> <p>Continue to review other relevant grant projects in progress and projects that are completed to determine which resulted in information or models that should be disseminated.</p>

**Goal 6:** Work with others to double the number of identified leadership development and advocacy training programs that are able to provide culturally appropriate training for people with developmental disabilities without ongoing grant funding from TCDD, by 9/30/2016.

Objective	Status as of 9/30/2012	Suggested Next Step(s)
<p><b><u>Objective 1</u></b> Each year of the plan, provide funding or technical assistance to establish and/or strengthen at least one program for the direct funding of a state self-advocacy organization led by individuals with developmental disabilities.</p>	<p>Two projects continued work: TX Advocates; Central, South TX 3/1/12-2/28/15</p> <p>SILC, statewide (focus on rural) 2/1/12-1/31/15</p> <p>Executive Summary approved for “Self-Advocate Community Organizing Project”</p>	<p>Continue to monitor, provide technical assistance as needed, and evaluate.</p> <p>Post RFP for “Self-Advocate Community Organizing Project.”</p>
<p><b><u>Objective 2</u></b> Each year of the plan, support opportunities for individuals with developmental disabilities who are considered leaders to provide leadership training to individuals with developmental disabilities who may become leaders.</p>	<p>Two “Self Advocates as Speakers” projects began:</p> <p>Imagine Enterprises 5/1/13 – 4/30/17</p> <p>VSA Texas 5/1/13 – 4/30/17</p>	<p>Continue to monitor, provide technical assistance as needed, and evaluate.</p>
<p><b><u>Objective 3</u></b> Each year of the State Plan, support and expand participation of individuals with developmental disabilities in cross-disability and culturally diverse leadership coalitions.</p>	<p>TCDD provided funding to support people with developmental disabilities to serve on boards, committees, and workgroups.</p> <p>The Executive Summary TCDD Support for Full Participation of Self-Advocates on Workgroups, approved by the Council in August 2013, will provide up to \$50,000 for up to 1 year for supports that might be needed to assist self-advocates to fully participate.</p> <p>Executive Summary for “Culturally Competent Family Supports,” approved by the Council in November 2012 will include activities to identify and support people who identify with ethnic minority groups to become active leaders and advocates.</p>	<p>Determine how to evaluate whether leadership coalitions are “cross-disability and culturally diverse,” as expected by AIDD.</p> <p>Continuing to explore specific support needs as workgroups are appointed.</p> <p>Post Request for Proposals for “Culturally Competent Family Supports.”</p>

**Goal 6 (Continued):** Work with others to double the number of identified leadership development and advocacy training programs that are able to provide culturally appropriate training for people with developmental disabilities without ongoing grant funding from TCDD, by 9/30/2016.

Objective	Status as of 9/30/2012	Suggested Next Step(s)
<p><b>Objective 4</b> Each year of the plan, support individuals who have developmental disabilities, their family members, and their allies to improve their skills related to self-advocacy, public advocacy, and leadership.</p>	<p>Staff monitored other projects in various stages of operation:            * Projects that ended in FY 2013:                Paso del Norte LAST, El Paso                TAMU (TALAC), Statewide                Brighton, San Antonio                Region 19 (Youth), El Paso                Imagine (Youth), West Texas                SER, Houston            *Existing projects that end in FY15:                NAMI, Statewide                Arc of Dallas, Dallas                TAMU, Bryan-College Station                Arc of Texas, Central Texas</p> <p>TCDD contracted with Circle of 10 to assist these grantees to develop sustainability for those programs.</p> <p>TCDD provided funding to help people with IDD or family members to attend conferences or to serve on boards, committees, and workgroups; and worked with "Outreach and Development" projects to increase knowledge necessary to develop culturally competent programs.</p> <p>Advocacy U continued to be supported during FY 2013, but was used little by other organizations. A decision was made to discontinue support and to offer the website to another organization for use.</p> <p>Approved Executive Summary to fund two year Public Policy Internships for up to 4 students who are recent graduates to work with disability organizations.</p>	<p>Continue to monitor, provide technical assistance as needed, and evaluate.</p> <p>Continue activities to increase capacity of grantee organizations as appropriate.</p> <p>Continue to provide stipends and "Outreach and Development" projects.</p> <p>Amend the Plan to reflect change regarding support of Advocacy U.</p> <p>Post RFP for Public Policy Internships.</p>

**Background:**

Minutes of the August 8, 2013, Project Development Committee meeting are included for your review.

**Project Development  
Committee**

**Agenda Item 3.**

**Expected Action:**

The Committee will review, revise as appropriate, and approve.

**TEXAS COUNCIL FOR DEVELOPMENTAL DISABILITIES**  
**PROJECT DEVELOPMENT COMMITTEE**  
**THURSDAY, AUGUST 8, 2013**  
**DRAFT MINUTES**

**COMMITTEE MEMBERS PRESENT**

Gladys Cortez, Chair	Andrew Crim	David Taylor
Kimberly Blackmon	Scott McAvoy	Cindy Swain, TEA
Manda Hall	Dana Perry	

**COMMITTEE MEMBERS ABSENT**

John C. Morris	Diana Kern	Susan Vardell
Kristine Clark	Rick Tisch	

**ATTENDANTS**

Mary Martinez

**STAFF PRESENT**

Jeri Barnard	Joanna Cordry	Wendy Jones
Martha Cantu	Cynthia Ellison	Susan Mihalik

**CALL TO ORDER**

The Project Development Committee met on Thursday, August 8, 2013, at the DoubleTree Hotel, Austin, Texas 78752. Committee Chair Gladys Cortez called the meeting to order at 1:48 p.m. A quorum was present.

**1. INTRODUCTION OF COMMITTEE MEMBERS, STAFF AND VISITORS**

Committee members, staff and guests were introduced.

**2. PUBLIC COMMENTS**

No public comments were offered.

**3. APPROVAL OF MINUTES**

The Committee reviewed minutes of the May 2, 2013, Project Development Committee meeting.

**MOTION:** To approve the minutes of the May 2, 2013, Project Development Committee meeting minutes as presented.

**MADE BY:** Dana Perry

**SECOND:** Andrew Crim

The motion **passed** unanimously.

**4. CHAIR'S REMARKS**

The Committee received remarks from Chair Cortez about the "icebreaker" at the last meeting. Ms. Cortez appreciated the participation of Committee members and staff.

## **5. MEMBER UPDATES**

The Committee received member updates from David Taylor, Dana Perry, and Andrew Crim.

## **6. STAFF REPORTS**

### **A. Public Information Report**

Planning Coordinator Joanna Cordry presented the Public Information Report, including the Social Media update, which shows a continued increase in the number of Twitter followers and Facebook fans. Cordry also updated members on recent staff departures.

### **B. Status of New/Approved Projects**

Senior Grants Management Specialist Cynthia Ellison reported on the status of three new projects that recently started and the two continuation awards were approved by the Executive Committee.

### **C. Projected Available Funds**

Operations Director Martha Cantu reviewed projections of funds available for additional projects for FY12 - FY14. Cantu also reported that SER will not be continuing their project and will not be using the \$20,000 approved for that continuation.

### **D. Other Updates**

Staff and Chair Cortez shared their experiences at the Administration on Intellectual and Developmental Disabilities Technical Assistance Institute and the National Association of Councils on Developmental Disabilities annual conference which were held back-to-back in July. The Committee discussed some of the challenges that families have in supporting family members who have cognitive disabilities to be safe from people who might try to take advantage of them. Committee members acknowledged that in particular there seems to be a lack of information or resources to guide family members to understand how to prevent sexual assault against adults who may be perceived by others as vulnerable. However, the Committee did not feel that this was an issue that could be effectively addressed by the Council at this time.

## **7. FUTURE ACTIVITIES FOR STATE PLAN IMPLEMENTATION**

### **A. Advocacy U**

The Committee reviewed the Executive Summary for Further Development and Promotion of Advocacy U Website and had a lengthy discussion of the strengths of the site versus the data demonstrating that the site is largely unused. After considering various options, the Committee recommended not authorizing additional funds for this activity. The Committee asked staff to determine how the content on the site might be made available to another organization for their use and management and authorized staff to move forward with that action. The Committee stated that the organization or organization(s) using the site should agree they will not alter the original intent behind the site and must understand that there will be no funding attached. Committee member Andy Crim offered to provide technical assistance to staff if necessary.

**MOTION:** To recommend not authorizing additional funds for the Advocacy U project.

**MADE BY:** Scott McAvoy

**SECOND:** Andrew Crim

The motion **passed** unanimously.

**B. Developmental Disability Policy Fellowships**

The Committee reviewed and recommended Council approval of the Executive Summary for the Developmental Disability Policy Fellows project. The Committee discussed their positive impression of the Hogg Foundation's Fellows' presentation at the Committee of the Whole meeting and advised staff that the Council's Fellows project should follow the same guidelines and should include activities to evaluate outcomes.

**MOTION:** To recommend Council approval of the Executive Summary as presented for the Developmental Disability Policy Fellowships project for up to \$135,000 for year 1; up to \$270,000 for year 2; and up to \$135,000 for year 3.

**MADE BY:** Scott McAvoy

**SECOND:** Cindy Swain

The motion **passed** unanimously.

**C. Accessible Transportation**

The Committee reviewed and discussed possible Accessible Transportation projects and directed staff to develop an Executive Summary for a project to improve transportation and mobility options for Texans with developmental disabilities. The Committee expressed strong interest in developing a project that will bring together and support local grassroots efforts to "create local solutions to a statewide problem." The project should include a transportation summit for diverse stakeholders such as rural school districts, people involved in planning and operating public housing, and people involved in disaster preparedness activities, in addition to traditional stakeholders. The Texas Department of Transportation should be invited as a resource. The Committee envisions that TCDD funding would assist people to attend the summit, to receive assistance and technical expertise from contractors, and to develop and implement strategic plans. Attendees would be required to provide information about their challenges and any promising practices of which they are aware. Lastly, the Committee felt that tying the effort into the implementation of employment-related legislation could be beneficial.

**8. FUTURE PROJECT FUNDING PRIORITIES**

The Committee reviewed the Future Funding Priorities chart. The Family Involvement in Schools project has begun and will be taken off the Priorities list, as will Continued Support for Advocacy U. The Committee made no other changes to the chart, approved continuing the current prioritization order.

**MOTION:** To recommend acceptance of the Future Funding Priorities as presented.

**MADE BY:** Andrew Crim

**SECOND:** Scott McAvoy

The motion **passed** unanimously.

**ADJOURN**

There being no further business, Chair Gladys Cortez adjourned the meeting at 3:38 p.m.

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Roger A. Webb, Secretary to the Council

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Date

**Background:**

Staff will provide updates to Project Development Committee members regarding Public Information activities, the status of new or recently approved projects, and projected available funds. Meeting materials include the following written information for your review prior to the meeting:

- Grant Project Highlights – The quarterly Grant Project Highlights Report is enclosed for review by Committee members. This report provides highlights of grantee accomplishments for a number of current TCDD funded projects. The Project Highlights for the Faith-Based Symposium projects will be presented by grants staff at the Committee of the Whole

Staff may also refer to the following printed materials, found behind other Tabs:

- Public Information Report - This quarterly report includes recent public information staff activities related to creating awareness and building connections. Tab 16
- TCDD Quarterly Financial Report – This report summarizes TCDD’s approved budget and year-to-date expenditures and is used in projecting available funds for additional projects in future years. Tab 7

TCDD staff may also provide updates to the Committee of other achievements or items of concern.

**Project Development Committee**

**Agenda Item 6.**

**Expected Action:**

No action is anticipated; information item only.

**Council**

**Agenda Item 14. A.**

**Expected Action:**

The Council will review discussions on this item. No action is anticipated.

**TCDD Higher Education Project Highlights  
October 2013**

**Inclusive Faith-Based Symposium**

**RFP Intent:** The project intent is to collaborate with leaders of faith-based organizations in order to compare experiences and share resources so that formal and informal community supports available to people with developmental disabilities may be increased.

**Grantee: OneStar Foundation**

Project Title: Austin Interfaith Inclusion Network (AIIN)  
Project Location: Austin

Year: 2 of 3  
TCDD Budgeted: \$75,000

**Accomplishments:**

- Developed an interfaith network that includes more than 25 faith-based organizations representing Catholic, Jewish, Hindu, Buddhist, interfaith, Muslim, Protestant and Evangelical congregations
- Held first faith inclusion symposium in October 2012
- Created an information and resource kit for faith communities including tips for engaging people with disabilities, suggestions from family members, and information on community supports, physical and attitudinal accessibility and religious education
- Year 2 symposium will take place on October 16, 2013

**Sustainability:**

- The vision for this project is that the Austin Interfaith Inclusion Network (AIIN) will ultimately become self-sustaining as the members of the Network weave what they learn into the fabric of their communities. Blueprints for establishing inclusion plans in the areas of worship, service, communication and social activities will be developed and made available for future use. The organization will also apply for competitive funding from the Corporation for National and Community Service to expand the AIIN model to other parts of the State of Texas

**Products:** Every Member Matters: An Information and Resource Kit; Videos: Personal stories, Awards and Recognition Nomination Form, informational brochure, event invitations, e-blasts, event registration forms

**Grantee: West Central Texas Regional Foundation**

Project Title: Inclusive Faith-Base Communities Symposium  
Project Location: Abilene

Year: 2 of 3  
TCDD Budgeted: \$75,000

**Accomplishments:**

- Self-evaluation survey distributed to 30 faith-based organizations
- Held first faith inclusion symposium in April 2013
- Organized an informational event for leaders of faith-based organizations
- Fall festival for people with disabilities and their families planned for October 14, 2013. Partnering faith organizations and community-based organizations have been invited to set up booths at the event to reach out to attendees

**Sustainability:**

- It is anticipated that through outreach and workshops specific and targeted towards support groups, ministerial alliances, and social groups in the community this project can extend long after funds have been fully utilized through coordination among the various groups involved

**Products:** Symposium presenter survey, self-evaluation survey, directory of faith-based organizations that promote inclusion of persons with disabilities, event invitations, program of events, flyers

**Grantee: Jewish Family Service of Dallas**

Project Title: Faith Inclusion Network of Dallas (FIND)

Year: 2 of 3

Project Location: Dallas

TCDD Budgeted: \$75,000

**Accomplishments:**

- Held first faith inclusion symposium in February 2013
- Established the Faith Inclusion Network of Dallas
- Assembled a promotional packet for network members that includes faith inclusion resources, an informative brochure, and a DVD about the project
- Created a DVD to explain the project and its purpose

**Sustainability:**

- The symposium will include workshops addressing the challenge of sustaining change. Ongoing, consultative and networking support will be facilitated by Project Advisory Committee members throughout the grant cycle. This will provide continuity between symposia and continue to build faith-based participant organizations capacity to initiate and sustain change during and following the duration of the grant

**Products:** Informational video, community consumer survey, informational brochure, event invitations, e-blasts, flyers promoting both the project and the symposium, program of events

**Grantee: The Arc of Greater Tarrant County**

Project Title: Inclusive Faith-Based Communities Symposium

Year: 2 of 3

Project Location: Ft. Worth

TCDD Budgeted: \$75,000

**Accomplishments:**

- Held first faith inclusion symposium in May 2013
- Planning leaders have been educated on People First Language (PFL) and have helped project staff develop PFL materials for distribution at the symposium
- Currently developing a toolkit for faith-based organizations. The toolkit will include information that is intended to assist faith-based organizations in including and ministering to individuals and families impacted by Intellectual and Developmental Disabilities (IDD)

**Sustainability:**

- The IDD Needs Council of Tarrant County will develop a faith based committee to ensure that project activities will continue after funding expires. The Council will also solicit grant funds from several local foundations and larger church homes if necessary to continue the symposium, making it an annual event

**Products:** Event invitations, press releases, e-blasts, evites, event registration form, informational brochure

**Faith Inclusion Collaboration**

- Project Directors from each of the four inclusive faith-based symposium projects attended a meeting in Austin facilitated by Bill Gaventa, M. Div. to discuss their projects' successes and struggles in year one
- The focus of the two day event was to encourage the directors to collectively discuss and address different aspects of their individual projects as well as assist them in developing plans for year two
- The four directors concluded that they would like to collaborate to create a statewide faith inclusion network
- The meeting concluded with the development of individualized action plans for each project and strategic next steps for the creation of a statewide network

## Selection of Nominating Committee Member

Tab 13

### Background:

Council Policies provide for a Nominating Committee to be established each year at the fall Council meeting. Both the Public Policy Committee and the Project Development Committee will select **one committee member** to be a member of the Nominating Committee. The Council will select a **third member** of the Committee. Those three members will select a Committee Chair from among their members at their first meeting.

The Nominating Committee will bring forward recommendations at the February Council meeting for Council Vice-Chair and for the consumer member-at-large on the Executive Committee. TCDD Policies limit members from serving more than two consecutive terms as Vice-Chair. **Andy Crim** is currently serving in his first term as Council Vice-Chair and is eligible for another term.

Council Policies do not limit the number of consecutive terms that a member may serve as the consumer member-at-large to the Executive Committee. **Diana Kern** is in her first consecutive term as the consumer member-at-large and is eligible for another term. She previously served terms in 2006 & 2007.

Please remember that members of the nominating committee are **not** eligible to be considered for a nomination to either of these positions. State agency representatives are eligible to serve on the nominating committee.

<u>Project Development Committee</u>  <u>Agenda Item 7.</u>	<u>Expected Action:</u>  The Committee will select one member of the Committee to serve as a member of the Nominating Committee.
<u>Public Policy Committee</u>  <u>Agenda Item 6.</u>	<u>Expected Action:</u>  The Committee will select one member of the Committee to serve as a member of the Nominating Committee.
<u>Council</u>  <u>Agenda Item 7.</u>	<u>Expected Action:</u>  The Council will select one Council member to serve on the Nominating Committee.

**Background:**

Behind this tab are two Executive Summaries for possible future Grant Projects, and information related to Goal 1, Objective 4 in the TCDD State Plan.

- ***Accessible Transportation Project***

At the Project Development Committee meeting on August 8, 2013, the Committee discussed possible ways to address transportation issues in Texas. The Committee asked staff to develop an Executive Summary for a project to assist local groups to support each other to find solutions to the specific transportation barriers they experience in their communities.

- ***Understanding Employment Options and Supports Training***

The Committee will discuss a possible project to develop presentations that debunk existing myths about employment and share information about various available opportunities, including those created by TCDD grant projects. These presentations would be filmed and edited for later use. The Project Development Committee may choose to make recommendations to the Council for a future project.

- ***Assistive Technology in Education***

The Project Development Committee will discuss the continued relevance of Goal 1, Objective 4, in the FY 2012-2016 State Plan: “Demonstrate how appropriate assistive technology can enable students with developmental disabilities to reach their educational goals, by 3/31/2016.” A summary is included behind this Tab sheet.

**Project Development Committee**

**Agenda Item 8.**

**Expected Action:**

The Project Development Committee will discuss the executive summary and may make recommendations to the Council.

**Council**

**Agenda Item 11.**

**Expected Action:**

The Council will consider recommendations from the Project Development Committee.

# **Funding Proposal Executive Summary Building Community Capacity: Accessible Transportation**

## **Background**

Texans with developmental disabilities and their families experience significant barriers to full inclusion in their communities because they do not have adequate transportation. In general, public transportation frequently may be too limited in availability, may not meet individual needs, and/or may be inordinately difficult to navigate. Using private transportation may not be an option due to the expense or because it is not accessible. Other barriers that may be felt more strongly in some geographic areas of the state than in others may include:

- A lack of interagency coordination for transportation needs
- Inadequate transportation options in rural areas
- Difficulty coordinating transportation from urban areas to suburban areas
- Language barriers in finding and accessing transportation
- Challenges to pedestrian travel, including absence of curb cuts, sidewalks and accessible transit stops

The Texas Council for Developmental Disabilities' (TCDD) Five Year State Plan places a high priority on improving transportation for Texans with disabilities. TCDD recognizes that successfully influencing transportation planning requires collaboration between diverse partners to organize local communities. Previous TCDD grant projects demonstrated that establishing and supporting local transportation alliances that include people with developmental disabilities and their allies in transportation planning can be an effective method of creating systems change in transportation systems.

TCDD's previous project coordinated and assisted with community recruitment, training, and organizing. The project also provided the initial funding and technical assistance to facilitate the self-sufficiency of each alliance. Alliances linked together and developed commitments from a wide range of partners who might positively influence transportation planning at the state level. The project was able to develop active alliances that enabled people with disabilities to influence transportation planning in San Antonio, Fort Worth, East Texas, Houston, and El Paso. Some of these alliances continue to be active and have been able to secure additional funding to support ongoing work.

In 2012, TCDD posted Request for Proposals 2012-4: Accessible Transportation, Accessible Communities, intending to provide funds for one entity to implement an ambitious project to improve availability of accessible transportation over a wide geographic area. The RFP process did not result in a project being funded but it did confirm that local organizations seek access to or want to develop the resources to effectively address transportation issues in their own communities. This could be accomplished by providing opportunities for these organizations to come together in a learning environment where they can share as well as receive technical assistance and information from recognized experts. A grantee organization with sufficient knowledge, skill, and funding could arrange support for groups actively working on finding solutions to local transportation problems, without being required nor expected to coordinate community organizing activities.

## State Plan Goal

**Goal 4:** In at least one Health and Human Service (HHS) region, increase by 1% the percent of people with developmental disabilities surveyed who report they have access to the transportation they need to participate in their community in the manner they wish, by 9/30/2016.

**Objective 1:** Partner with disability advocacy groups, public transportation advocacy groups, and/or leadership and advocacy training programs to increase the number of individuals with disabilities who serve on transportation planning entities and are active in transportation planning by 9/30/2015.

**Objective 2:** Build the capacity of at least four local organizations in the selected Region to provide transportation training to people with developmental disabilities by 9/30/2016.

## Expected Outcome

At least two collaborative groups will create a measurable increase in the percent of people with developmental disabilities who report they have better access to the transportation they need.

## Project Description

The TCDD grantee organization would coordinate and host at least 3 transportation summits for organizations and individuals who will actively collaborate with others in their community to address local transportation issues. Prior to each summit, the grantee will gather information from local groups regarding their experiences and their goals before determining what activities and presentations will occur at the summit. At the summit, local groups will receive support to develop, adapt, or revise plans to guide what they are doing at a local level, and they will share this information with other groups. The grantee organization will also maintain contact with local groups between summits to assist them to access any additional information, training, or technical assistance they need to reach their goals. The initial summit should cover the following topics:

- Relevant policies that support or impede increasing accessible, reliable and coordinated public transportation systems
- Models that have been used successfully in other locations to address common transportation barriers
- Tools that can help with data gathering and evaluation of project activities and outcomes
- Technical assistance to ensure that local groups fully include people with disabilities in meaningful ways
- Methods of coordinating outreach activities
- Ways to develop non-traditional partnerships

TCDD expects that the grantee organization will develop a relationship with the Texas Department of Transportation (TXDOT) to assure their involvement in the project, and would give preference to organizations applying for grant funds that are able to demonstrate a likelihood of partnering with TXDOT in developing the summits.

The grantee must gather and share the following data, at a minimum:

- Results of pre- and post- evaluations of Summit activities to demonstrate knowledge gained
- Personal stories from local communities
- Number of people attending each summits
- Percent of people who report they remain active 9-12 months after the summit
- Number of people in local communities reporting improved access to transportation
- Policies identified by local communities that supported or impeded improved access to transportation
- Total dollars leveraged through project activities
- Names of the organizations collaborating
- The number of individuals with disabilities directly involved in project activities and descriptions of how they were involved.

### **Proposed Funding Amount**

Up to \$150,000 per year, for years 1, 2, and 3; up to \$125,000 for year 4; and up to \$100,000 for year 5.

Matching funds of at least 25% of the total project costs are required except for activities conducted in designated poverty areas of the state. To encourage sustainability, TCDD strongly recommends match amounts or funds leveraged to increase each year of the project after year 2.

### **Proposed Duration**

Up to five years.

### **Other Considerations**

As stated previously, TCDD would give preference to organizations applying for grant funds that are able to demonstrate a likelihood of partnering with TXDOT in developing the summits.

# Funding Proposal Executive Summary

## Understanding Employment Options and Supports

### Background

TCDD has invested and continues to invest heavily in initiatives to expand employment options for Texans with developmental disabilities. Community Healthcore and VSA Texas both recently completed grant projects demonstrating effective customized self-employment models. Other TCDD Grant employment related projects that currently receive funding include:

- One project to collaborate with the Project SEARCH® national office and local organizations to increase the number of Project SEARCH sites in Texas and to gather information about barriers encountered across the state.
- Two projects to demonstrate how affordable, widely available technology can assist people with developmental disabilities to gain and maintain competitive employment.
- Three projects to develop systems of supports that can help individuals with developmental disabilities to complete post-secondary education that leads to them reaching their employment goals.

Additionally, TCDD collaborated with other organizations and agencies to provide technical assistance to legislative offices around two new employment-related bills passed by the Texas Legislature in 2013:

- SB 1226 (Employment First) affirms that it is the policy of the state that the priority and preferred outcome for working-age individuals with disabilities who receive public benefits is earning a living wage through competitive employment in the general workforce.
- SB 45 requires employment assistance and supported employment to be available services in all Medicaid waivers.

While TCDD's projects have received media attention, many people across the state are still not aware of the range of opportunities that can assist individuals with developmental disabilities to become competitively employed. Also, staff from the Department of Assistive and Rehabilitative Services (DARS), advocates, and families report a widespread misunderstanding about social security options – many individuals and families mistakenly believe that an adult with disabilities who becomes employed may no longer receive SSI/SSDI and health benefits, and others do not fully appreciate the impact that work has on SSI/SSDI benefits until their benefits are reduced. DARS provides training about various options that allow individuals to retain SSI/SSDI benefits when working; however, their capacity to train all those who may need this information is limited.

### State Plan Goal

**Goal 2:** Establish at least two programs that assist Texans with developmental disabilities to gain competitive employment and/or to increase their personal income and assets, and that continue to operate after the completion of a maximum 3-5 years of TCDD funding, by 9/30/2016.

**Objective 4:** Each year, advocate for legislative and/or policy change to increase the assets a person receiving SSI and/or Medicaid can retain without losing benefits and to remove other policy-related barriers to full-time or part-time employment.

## Expected Outcome

The desired long-term outcome is that an increased number of individuals, families, and service providers will use SSI/SSDI programs, waiver programs, and other formal and informal supports effectively to help individuals with disabilities to gain and maintain competitive employment without losing necessary benefits.

## Project Description

This project would increase the availability of presentation-style training that effectively addresses the risks associated with competitive employment for individuals with developmental and other significant disabilities, including the loss or reduction of public benefits like Medicaid and SSI/SSDI.

The project would work with agencies that provide such training to:

- refine, package, add to, or otherwise adapt existing training as necessary;
- confirm that the method of presentation is effective and appropriate by asking representatives of the target audience – a diverse group of individuals with disabilities, family members, and service providers – to view the presentation and complete pre- and post- tests; and
- record and package the training for later use by individuals or by groups that wish to incorporate the presentations into an event they are hosting.

The project could also simultaneously inform individuals and families about the employment-related models that TCDD and others have developed and continue to develop. Materials, translated into multiple languages, might also need to be edited or adapted to accompany those presentations.

Examples of topics to be addressed include:

- income disregards
- how to maintain SSI/SSDI and/or Medicaid benefits
- available employment services through waiver programs through DADS
- available employment services available from DSHS
- available employment services available from DARS
- the application process related to Impaired Work Related Expenses (IWRE)
- Customized Self Employment
- Ticket to Work
- the Plan to Achieve Self-Support (PASS) Program
- implications of the Affordable Care Act
- financial management skills
- Texas' Medicaid Buy-in options
- other available tools or programs that assist people in becoming more financially self-sufficient

- becoming an employment provider

The organization preparing these presentations will be expected to gather input from other TCDD grantees that have employment- related projects; state agency staff; and other stakeholders as requested by TCDD.

Grant funds could be used to:

- involve recognized experts in the adaptation of the materials and as presenters on different topics (note: “recognized experts” would include self-advocates and family members with personal experience as well as professionals)
- create and edit video/audio recording of the presentations
- provide necessary captioning, subtitles and translation into another language
- purchase available materials as appropriate
- adapt and translate materials as appropriate

### **Proposed Funding Amount**

Up to \$150,000 per year

### **Proposed Duration**

Up to two years

### **Other Considerations**

Organizations implementing this project may choose to hold an “Understanding Employment Options and Supports Conference” as an opportunity to conduct the majority of the video recording. However, a conference would not be required.

## **Executive Summary**

### **Assistive Technology in Schools – Discussion Guide**

#### **Background**

The TCDD FY 2012-2016 State Plan includes Objective 1.4: “Demonstrate how appropriate assistive technology can enable students with developmental disabilities to reach their educational goals, by 3/31/2016.” When the Plan was developed, the Council was interested in funding projects to demonstrate how technology could improve job performance by, and increase employment options for, individuals with developmental disabilities (this is Objective 2.2 of the Plan). Then, when the Council authorized funding for an Executive Summary that led to RFP 2011-5: “Enabling Technology,” the scope was broadened to allow submission of proposals for projects to demonstrate assistive technology in either employment or education settings. Objective 1.4 was drafted as a “placeholder” in the plan for education-related projects that were expected to be funded by this RFP.

While one of the proposals funded is developing technology applications intended to assist students with disabilities be successful in employment, none of the proposals submitted addressed technology applications in specific only to education settings as envisioned by the Plan Objective. Other than two inquiries regarding TCDD funding to develop programs to teach or expand the use of American Sign Language, TCDD has received neither public input nor inquiries about the use of assistive technology in schools. Additionally, TCDD is unaware of any data repository that outlines the unmet need for assistive technology.

Anecdotal reports suggest that the primary need related to the use of assistive technology in schools is that students who depend on assistive technology in school may not have access to the same technology in other environments. Although public agencies must permit a child to use school-purchased assistive technology devices at home or in other settings if the IEP team determines that this is needed to receive a Free and Appropriate Public Education, it appears that schools sometimes do not allow students to remove assistive technology from the school. Unfortunately, families may not be able to afford to buy equipment for their child’s use. This barrier would not likely be resolved by a project that demonstrates the benefits of assistive technology.

In Texas, there are two programs that are responsible for addressing the assistive technology needs of people with disabilities: the Texas Technology Access Program and the Texas Assistive Technology Network.

The Texas Technology Access Program coordinates Texas’ work related to the federal Assistive Technology Act of 2004 and works to improve awareness of and access to Assistive Technology. TTAP supports demonstration centers, operates a technology loan program that is available to any Texan, and works with a medical equipment reutilization program to provide refurbished equipment through long-term loans to persons with disabilities who can demonstrate financial need.

Within the public school system, Region IV Education Service Center (ESC) has the responsibility for establishing and supporting the Texas Assistive Technology Network. The network, which includes all 20 ESCs and the Texas Education Agency, promotes collaboration and provides technical assistance, training and information to support school districts that provide students with assistive technology.

Staff recommend deleting Objective 1.4 from the TCDD FY2012 – 2016 State Plan. If the Council decides to develop additional projects in the future related to the use of assistive technology in education, a partnership could be developed with the Texas Technology Access Program and the Texas Assistive Technology Network.

Attached, for the Committee's information, is the Executive Summary that authorized funding for the original "Enabling Technology" project.

**Future Funding Proposal**  
**Executive Summary**  
**Enabling Technology: Collaborative Design for the Future – Revised**  
**May 6, 2011**

**Background**

Almost all Americans use technology on a daily basis to increase their physical comfort, to travel across long distances, to connect with others, to entertain themselves, to enable them to reach goals, and/or to overcome environmental barriers. Technology provides tools that can improve quality of life and productivity for everyone, including people with developmental disabilities. Some of the technological tools most frequently used by people with developmental disabilities are specialized and disability-specific – these typically fall in the category of “assistive technology.” However, many of the tools that improve the quality of life for people with developmental disabilities are generic; they are the same products widely used by consumers with diverse characteristics who don’t necessarily have disabilities. Examples of this type of technology include cell phones, subtitles for language translation, voice-recognition software; global positioning system (GPS) satellite tracking that helps people navigate city streets; talking books; computers; and the internet (including social networking technologies). Additionally, technology is being developed for specific uses not necessarily related to disability, such as robotic tools that are operated remotely; long-range monitoring and sensing equipment; and microchip-enhanced cards (or wearable items such as wristbands) that contain information, allow access to restricted areas, or serve as cashless debit cards.

Although an obvious financial benefit exists to ensuring that new technology being marketed to the general public appeals to and/or meets the needs of people with developmental disabilities, this group is not often considered a target market and is rarely taken into account during the development of these products. However, this may change as technology companies strive to stay competitive by being responsive to the changing needs and desires of baby boomers who are aging and of soldiers who have returned from Iraq with significant disabilities. Companies that develop devices for the “typical” public will be confronted with the reality that more and more “typical” people have disabilities, including individuals who acquire a disability as part of the aging process. Forward-thinking, successful technology-focused companies may realize that tweaking their existing products or building accessibility into the initial design of new products will result in a broader customer base – especially if the increased manufacturing and availability of these products results in a cost reduction for individuals.

Currently, the input of people with developmental disabilities frequently is not valued – nor even solicited - in the initial design of new technology that is intended for the general public. Instead the development of and funding for “assistive technology” typically occurs separate from the development of technology for the general public, and technology developed for the general public frequently has to be adapted after the fact for use by people with developmental disabilities. There would be

tremendous benefit for the developers of new technology to consult - early in the design process - with people who have developmental disabilities or who have family members who have developmental disabilities. A person who has lived a full life with a disability frequently has had to become very creative at finding ways to meet their needs with whatever is available to them. Many have a lot of expertise at “making things work” and know what is more or less likely to be helpful. Designers may find that collaboration with people who have developmental disabilities enables them to create technology that is more functional and appeals to a wider range of people. For example, there are agencies that support people with developmental disabilities to live semi-independently by using commonly available monitoring and communication devices to enable their clients to do more in their own homes with less intrusion by direct support staff. This same type of technology might interest parents of “latch-key kids” were they aware of its existence. Simple robots – such as those that vacuum or entertain – are now widely available, and that technology could be used to create robots that “fetch” items for people with mobility impairments. Cell phone, voice recognition, and GPS technology, if adapted to be simpler and easier to use, might enable a person who has a cognitive disability to move around their neighborhood or city more independently.

The Texas Council for Developmental Disabilities (TCDD) would like to explore how collaboration between companies that develop or produce technology and people who have developmental disabilities might enable developers to increase their creativity in designing new technology. As a part of this effort, TCDD intends to demonstrate how those devices might enable people to live more independently and to reach personal goals.

## State Plan Goal and Objective

**Goal 10** People with developmental disabilities and family members will have the supports and services they need to be able to participate actively in their communities.

*Objective 7* Explore and promote new technologies, multi-media tools, assistive equipment, and/or barrier removal/home modifications that may enable people with developmental disabilities to live more independently within local communities and/or to participate more fully in advocacy efforts, by September 30, 2011.

## Expected Outcome(s)

TCDD will facilitate exploration and/or demonstration of the benefits of using new technology – or using “old” technology in an innovative way – to support the independence of people with developmental disabilities.

TCDD will promote collaboration between people with developmental disabilities and developers of affordable, widely available, technology.

## Project Description

This project will require a partnership between at least two entities:

1. One must have considerable experience in developing and/or providing reliable technology for individuals or companies to improve quality of life, to facilitate effective communication between individuals, or to improve business practices.
2. One must have considerable experience providing support and/or services to people with developmental disabilities and/or their families.

The partnership may involve additional organizations. People with developmental disabilities and/or their family members must be involved in the project design, implementation, and evaluation. Although one partner must be designated the lead applicant to receive grant funds and to comply with all reporting requirements and assurances, the partners should contribute equally to the creative process, making maximum use of their strengths.

The partners will work together to implement an innovative model demonstrating how technology can be used, in a cost-effective way, to enable people with developmental technologies to have increased independence in their daily lives. A model may be considered “innovative” if it is not currently in existence in Texas but has been demonstrated to be effective – and may even be widely used – in other states or countries to support people with developmental disabilities.

The project must serve at least 10 people (plus their families, if relevant) and must be committed to ensuring that participants will continue to receive the same level of service/support after TCDD funding has ended. The project may serve more than 10 people, and the additional people reached may include people without developmental disabilities if the intent is to demonstrate that the same product would have a wide range of potential users. TCDD expects that this project will show how “generic” technology might be employed to support people with developmental disabilities and also appeal to a diverse market, so that for-profit companies might aspire to produce the product on a wide-scale basis, at an affordable cost to individuals.

The partnership must ensure that an evaluation of the project is provided to TCDD upon project completion. The evaluation should include benefits and drawbacks as perceived by the individual served and by all project partners, as well as a discussion of possible implications (both positive and negative) of wide-spread implementation of the project.

Applicants will be responsible to develop and outline the type of project proposed and provide information to support the probable success of the project. Applicants are encouraged to be creative in the development of a project idea; TCDD fully intends to demonstrate a new, or relatively unknown, approach and may choose not to fund any proposal if none meet this requirement. Examples of the types of projects that would be considered appropriate to be funded under this RFP include:

1. The use of remote monitoring/sensing technology, accessible communication equipment, and professional direct care staff to support – as non-intrusively as possible - individuals with developmental disabilities living in their own homes.
2. The creative use of robots to reduce reliance on other individuals or to enable individuals with developmental disabilities to exert more control over their environment.

3. An expansion of the availability and successful use of social connectivity technology to individuals who have not had access previously (for example, individuals living in institutions) in such a way as to bring about significant and tangible changes in their daily lives.
4. The demonstration of how face recognition software and/or gaming technology may support or develop skill in recognizing and responding appropriately to social cues for people who need this type of assistance due to a disability.
5. The development of a model to promote interest in university students in engineering, computer science, or other related disciplines, by creating an annual “enabling technology” design competition.

This list is intended to serve as examples only and is non-inclusive. Applicants may choose to develop one of these ideas into a project or may submit a proposal entirely unrelated to any of these examples.

### **Proposed Funding Amount**

Because of the range of types of projects that might be proposed under this RFP, the Council is not committed to providing a set amount of funding for any particular project. If multiple proposals are viewed favorably, the Council may choose to fund several promising projects if they require relatively small amounts. The Council may also decide to fund one project for the full amount. Funding will be authorized for up to three projects for a total of \$750,000 per year for all projects combined.

### **Proposed Duration**

TCDD funding would be offered for up to 5 years subject to annual review of project accomplishments.

### **Other Considerations**

The original Executive Summary authorized a funding amount of up to \$200,000 per year for all projects funded under this Request for Proposals. However, on May 5, 2011, the Project Development Committee revisited the Executive Summary and noted that the scope of the project was broadly defined and that outcomes would be determined based on the proposals received. Because this meant it was likely that some projects might require more funding than others, the Committee recommended to the Council that the funds be increased, and that a total of up to three projects be funded. The recommended funding amount was a total of up to \$750,000 per year for up to five years for all projects combined. On May 6, 2011, the Council approved voted to revise this Executive Summary to reflect the approval of funds for up to three projects for a total of \$750,000 per year for up to five years for all projects combined. That revision has been made to this Executive Summary.

## Future Funding Priorities

Tab 15

### Background:

This chart includes all projects that have previously been approved by the Council but have not yet been initiated. The Project Development Committee traditionally reviews the Priority List each quarter, adds new projects recommended for approval by the Council, and may revise the priority order as the Committee determines is appropriate.

### Project Development Committee

#### Agenda Item 9.

### Expected Action:

The Committee will review possible future funding activities and determine the priority order for any new projects recommended for funding.

### Council

#### Agenda Item 11. C.

### Expected Action:

The Council will consider recommendations from the Project Development Committee and make decisions as appropriate.

# TCDD Future Funding Activities Priority List

As of October 2013

#	Organization/Activity	Possible Projects	Funding "Up To"	Council Approved	Expected RFP Post	Expected Start	Expected End
1.	<b>Outreach &amp; Development Projects – 2.0</b> Projects for up to 18 months	5/yr	\$10,000/project	10/26/13	TBD	FY 14-16	Variable
2.	<b>Funders Roundtable:</b> (TCDD staff participation)	1	No Funding	11/03/10	N/A	5/31/13	NA
TBD	<b>Public Education &amp; Outreach Campaign – Accessible Parking</b> Phase 1: Up to \$40k for 6 months      Phase 2: TBD	2	\$40,000/	10/26/12	5/31/13	12/31/13	6/30/2013
TBD	<b>Culturally Competent Family Support</b> up to 4 yrs	5	\$75,000/yr	10/26/12	9/20/13	6/1/2014	5/30/18
TBD	<b>Self Advocate Community Organizing</b> up to 3 yrs	1	\$100,000/yr	5/03/13	10/18/2013	4/1/2014	3/31/2017
TBD	<b>Partnership with African American Clergy to Support Families</b> up to 5 yrs	1	\$75,000/yr	5/03/13	N/A	TBD	TBD

Legend
Open RFP or Proposals received are under review at time of printing.
Proposals have been approved, awarded or project is in process of beginning since last Council meeting.

**Background:**

Minutes of the August 8, 2013, Public Policy Committee meeting are included for your review.

**Public Policy Committee**

**Agenda Item 3.**

**Expected Action:**

The Committee will review, revise as appropriate, and approve.

**PUBLIC POLICY COMMITTEE MEETING  
DRAFT MINUTES  
August 8, 2013**

**COMMITTEE MEMBERS PRESENT**

Mary Durham, Acting Chair	Stephen Gersuk	Joe Rivas
Rebecca Hunter Adkins	Cindy Johnston	Amy Sharp, A&M CDD
Kelly Chirhart, UT CDS	Jeff Kaufmann, DADS	

**COMMITTEE MEMBERS ABSENT**

Kristen Cox	Mary Faithfull, DRTx	Kate Layman, HHSC
Mateo Delgado	Sara Kendall, DARS	Lora Taylor

**GUESTS PRESENT**

Cassie Fisher, DARS

**STAFF PRESENT**

Roger A. Webb, Executive Director	Belinda Carlton Celina Galván	Jessica Ramos Lucy Walker
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**CALL TO ORDER**

The Public Policy Committee convened on Thursday, August 8, 2013, in Limestone II of the Marriott Austin South, Austin, Texas 78744. Acting Committee Chair Mary Durham called those present to order at 1:55 p.m.

**1. INTRODUCTIONS**

Committee members and staff introduced themselves.

**2. PUBLIC COMMENTS**

No public comments were offered to the Committee.

**3. CONSIDERATION OF THE MAY 2, 2013, MINUTES**

The Committee reviewed the minutes from the May 2, 2013, Public Policy Committee meeting. Council Member Cindy Johnston indicated that she was not present at the May 2, 2013, as indicated in the Minutes.

**MOTION:** To approve the minutes of the May 2, 2013, Public Policy Committee meeting, with one correction.

**MADE BY:** Cindy Johnston

**SECOND:** Rebecca Hunter Adkins

The motion **passed** unanimously.

**4. CHAIR'S REMARKS**

Acting Chair Mary Durham informed the Committee that agenda items would be taken out of order to ensure sufficient discussion time for Action Items. Ms. Durham indicated that Public Policy Issues

would follow Future Public Policy Advocacy Projects, and the Biennial Disability Report Special Focus items.

Ms. Durham reported that absent committee members include Lora Taylor, who is out because her daughter, Julie, has been very ill, but was finally out of intensive care. Kristen Cox is out with her son in Georgia, training his new service dog.

## 5. MEMBER UPDATES

Ms. Durham asked Committee members and staff if they had any updates to share. Council Member Joe Rivas stated that he had been on the Council for 10 years, and that he was resigning to focus on personal interests. Cindy Johnston stated that she was returning to acting. Council Member Jeff Kaufmann reported that federal funds were approved to provide online training for Direct Support Professionals and to conduct a survey that had been put on hold pending approval of funds. Council Member Stephen Gersuk shared that the direct care staff at State Supported Living Centers (SSLC) would receive a 10% raise as a result of action taken by the legislature. Council Member Kelly Chirhart stated that she would be moving with her husband to British Columbia and that this is her last meeting.

## 6. FUTURE POLICY ADVOCACY PROJECTS

### A. Developmental Disability Policy Fellowships

Public Policy Director Jessica Ramos reviewed the Executive Summary proposing a Developmental Disability Policy Fellowship program (Attachment 1). Committee members had many questions about the fellowship project including funding, criteria and evaluation rubrics, performance criteria, training responsibilities, sustainability, whether the DD fellowship would be similar to the Hogg Foundation Mental Health Fellowships model presented at the Committee of the Whole, and who would hire the fellows. Ms. Ramos and Executive Director Roger Webb discussed details with members noting that some of those details would be addressed in the actual Requests for Proposals for organizations to be sponsors.

**MOTION:** To recommend Council approval of the proposed Developmental Disability Policy Fellowship, using the Hogg Foundation Mental Health Fellowship model and adding defined measures of success.

**MADE BY:** Steve Gersuk

**SECOND:** Amy Sharp

The motion **passed** unanimously.

### B. Supporting Self Advocates on Advisory Committees

In response to the 83<sup>rd</sup> Texas Legislature, which created numerous new advisory committees that in turn provides opportunities for stakeholder input, TCDD staff proposed using the \$50,000 set aside each year for public policy initiatives to provide support of self advocates on advisory committees. In response to questions from members about the types of support that would be provided to self advocates, organizations that might be involved, materials or resources are available, and how success would be measured, Ramos and Webb indicated that because the intent is for the supports

to be individualized and determined by self-advocates, the variety of supports self-advocates might request – pre-meetings, webinars, mentors, etc. – will be unknown until advisory committees are named and those self-advocates surveyed. It is hoped that HHSC will provide their own funding for such supports in the future.

**MOTION:** To recommend Council approval to use up to \$50,000 of funds budgeted for public policy initiatives for one year to support the meaningful participation of self-advocates on select statewide advisory committees and task forces authorized by the 83<sup>rd</sup> Texas Legislature.

**MADE BY:** Steve Gersuk

**SECOND:** Cindy Johnston

The motion **passed** unanimously.

#### C. Travel Support for Public Members of Advisory Committees

The TCDD Public Policy staff recommended that the Council approve funds to continue providing travel support for public members and their families to participate on statewide advisory committees, councils, and workgroups that focus on issues of importance to individuals with developmental disabilities. The Committee supported the recommendation and asked staff to set parameters for the funding, and encouraged discussions with HHSC to establish policies to prioritize travel funds for public members without other sources of travel support rather than representatives of professional associations. Webb indicated that if approved, TCDD will likely spend \$45,000 - \$50,000 each year for the next two-year biennium.

**MOTION:** To recommend the Council to continue providing funds for the next two years to support travel of self-advocates and families appointed to certain agency disability-related advisory committees as presented, and to ask staff to develop additional parameters and guidance related to those funds.

**MADE BY:** Amy Sharp

**SECOND:** Rebecca Hunter Adkins and Joe Rivas

**ABSTENTIONS:** Jeff Kaufmann

The motion **passed** unanimously.

#### D. Positive Behavior Intervention and Supports (PBIS)

The Positive Behavior Interventions and Supports (PBIS) projects funded by the Council are finally concluded. The Council's State Plan included as an activity that the Council would review actions taken by the 83<sup>rd</sup> Texas Legislature when making recommendation about possible PBIS next steps. Public Policy Director Jessica Ramos reported that legislation passed requiring student teachers to receive PBIS training as part of their education curriculum, and that Social Emotional Learning was added to the School Health Coordinating Councils (SHACS).

After much discussion about local control of school districts, members agreed that TCDD public policy staff will promote the curriculum developed by Project IDEAL to Colleges of Education and school districts across the state, and to ensure that Education Service Center (ESC) Regions 4 and 17 have access to the curriculum and are aware of the work that each ESC is doing in the area of PBIS.

**7. BIENNIAL DISABILITY REPORT SPECIAL FOCUS**

Ms. Ramos discussed the upcoming sunset review of all health and human services agencies during the coming biennium, and indicated TCDD staff recommend not including a special focus area for the 2014 Biennial Disability Report. In addition, the TCDD Sunset Self Evaluation Report proposes removing the requirement for TCDD to develop the Biennial Disability Report since it duplicates information provided by other agencies in required reports.

**MOTION:** To recommend to the Council not to include a special focus area for the 2014 Biennial Disability Report.

**MADE BY:** Amy Sharp

**SECOND:** Joe Rivas

The motion **passed** unanimously.

**8. PUBLIC POLICY ISSUES**

Ms. Durham indicated that Public Policy staff had covered much of their public policy update during the Committee of the Whole presentation. Ms. Ramos directed the members to the News and Features articles relating to the Promoting Independence riders behind Tab 18, as the articles are a companion to the presentation scheduled during the full Council meeting.

**9. PUBLIC INFORMATION REPORT**

Ms. Ramos directed the Committee to the Public Information Report that includes news releases on new projects, social media updates as well as an update regarding the Accessible Parking Campaign.

**ADJOURN**

There being no further business, Acting Committee Chair Durham adjourned the meeting at 4:20 p.m.

\_\_\_\_\_  
Roger A. Webb  
Secretary to the Council

\_\_\_\_\_  
Date

**Background:**

**A. State Policy Issues**

TCDD staff will provide an update regarding recent public policy activities, including the implementation of legislation and the budget adopted by the 83<sup>nd</sup> Texas Legislature.

Discussion topics include:

- Senate Bill 7 Advisory Committee Appointments
- Settlement to Increase Community Options for Texans in Nursing Homes
- Guardianship Advocacy Activities

**B. Update on State Supported Living Centers**

The Committee will receive an update on recent advocacy activities involving State Supported Living Centers.

**C. Federal Policy Issues**

TCDD Public Policy staff will provide an overview of the status and implementation of various federal legislative initiatives that impact people with developmental disabilities. Additional information is provided in meeting materials.

**Public Policy Committee**

**Agenda Item 7.**

**Expected Action:**

The Committee will receive updates on these items and may make recommendations for consideration by the Council.

**Council**

**Agenda Item 15. B.**

**Expected Action:**

The Council will receive a report from the Public Policy Committee and consider any recommendations offered from the Committee.

## SB7 Advisory Committee Appointees

Senate Bill 7 (2013) requires the transfer of the Medicaid long term services and supports system for people with intellectual and developmental disabilities (IDD) to a single managed care system by 2020. It also requires the executive commissioner of the Health and Human Services Commission to make appointments to a number of advisory committees meant to ensure meaningful and ongoing stakeholder input and process oversight. The committee appointments were announced on October 1, 2013.

More information regarding each of the committees is available at:

[Intellectual and Developmental Disability \(IDD\) System Redesign Advisory Committee](#)

[STAR Kids Advisory Committee](#)

[STAR+PLUS Quality Council](#)

[State Medicaid Managed Care Advisory Committee](#)

The new appointees represent various regions of Texas and include individuals with intellectual and developmental disabilities and their family members, long-term services and supports providers, primary and specialty care providers, as well as representatives from various advocacy and managed care organizations.

### Intellectual and Developmental Disability (IDD) System Redesign Advisory Committee

Clay Boatright (chair), Plano, family member

Mickey Atkins, Austin, D&S Residential Services

Lynne Brooks, San Antonio, Disability Services of the Southwest

Ricky Broussard, Alvin, PAF Advocates

Kay C. Carlson, Houston, family member

John P. Delaney, Terrell, Lakes Regional

Susan Garnett, Fort Worth, MHMR of Tarrant County

Debbie Gill, Dallas, family member

Saul Herrera, Midland, Community & Senior Services of Midland

Kathryn "Katy" Hull, Henderson , Arc of Gregg County

Anthony V. Jalomo, San Antonio , family member

Gerard Jimenez , Austin, family member

Jean Langendorf, Austin, Community and Housing Services

Linda Levine, Bee Cave, Capital Area Easter Seals Rehabilitation Center

Amy Litzinger, Austin, family member

Janet Marino, McKinney, nurse

Susan Murphree, Austin, family member

Susan Payne, College Station, family member

Mary Stephney, Quinby, Rosenberg, nurse

Leah Rummel, Austin, UnitedHealthcare Community Plan of Texas

Carole Smith, Austin, Private Providers Association of Texas

David Southern, Granbury, Southern Concepts Inc.

Carl Tapia, Houston, Texas Children's Special Need Clinic

Cheri Wood, Tyler, parent

Ivy Zwicker, San Antonio, Autism Treatment Center-San Antonio

## SB7 Advisory Committee Appointees

### STAR Kids Advisory Committee

Elizabeth Tucker (presiding chair), Austin, Every Child, Inc.  
Rahel Berhane, Austin, pediatrician with Seton Health Care  
Christopher M. Born, Houston, Texas Children's Health Plan  
Ernest Buck, Corpus Christi, Driscoll Health Plan  
John C. Calhoun, IV, Houston, Medco Respiratory Instruments  
Rosabla Calleros , Austin, Texas Parent to Parent  
Catherine Carlton, Arlington, MHMR of Tarrant County  
Bradley Fuhrman, El Paso, Texas Tech University HSC  
Jeanne Hines, Port Arthur, teacher  
Tara Hopkins, Austin, DentaQuest  
Diane Kearns, Austin, parent

Stacey Mather, Austin, family member  
Glen Medellin, San Antonio, UT - HSC  
Holly Munin, Austin, Superior Health Plan  
David Reimer, Dallas, Epic Health Services, Inc.  
Blake Smith, Denison, Steps2Strides Therapy Center  
Denise Sonleitner, Austin, parent  
Martha Strong, Richardson, Children's Clinic of Richardson  
Reynaldo Torres, San Antonio, University Health System  
Angela Trahan, Houston, United Healthcare Community Plan  
Rebecca White, Baytown, mother of child with disabilities

### STAR+PLUS Quality Council

Cindy Adams, Austin, Superior Health Plan  
Bennett Brier, Austin, consumer and family member  
Catherine Robles Cranston, Austin, ADAPT of Texas/Personal  
Attendant Coalition of Texas  
Salil Deshpande, Houston, UnitedHealthcare Community Plan TX  
Karen Rose Dunaway, Austin, Girling Health Care  
Laurie Greenberg, San Antonio, Molina Healthcare  
Bob Kafka, Austin, ADAPT of Texas  
Mary Klentzman, Plano, parent  
Linda Lawson, El Paso, Sierra Providence Health Network

Mark Lenhard, Dallas, Grace Presbyterian Village of Presbyterian  
Communities and Services  
David McMillan, Austin, STL Medical Supply  
Susan Prior, Austin, Texas Parent to Parent  
Jessica Ramos, Austin, Texas Council for Developmental Disabilities  
Mavis Ravin, Dallas, REACH, Inc. of Dallas  
Vanessa Sandoval, Harlingen, Texas Visiting Nurse Service  
Jonathan Scepanski, Edinburg, Apex Primary Care, Inc.  
Debra Wiederhold, Pflugerville, Texas Parent to Parent

## SB7 Advisory Committee Appointees

### State Medicaid Managed Care Advisory Committee

John Hellerstedt (chair), Austin, Seton  
Deanna Abraham, Corsicana, Mosaic  
Helen Baker, San Antonio, Consumer Directed Services in Texas  
Trey Berndt, Austin, AARP  
Dennis Borel, Austin, Coalition of Texans with Disabilities  
Jay Buech, San Antonio, H-E-B  
Grady Burris, Cedar Park, Texas Alliance for Long Term Care  
Troy Carter, Houston, parent  
Anne Dunkelberg, Austin, Center for Public Policy Priorities  
Tamarah Duperval-Brownlee, Georgetown, Lone Star Circle of Care  
Lynda Forehand, Murphy, parent  
Paul Hain, Dallas, Children's Medical Center  
Carlos Hernandez, San Antonio, WellMed Medical Group  
Colleen Horton, Austin, Hogg Foundation for Mental Health  
Harvey Laas, Richmond, AccessHealth  
Adam Lalonde, Los Fresnos, Los Fresnos Dental Center

George Ledbetter, Austin, Girling Healthcare  
Barbara Maxwell, Austin, Texas Association of Health Plans  
Vipul Mankad, Austin, Loop 360 Healthcare Solutions  
Soad Michelsen, San Antonio, Clarity Child Guidance Center  
Amy Mizcles, Austin, ARC of Texas  
Kristi Morrison, Houston, All Things Work Incorporated  
Justin Olsen, San Antonio, Children's Hospital of San Antonio  
Nancy Rice, Houston, Travis Medical Sales Corporation  
Jennifer Riley, Dallas, Therapy 20000  
Michelle Schaefer, Sonora, Sutton County Hospital District  
Jan Scott, Houston, Texas Children's Health Plan  
Betty Lee Streckfuss, Spring, McKesson  
Doug Svien, Stephenville, Rock House Support Services  
Donna Tyler, Dallas, consumer and parent  
Silvia Vargas, El Paso, parent  
Raquel Villarreal, McAllen, parent

## **Steward v. Perry ADA Interim Settlement Fact Sheet**

The United States Department of Justice, the private Plaintiffs and the State of Texas have entered into an Interim Agreement intended to enable Texans with intellectual and other developmental disabilities who are 21 years of age or older to live in community settings rather than nursing facilities. The two-year Interim Agreement will serve at least 635 people with disabilities who are currently in nursing facilities or who are at serious risk of having to enter a nursing facility. The Interim Agreement calls for the State to begin expanding community alternatives to nursing facilities for persons with such disabilities, while the parties pause their ongoing litigation and negotiate a comprehensive settlement of all remaining issues in the case.

- **Overview**

- The Interim Agreement partially addresses the Civil Rights Division’s finding and the private Plaintiffs’ allegations that the State of Texas failed to serve individuals with intellectual and developmental disabilities in the most integrated setting appropriate to those individuals’ needs, in violation of the Americans with Disabilities Act (ADA) and *Olmstead v. L.C.* In addition, the Interim Agreement pauses the ongoing litigation in *Steward v. Perry* under the ADA and *Olmstead*.
- The Interim Agreement requires the State to expand community-based services through Medicaid waivers and individual supports for over 600 people with developmental disabilities who are unnecessarily living in nursing facilities or who are at risk of unnecessary institutionalization in nursing facilities. The Interim Agreement begins to offer the opportunity to live an integrated life to some of the thousands of people with developmental disabilities currently segregated in Texas’s nursing facilities and ensures that they will receive specialized services while they are still in nursing facilities.
- Under the Interim Agreement, the State will begin providing community-based case management, educational activities about community living options, transition planning for people who want to move to the community, and services and systems to transition people to the community and divert others from admission to nursing facilities.
- The Interim Agreement will help the State focus its resources on safe, individualized, and cost-effective community-based services that promote integration and independence and enable individuals to live, work, and participate fully in community life.

- **Relief in Interim Agreement**

- Expansion of Community Services
  - Beginning in September 2013, the State will provide 635 home and community-based Medicaid waivers to help individuals with intellectual and other developmental disabilities leave nursing facilities and to prevent the unnecessary institutionalization of individuals who are at risk for entering nursing facilities.
    - ◆ 360 Home and Community-based Services waivers to transition individuals residing in nursing facilities to the community over the next two years.

- ◆ 150 Home and Community-based Services waivers and 125 Texas Home Living Program waivers for individuals at-risk of admission to nursing facilities over the next two years.
  - Individuals with “related conditions” (e.g., cerebral palsy), who are living in a nursing facility or at risk of entry into a nursing facility, will be included in the State’s Home and Community-based waiver program.
- Service Planning and Provision of Services
  - The State will conduct an assessment of all Texas nursing facility residents by August 31, 2014, to ensure that all residents who have an intellectual or other developmental disability are identified.
  - Service Planning Teams and Service Coordinators will be provided for all adults with a developmental disability who live in a nursing facility or are diverted from entering a nursing facility.
    - ◆ Service Planning Teams will convene at least quarterly, develop—through a person-centered process—a service plan to transition and serve each individual in the most integrated setting, monitor implementation of that plan, and provide the specialized services the individual needs while in the nursing facility.
    - ◆ Service Coordinators will meet face-to-face with individuals at least monthly, help implement the service plan, and educate individuals and families about available community supports and services. Service Coordinators will not be employed by the nursing facility.
  - Adequate medical, nursing, and nutritional management supports and services will be provided in the community.
  - Access to an array of integrated day, employment, recreational and other activities will be provided.
- Transition Planning
  - Information about community living options will be offered to individuals with intellectual and other developmental disabilities in nursing facilities at least every six months to allow individuals to make informed choices about where they want to live.
  - Community Living Discharge Plans will be developed for individuals who wish to transition to the community to ensure essential supports are in place before the individual moves.
  - Individuals who want to move and are eligible for a community-based waiver will be enrolled in a waiver within 180 days from the date that a waiver slot becomes available and will have opportunities to visit homes beforehand.

- Nursing Facility Diversion
  - Individuals with developmental disabilities will be identified before they are admitted to a nursing facility.
  - Individuals at risk of admission to nursing facilities will be educated about community alternatives to nursing facilities.
  - The State will establish Diversion Coordinators to identify and arrange community services for individuals at-risk of nursing facility placement so they can avoid being admitted to a nursing facility.
- Implementation and the Comprehensive Agreement
  - The Interim Agreement provides for a mutually agreed upon Expert Reviewer to assist the Parties in developing outcome measures to determine progress toward these reforms.
  - The Expert Reviewer will assist the Parties in developing protocols to gather data and ensure individuals' needs are being met.
  - The Parties will continue negotiating a comprehensive settlement agreement, expected to be complete within 150 days but may be extended if needed.

# Settlement to Increase Community Options for Texans in Nursing Homes

August 28, 2013

**U**nder a preliminary lawsuit settlement, Texas will expand community living options for adults with intellectual disabilities and related conditions in Texas nursing facilities, while also working to prevent unnecessary admission of individuals and to ensure people in the institutions obtain the level of services they need. The two-year interim agreement calls for the state to identify all people with developmental disabilities in nursing facilities by Aug. 31, 2014, inform these individuals and family members about community options, and help individuals who want to move to the community to do so.

The lawsuit, *Steward vs. Perry*, was filed by six adults with intellectual and developmental disabilities, The Arc of Texas and the Coalition of Texans with Disabilities in December 2010. The lawsuit alleged that state officials violated the Americans with Disabilities Act and other federal laws by segregating about 4,500 Texans with intellectual and developmental disabilities in nursing homes and failing to provide needed treatment and services.

The interim agreement was filed on August 19, 2013, and the U.S. District Court in San Antonio approved the interim settlement on Aug. 26. It is designed to resolve as many issues as possible for now and suspend any legal action until July 1, 2015, when the parties hope to reach a final agreement.

Beginning in September 2013, the State will provide Medicaid waivers to help 635 adults with intellectual and other developmental disabilities, 21 or older, to leave nursing facilities or avoid unnecessary admissions. The Texas Legislature allocated funding for 360 Home and Community-based Services waivers to help individuals transition out of nursing facilities over the next two fiscal years. To prevent nursing home admissions, 150 people will receive services from the HCS waiver program and 125 people will receive services from the Texas Home Living waiver program.

The interim agreement offers meaningful opportunities for people like plaintiffs Eric Steward of San Antonio and Benny Holmes of Dallas. Eric recently moved

to the community after spending nearly a decade in a nursing facility. Benny moved to a community home two years after being placed in a nursing facility, and he now has his own room, wheelchair and regular physical therapy.

The other plaintiffs in the case are Andrea Padron and Linda Arizpe of San Antonio, Patricia Ferrer of Dallas and Zackowitz Morgan of Houston. The plaintiffs are represented by Disability Rights Texas, the Center for Public Representation, and the law firm of Weil, Gotshal & Manges LLP. The U.S. Department of Justice also intervened in the case in 2012, on behalf of the plaintiffs.



*More adults with developmental disabilities will be able to move out of nursing homes – or avoid admission – under a preliminary settlement in a lawsuit signed Aug. 26, 2013.*

## For More Information

[Disability Rights Texas news release:](#)

State of Texas, Lawsuit Plaintiffs Reach Interim Agreement Expanding Community Services and Opportunities for Persons with Intellectual and Developmental Disabilities in Nursing Facilities (pdf)

[Steward v. Perry ADA Interim Settlement Fact Sheet](#)

[Steward v. Perry ADA Interim Settlement Agreement](#) (pdf)



## **Guardianship Position Statement**

The appointment of a guardian is a legal proceeding designed to promote and protect the well-being of the person.<sup>1</sup> Establishing a guardianship removes rights and privileges from the individual and assigns control to someone else. The Council believes guardianship should be granted only if all other alternatives are insufficient, and only to the extent and only for the length of time determined to be necessary, with annual reviews to determine if the guardianship can be terminated or reduced. The Council supports the position that individuals should receive support, education or training to develop their capacity to make decisions for themselves, so that the guardianship may be averted.

The Texas Probate Code requires that all guardianships be as limited as possible. The Council also supports the position that guardianship must be demonstrated to be the most appropriate and least restrictive alternative. When determined to be necessary, a guardianship should be tailored such that it is limited to only those specific areas in which surrogate decision making is likely to be needed. The individual's ability to make decisions should be developed and supported to the maximum extent possible, and guardianship should not decrease an individual's dignity or the right to make choices if there is no undue risk.

According to Texas Probate Code, Chapter XIII, a court may appoint a guardian with full authority over an "incapacitated person" or may grant a limited authority over an "incapacitated person" as indicated by the person's actual physical or mental limitations and only as necessary to promote and protect the well-being of the person. Texas Probate Code further defines "incapacitated person" to mean (A) a minor; (B) an adult who, because of a physical or mental condition, is substantially unable to provide for their own food, clothing or shelter; to care for their own physical health; or to manage their financial affairs; or (C) a person who must have a guardian appointed to receive funds due the person from any government resource.

The Council supports the position that such limitations in abilities must be carefully evaluated, with a presumption that persons with disabilities are competent and individual's decision-making abilities can be supported with education, training and/or assistance. Individuals may require assistance from others or accommodations based on their disability but still be able to make informed decisions based on their own preferences. Most importantly, the presence of a physical or mental disability or the age of an individual does not indicate the need for guardianship. The Council supports the position that the evaluation of a person's mental status must take into consideration and rule out any reversible conditions that can cause confusion and seeming incapacity before certifying the need for a guardian.

*(Continued)*

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<sup>1</sup> Texas Probate Code, Sec. 602. Purpose of Guardianship.

The vast majority of people with disabilities, including intellectual disabilities, do not need guardians. An in-depth capacity assessment must be conducted prior to any guardianship hearing, focusing on the person's decision-making skills, experience, capacity and support system. The assessment should be conducted by a professional trained to administer and interpret an appropriate instrument related to need for guardianship. Additionally, there must be a mechanism for individuals to provide input during their own capacity assessment and guardianship reviews.

There are a number of alternatives to guardianship that should be explored before proceeding with a guardianship hearing. In the financial area, multi-party contracts, trusts, powers of attorney, representative payees, and money management programs may enable an individual to successfully manage financial issues without the necessity of having a **guardian of the estate** appointed. For health and programmatic concerns, the use of advance directives or surrogate decision-makers (under the Health and Safety Code) might prevent the need to establish a **guardian of the person**. Consideration should be given to providing education and support to develop decision-making skills and opportunities for additional experience.

If the alternatives are not sufficient to protect the interests of the individual, a guardianship hearing may be necessary. It is important that a judge carefully evaluates the qualifications and interests of a proposed guardian and gives special consideration to the nature of the relationship. It is also essential that an appointed **attorney ad litem** adequately represent the interests of the person for whom guardianship is being proposed, and that all attorneys ad litem appointed by judges in guardianship proceedings have been certified in guardianship law by the State Bar of Texas as required by the Texas Probate Code. Further, a professional evaluation of the individual by a physician or ~~psychologist~~ psychiatrist must clearly indicate how the individual's disability affects his or her ability to make and communicate informed decisions and what proactive measures have been taken to maximize the ability of that individual to make and communicate informed decisions.

The Council supports the position that if a **guardianship of the person** is granted, it should be of the limited type in which the specific areas of needed assistance are listed in the order by the judge. The guardianship should encourage the development of maximum self-reliance and independence for the individual. Further, the required annual review of the guardianship must involve a serious consideration of whether it needs to be continued, modified or terminated, and a yearly report of this review must be filed in each guardianship. It is essential that annual reviews are not limited to a financial review, but also consider the individual's capacity and needs. Additionally, the judicial system must have the resources needed to make and review guardianship assessments. The Council further recommends that participants in the annual review should include, but not be limited to, the individual, the guardian, attorney ad litem, and an outside advocate/ombudsman.

It is estimated that many of the Texans with disabilities who do not have the capacity to provide informed consent for services, treatments or legal issues have no one to provide assistance in decision-making or even to serve as a guardian. Financial barriers (bonds and court costs) often prevent family members from serving in this role. The Council supports the position that the state of Texas should remove these barriers. Local guardianship and money management programs (supported in part by the Health and Human Services Commission) plus surrogate consent committees (for ICF-MR residents only) fill part of this gap, as do services provided by the Texas Department of Family and Protective Services. However, more resources are sorely needed in this area. Additionally, the Council believes that the state needs to establish statutory authority to regulate private professional guardians more closely.

Reviewed May 3, 2012

## Guardianship

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Texas Council for Developmental Disabilities public policy staff are engaged in a number of advocacy efforts during this legislative interim that will advance the Council's position on guardianship.

### Network of Guardianship Stakeholders (WINGS)

The National Guardianship Network awarded an incentive grant and technical assistance to the Texas Office of Court Administration to establish a Texas Working Interdisciplinary Network of Guardianship Stakeholders (WINGS). The network, which includes TCDD representation, will:

- (1) identify strengths and weaknesses in the state's current system of adult guardianship and less restrictive decision-making options;
- (2) address key policy and practice issues;
- (3) engage in outreach, education and training; and
- (4) serve as an ongoing problem-solving mechanism to enhance the quality of care and quality of life of adults in, or potentially, in the guardianship and alternatives system.

### Interim Advocacy Collaboration

A cross-section of groups, including organizations representing constituents with physical, mental, intellectual and developmental disabilities, seniors, and the legal community, including TCDD and Disability Rights Texas, are collaborating to develop policy recommendations that address opportunities and challenges associated with the guardianship system and the Texas Probate Code.

So far, this collaboration has developed policy recommendations for:

- (1) a bill of rights for wards;
- (2) supported decision making agreements, and
- (3) alternatives to guardianship.

### Bill of Rights for Wards

There are few legal processes more restrictive of citizens in a free society than guardianship. People in the guardianship system are referred to as wards throughout the Texas Probate Code. Guardians have a special responsibility for the rights of wards. This responsibility includes protecting wards' rights and supporting wards in exercising their rights and privileges. Because guardianship is seen as a broad restriction of rights, it is important that the individual under guardianship know their rights that they get to keep. Important rights that a person under guardianship should know that are not restricted include one's rights for due process, such as the right to have a copy of guardianship orders and have it explained in a way they understand; and rights around personal choice, such as the right to visit with

## Guardianship

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people of their choice - unless the court has determined otherwise. For individuals under guardianship, Texas Probate Code, Sec. 675A, states that wards have: “all rights, benefits, responsibilities, and privileges granted by the Constitution, and state and federal law, except where lawfully restricted.” The direction ends there with no list of those rights.

TCDD staff are engaged in advocacy efforts to promote the individual’s dignity and right to make choices when there is no undue risk by developing a bill of rights of a ward to be listed in code.

### Supported Decision-Making Agreement

Supported decision-making is an informal alternative to guardianship intended to maximize the autonomy and exercise of rights by people with a disability.<sup>1</sup> It is broadly defined as individuals choosing people they trust to help them make decisions or have them interpreted, and to communicate their decisions to others.<sup>2</sup> Supported decision-making is an option of a more informal process that involves friends and family instead of specific court-appointed substitute decision-makers.

Supported decision-making promotes autonomy because it does not require a person with a disability to give up his or her decision-making rights under a guardianship based on the person’s capacity. Even though guardianship orders can be limited to specific areas of a person’s life or plenary, meaning all rights and privileges are revoked, both styles still reduce an individual’s decision making authority and are usually permanent. Alternatively, supported decision making can be used as a temporary arrangement while an individual learns independence and new skills.

Texas is the only state with a pilot program designed to incorporate supported decision-making into the existing statute, according to research conducted by Disability Rights Texas. HB 1454 established a volunteer-supported decision-making advocate pilot program for persons with cognitive disabilities who live in community settings.<sup>3</sup> The Health and Human Services Commission delegated oversight of the program to the Department of Aging and Disability Services.<sup>4</sup> TCDD agreed to award funds for demonstration projects since neither DADS nor HHSC received appropriations for those projects. One grant was awarded for a project to The Arc of San Angelo.

TCDD staff are engaged in advocacy efforts to encourage the incorporation of supported decision-making agreements into the Probate Code as an alternative to guardianship.

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<sup>1</sup> See United Nations Enable, Handbook for Parliamentarians on the Convention of Rights of Persons with Disabilities Ch. 6 (2007), available at <http://www.un.org/disabilities/default.asp?id=212> (providing a parallel but longer definition).

<sup>2</sup> *Id.*

<sup>3</sup> Volunteer-Supported Decision-Making for People with Cognitive Impairments - A Report on the San Angelo Alternatives to Guardianship Project: Prepared in Response to House Bill 1454, 81st Texas Legislature, Regular Session, 2009. Available at [http://www.dads.state.tx.us/news\\_info/publications/legislative/hb1454-december2012.pdf](http://www.dads.state.tx.us/news_info/publications/legislative/hb1454-december2012.pdf)

<sup>4</sup> *Id.*

## Guardianship

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### Alternatives to Guardianship

Although the purpose statement for guardianship in Texas Probate Code includes the charge to maintain the maximum level of self-reliance and independence of the “incapacitated person”, judges indicate they have no direction about how to achieve this goal. As such, courts routinely use full, or plenary, guardianship instead of alternatives to guardianship or even limited guardianship because it is the only clear course of action. Most of the alternatives already exist in statute, such as a medical power of attorney or representative payee, but they are located throughout the code and not referenced in one place. The only recommended alternative not included in current statute is the inclusion of a proposed supported decision-making agreement being developed by the interim advocacy collaboration.

TCDD staff are engaged in advocacy efforts to encourage the listing of specific alternatives to guardianship in the Texas Probate Code immediately following the charge relating to maintaining the maximum level of independence.

- Disability Scoop - <http://www.disabilityscoop.com> -

## What The Shutdown Means For Disability Services

By Michelle Diamant | October 1, 2013

As the first U.S. government shutdown in more than 17 years takes hold, some programs benefiting people with disabilities will continue with business as usual while others grind to a halt.

The shutdown, which began Tuesday, comes after Congress failed to reach a deal to fund the federal government for the new fiscal year starting in October. Under a shutdown, some services considered "essential" will continue operating while many other government activities will come to a standstill as 800,000 federal workers are sent home until a new budget takes effect.

Here's a look at how the shutdown will impact programs that people with developmental disabilities rely on:

**SOCIAL SECURITY** Benefit payments will continue to be distributed on schedule to individuals receiving Social Security and Supplemental Security Income. Local offices will be open, but only to perform select services.

**MEDICAID** Services provided by Medicaid will largely proceed as usual since an advance appropriation ensured that states receive funding for the program on Oct. 1. However, disability advocates say they are worried that the shutdown could exacerbate payment delays that providers of long-term services and supports are already facing. "The long delays have put many of our affiliates in almost untenable cash flow positions and further delays may cause some to cease Medicaid services," said Katy Neas, senior vice president of government relations at Easter Seals.

**HOUSING** The U.S. Department of Housing and Urban Development says it will not be able to provide further funding to local housing agencies during the shutdown. However, most local agencies already have enough money to fund rental assistance vouchers for the month of October, more than half of which help the elderly and people with disabilities.

**SPECIAL EDUCATION** Schools won't see much impact immediately, with states receiving \$22 billion in special education funds on schedule this month from the federal government, the U.S. Department of Education said.

**DISABILITY RIGHTS ENFORCEMENT** The U.S. Department of Justice says that civil litigation, which includes the enforcement of disability rights laws like the Americans with Disabilities Act, will be "curtailed or postponed" to the extent possible.

**RESEARCH** Developmental disability surveillance programs — which track the prevalence of such conditions — will come to a halt during the shutdown, said Barbara Reynolds of the U.S. Centers for Disease Control and Prevention. Meanwhile, the National Institutes of Health will not make any new grant awards for research.

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Direct URL: <http://www.disabilityscoop.com/2013/10/01/what-shutdown-disability/18771/>

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## TCDD Position Statement Review Schedule

Tab 18

### Background:

The Council periodically reviews TCDD's Position Statements.

The table below reflects the most recent dates that position statements were reviewed.

### **Position Statements Last Reviewed**

Employment	July '12	Family Support	May '12	Children & Families	May '12
Transition	July '12	Service Coordination	May '12	Emergency Preparedness	Feb '12
Aging & DD	Oct '12	Guardianship	May '12	Right to Privacy	Feb '12
Education	July '12	Access to Health Care	May '12	Transportation	Feb '12
Criminal Competency	Feb '13	Community Living	Oct '12		

### Public Policy Committee

#### Agenda Item 8.

### Expected Action:

The Committee will review and make recommendations regarding a schedule to review and update TCDD Position Statement Review.

### Council

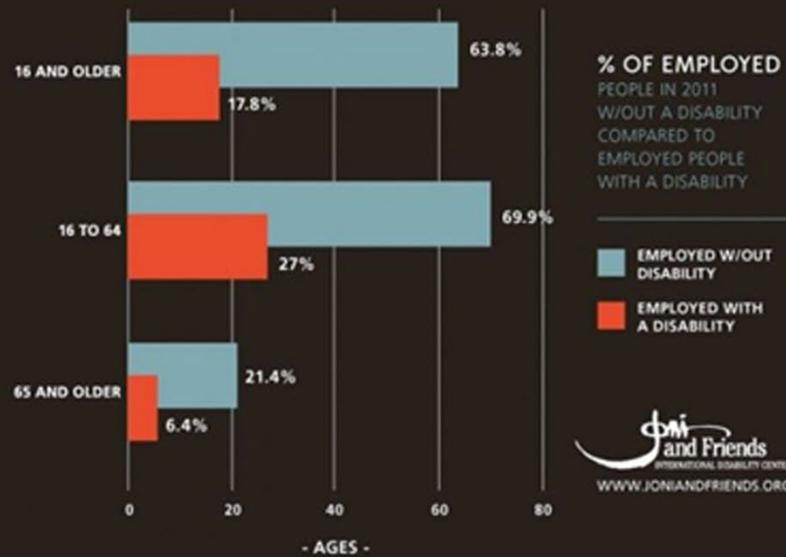
#### Agenda Item 15. C.

### Expected Action:

The Council will receive a report on Committee discussion.

# DISABILITY + EMPLOYMENT

ONLY **15.2%** OF PEOPLE WITH A DISABILITY IN THE UNITED STATES ARE EMPLOYED.



**44th** in the nation for child well being? Texas can do better!



 **TEXANS CARE**  
for **CHILDREN**

In Texas, 55% of people receiving food stamps are kids. Another 20% are seniors or have disabilities.

EASTER SEALS SIBLINGS STUDY MADE POSSIBLE BY MASSMUTUAL



80%

ROUGHLY 80% HAVE CLOSE RELATIONSHIPS WITH THEIR SIBLING WITH A DISABILITY AND BELIEVE THIS RELATIONSHIP ENHANCES THEIR LIFE.

#SIBLINGSMATTER

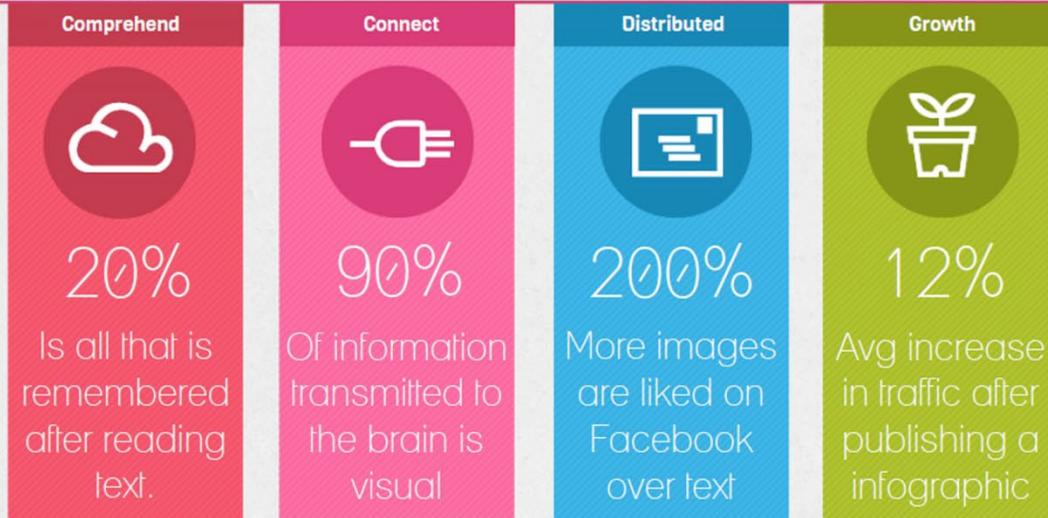
CRN201504-171295

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# INFOGRAPHICS

## WHY YOU NEED THEM

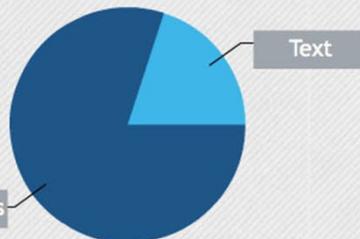
Everyone has a message, the hard part is bundling it up so the message is understood by anyone, and everyone.



## Who Reads Infographics



Everyone



Would Rather Read



Infographics

## How To Make Infographics

### 1. Idea And Research

First thing you have to do to make a infographic is have a topic, then dive into hours and hours of researching the topic.

### 2. Story And Design

Now that you have facts and data piled up, its time to sift through and pull out a captivating story told through images.

### 3. Distribute And Promote

Now it's time to show the infographic to the world, using social networks and blogs. The question is how to do this effectively?

## The Conclusion

### Difficulty

Infographics are not easy to make. A quality infographic averages \$1,000-\$5000 because of the difficulty.

### Time

The time spent on research, organizing data, wireframe, design and marketing equals a weeks worth of work alone.

### Success

Infographics easily go viral and gain attention, but how to do it stress free, and not break the bank? Use us.

infolicious

**Background:**

Staff have compiled a report of recent staff public information activities for the Committee's review.

<b><u>Project Development Committee</u></b>  <b><u>Agenda Item 6. A.</u></b>	<b><u>Expected Action:</u></b>  The Committee will receive an update regarding recent public information activities and provide guidance as needed. No action is anticipated.
<b><u>Public Policy Committee</u></b>  <b><u>Agenda Item 9.</u></b>	<b><u>Expected Action:</u></b>  The Committee will receive an update regarding recent public information activities and provide guidance as needed. No action is anticipated.
<b><u>Council Meeting</u></b>  <b><u>Agenda Item 15. A.</u></b>	<b><u>Expected Action:</u></b>  The Council will receive a report of the Committee's discussion on this item. No action is anticipated.

# October 2013 Public Information Update

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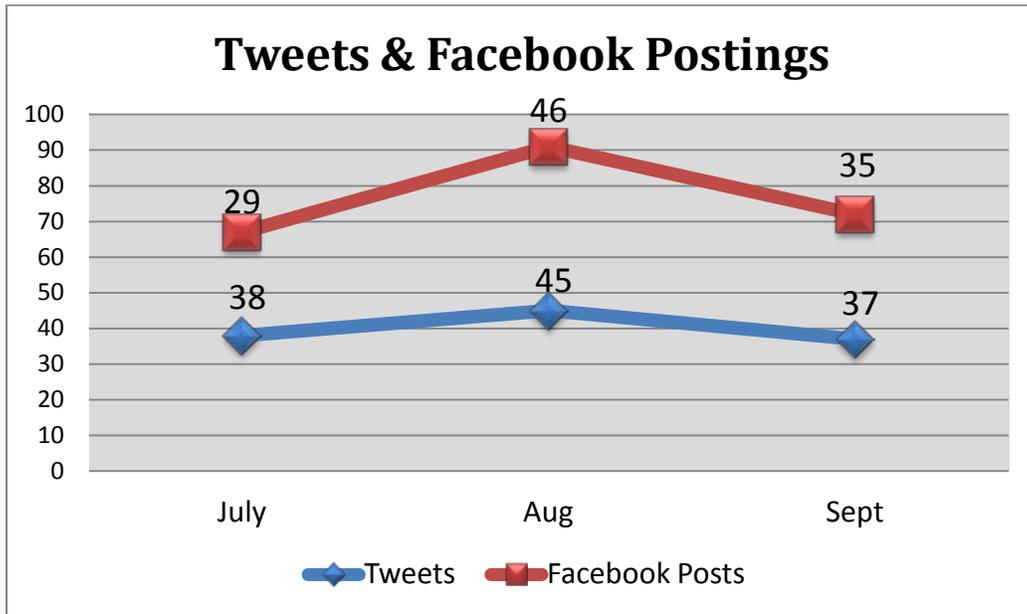
## Creating Awareness and Building Connections

- TCDD **announced 2 grant projects** during the last quarter. Cultural outreach and development grants were awarded to REACH Families in Irving for cultural outreach and development and Abundant Rain Christian Fellowship (DBA: ARCF Community Services) in Elgin. News releases are on the TCDD website under News & Features/TCDD News at <http://www.tcdd.texas.gov/category/tcdd-news>.
- Several grant projects received **web or news media coverage**, such as:
  - The Texas Autism Advocacy Yahoo group shared information regarding [Project MOVE](#).
  - The Texas State Independent Living Council publicized Onestar's [Every Member Matters Information and Resource Kit](#) and cited TCDD's article on [Sunset Review](#) in its article on the same subject.
  - TCDD Policy Director Jessica Ramos was quoted in an [article on health care reform](#) that was carried widely by the news media.
  - TCDD Public Policy Specialist Belinda Carlton and DeAnn Lechtenberger with [Project IDEAL](#) on Teacher Preparation for Inclusive Education were quoted in a Texas Tribune article on [New Teacher Training to Promote Mental Health Intervention](#). The article was picked up by dozens of newspapers and websites that distributed it across the state and nation.
- The following **TCDD materials were requested** and distributed to other organizations:
  - 150 [People First handouts](#)
  - 144 [Higher Education Resource Guides](#)
  - 10 [Next Step Higher Ed DVDs](#)
  - 6 [Biennial Reports](#)
  - 5 TCDD brochures
  - 55 [Every Member Matters Information and Resource Kit](#) produced by the [Austin Interfaith Inclusion Network/OneStar](#)
- Staff updated the [Higher Education Resource Guide](#).
- The [August edition of Field Notes](#), an Information and Technical Assistance Center for Councils for Developmental Disabilities (iTACC) newsletter (see page 2), included a full page article with photos submitted on TCDD's **positive behavioral interventions and supports projects**.
- Staff responded to more than **67 requests for information and referral** in the past quarter.

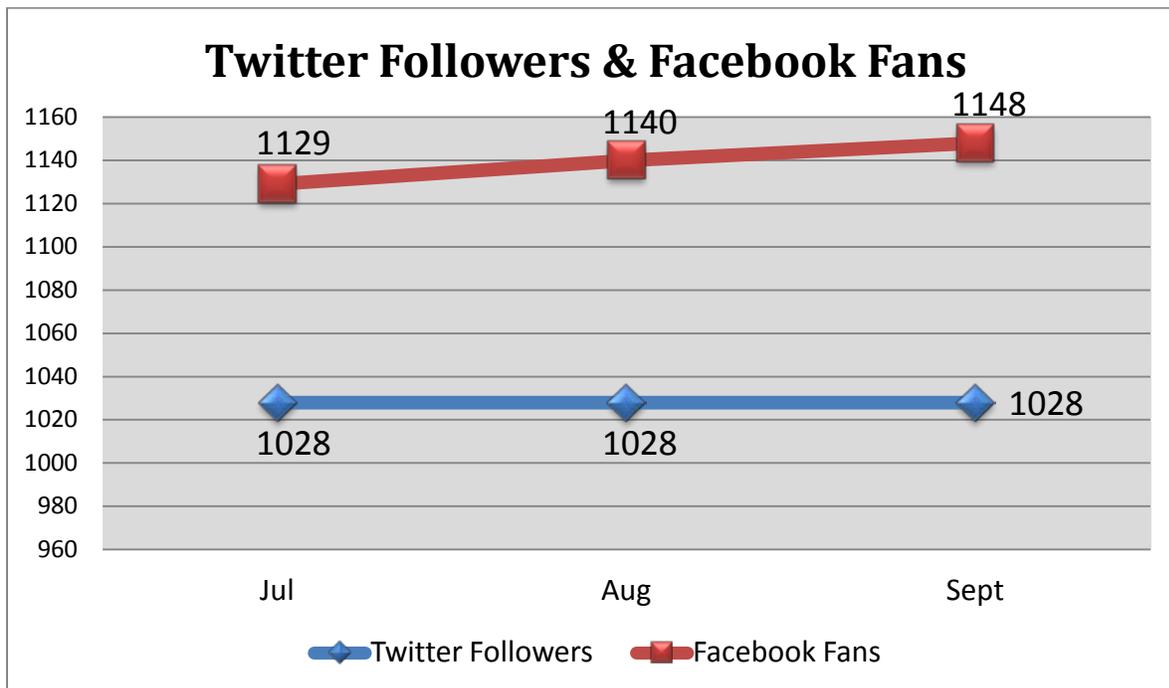
# October 2013 Public Information Update

## Social Media Update

TCDD uses its Facebook fan page and Twitter account on a daily basis to share and learn about pertinent news stories, resources and policy information.



(as of September 19, 2013)



# October 2013 Public Information Update

## Samples of TCDD Tweets:



**TxCnIDevDisabilities,**  
You were mentioned in a conversation!



**Dana Lewis | #hcs** [@danamlewis](#)

Follow

Dear everyone: patients are people, not diseases. Don't label people as/by diseases. Please and thank you. [#somanypresenterssomuchic](#)

- 17 Sep  
[More Tweets](#)



**Twice Diabetes** [@TwiceDiabetes](#)

Follow

[@ElinSilveous](#) [@danamlewis](#) I conform w that, seems tho it's ok to objectify eg "patients", bloggers, activists, Catholics. Why not diabetic? - 17 Sep



**Elin Silveous** [@ElinSilveous](#)

[@TwiceDiabetes](#) [@danamlewis](#) Here's another good one on People First Language [tcdd.texas.gov/resources/peop...](http://tcdd.texas.gov/resources/peop...) via [@TxCDD](#) [#disABILITIES](#)

11:42 PM - 17 Sep 13



**TxCnIDevDisabilities**  
[@TxCDD](#)

**A Better Bottom Line: Employing Individuals with Disabilities** [ow.ly/nW94a](http://ow.ly/nW94a) and [ow.ly/nW9eD](http://ow.ly/nW9eD)

11:32 AM - 02 Sep 13



Retweeted by



**Andy Imparato** [@Harkinista](#)

To 490 followers.

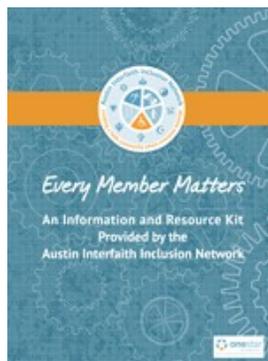
# Faith-Based Inclusion

September 27, 2013

**M**ore than 15 million Texans belong to a faith-based group. While churches and other faith-based organizations want to welcome everyone, many do not know how to reach out and create comfortable environments for people with disabilities. Last year, the Texas Council for Developmental Disabilities approved funding for four projects that each holds an annual symposium and works to develop inclusive faith-based communities. These three-year projects bring together religious leaders to compare experiences, share resources and learn how to support people with disabilities in their communities.

## TCDD awarded Inclusive Faith-Based Communities Symposium grants to four organizations:

[OneStar Foundation](#) is collaborating with Jewish Family Services and the Center on Disability and Development at Texas A&M University on the Austin Interfaith Inclusion Network. The network serves the Travis County area and includes 25 faith-based organizations representing Catholic, Jewish, Hindu, Buddhist, interfaith, Muslim, Protestant and Evangelical congregations. Its first symposium in October 2012 brought together 100 people from the faith and disability communities to explore best practices, goal setting and collaborative



*“Every Member Matters” provides tips on including people with disabilities in faith communities.*

problem solving. The participants also developed action plans to work on inclusion in their community. The second symposium will be Oct. 16, 2013. The network also developed various resources for faith-based leaders, such as short videos on inclusion and links to blogs, audio clips and sermons. Additionally, it produced [Every Member Matters: An Information and Resource Kit](#) for faith-based communities. This includes tips for engaging

people with disabilities, suggestions from family members, and information on community supports, physical and attitudinal accessibility and religious education.

[Jewish Family Service of Dallas](#) is building a collaborative group in Dallas, Collin, Denton and Rockwall counties, called the Faith Inclusion Network of Dallas (FIND), and sharing strategies to build community awareness and inclusion. FIND is working with 19 faith-based communities, 42 community service agencies and 10 advocacy organizations. More than 150 people attended the first Greater Dallas area symposium on Feb. 25, 2013. The project also conducted a community survey that



*FIND is one of four projects in Texas that helps churches and other faith-based organizations include people with disabilities.*

indicated that more than half of the respondents believe their faith community does little to accommodate people with disabilities. While barriers to participation include a lack of services and inadequate staff training, many resources already exist. FIND is working to empower leaders from faith communities to create opportunities to support people with disabilities and their families so these individuals can be fully engaged socially, emotionally, academically and spiritually.

[The Arc of Greater Tarrant County](#) (IDD Needs Council of Tarrant County) is partnering with the local faith-based community to facilitate the full inclusion of people with intellectual and developmental disabilities into faith communities of their choice. Information on inclusive practices is being provided at two faith-based symposia, with the first held May 28-30, 2013. It included topics such as People First language, transportation, inclusiveness, bullying and respite. Each participating group returned to its community with an implementation plan, supports, follow-up and

a charge to assist other groups in duplicating their efforts to create more welcoming, inclusive atmospheres in places of worship. The project also plans to develop a toolkit for faith organizations on including and ministering to individuals with developmental disabilities, which includes information communication and sensory differences, as well as a guide to navigating services and local resources.



*Jacob Wempe, standing in the middle, is fully included in his church and participates as an Altar Server during worship services.*

present best practices and dispel misperceptions regarding disabilities. Topics included ministering to individuals with disabilities, different types of disabilities and experiences, tips for parents and caregivers on obtaining needed supports, behavior intervention, and resources to help adults with special needs achieve their full potential in a Christian environment. Faith-based leaders also worked on an action plan to improve the inclusiveness at faith communities. Several small events are being held this year, along with the second symposium in 2014, to increase participation across the rural region and metropolitan area to ensure active participation within faith-based communities for all.

[West Central Texas Regional Foundation](#) is working to fully include people with disabilities in faith-based communities in Callahan, Jones and Taylor counties. The project developed a self-evaluation faith-based organizations can use to determine if their programs and buildings are accessible for persons with developmental disabilities. Its results will be used to publish an online directory of faith-based organizations that lists accessible programs and structures. A symposium was held in Abilene on April 13, 2013, to

## REFERENCES

### OneStar Foundation

<http://www.tcdd.texas.gov/grants-rfps/grant-awards-grantees/onestar-foundation>

### *Every Member Matters: An Information and Resource Kit*

<http://onestarfoundation.org/wp-content/uploads/2013/05/every-member-matters-information-and-resource-kit.pdf>

### Jewish Family Service of Dallas

<http://www.tcdd.texas.gov/grants-rfps/grant-awards-grantees/jewish-family-service-of-dallas>

### The Arc of Greater Tarrant County

<http://www.tcdd.texas.gov/grants-rfps/grant-awards-grantees/the-arc-of-greater-tarrant-county>

### West Central Texas Regional Foundation

<http://www.tcdd.texas.gov/grants-rfps/grant-awards-grantees/west-central-texas-regional-foundation-inclusive-faith-based-communities-symposium>

# New Documents Needed to Vote

September 26, 2013

**T**o vote in Texas, you must present approved photo identification unless you meet certain disability requirements, obtain an exemption or vote by mail. You must also be registered to vote at least 30 days before an election. This means you must register by Monday, Oct. 7, 2013, to vote in the election on Tuesday, Nov. 5, which includes nine proposed constitutional amendments.

A variety of advocacy groups can help you understand the registration process, new voter ID requirements, voting rights and related information. The new [Got ID Texas?](#) website is especially helpful, offering three steps to follow and tips to be sure you can vote under the state's new requirements. "Voting is our right," Got ID Texas? proclaims, "and we want to make sure you have what you need to vote."

## Types of ID Required to Vote in Texas

You must have one of three types of documentation to vote in person.

- An approved form of identification with your photo on it, which can be a driver's license or state-issued ID; passport; military ID, Texas concealed handgun license, or naturalization or citizenship certificate with an ID.
- An Election Identification Certificate (EIC), which is a photo ID that is only for voting.

An exemption from the photo ID requirement for some individuals with disabilities as determined by the U.S. Social Security Administration or Department of Veterans Affairs.

## Election Identification Certificates

The EIC is a photo ID for use when voting that you can only get if you do not have one of the approved forms of state or national photo IDs, such as a Texas driver's license or ID card. It can only be obtained by going to specific Texas Department of Public Safety driver's license offices. While there is no cost to get the certificate, you must provide legal documentation of your citizenship and identity, such as a certified birth certificate – which you may have to buy – plus two other items from a list of allowable documents. You also must bring your voter registration card when applying for an EIC, or submit a voter registration application while at the DPS office. About 50 [driver's license offices](#) have expanded hours for people who want to apply for this certificate on Saturdays from 10 a.m. until 2 p.m. through Nov. 2, 2013, in addition to their regular weekday hours.

## Photo ID Exemption for People with Disabilities

If you have a disability but do not have photo identification, you may qualify for a permanent exemption from that requirement. To qualify, you must provide a benefit verification letter from the Social Security Administration that shows you have a disability or proof from the U.S. Department of Veterans Affairs of a disability rating of 50 percent or more. You can request a benefit verification letter from the [SSA online](#) or by calling (800) 772-1213. To apply for this exemption, contact your [county's voter registration office](#). For more information or assistance obtaining an exemption, contact Disability Rights Texas toll-free at

(888) 796-8683 or by [email](#).

### **To Vote by Mail without an ID or Exemption**

Registered voters with a disability can request an [Application for a Ballet by Mail](#), without having to provide a photo ID or proof of disability. To vote this way in the past, however, you had to request an application before each election. Starting on Jan. 1, 2014, individuals with a disability will only have to apply to vote by mail once per calendar year. This also applies to voters who are 65 or older.

### **Register to Vote**

If you are not registered to vote already, you can [get an application online](#) or at various locations such as libraries and post offices, which you can complete, sign and mail. You can also complete the application at your [county's voter registration office](#).

### **Organizations That Provide More Information and Assistance**

A variety of advocacy organizations can help you register to vote, obtain an ID or with voting rights.

[Got ID Texas?](#) is an easy to understand website that pulls together information on “What You Need” to vote, “How to Get It” and “Go Vote!” It also offers important things to remember that are hard to find elsewhere. If you are not sure that you have what you need to vote, you can fill out a form on the website and they will let you know. If you have a problem trying to vote, you can call toll-free (866) OUR-VOTE [866-687-8683]. Got ID Texas? is a project of the Texas Civic Engagement Table, Empower The Vote Texas, and the Got ID Texas coalition. The website is also available in [Spanish](#).

**Disability Rights Texas** helps individuals with disabilities in Texas who need help registering to vote, who have general questions about the voting process, or who feel their rights have been violated or any issues with voter ID. The protection and advocacy organization has a Web page on [Voting Rights Resources](#), which contains information on the [New Voter ID Law in Texas/Options for Voters with a Disability](#), voting rights, registration and accessibility, plus links to [find out if you are registered to vote](#) and other resources. If you have questions about your voting rights or to report a violation, call the Disability Rights Texas Voter Rights Hotline at (888) 796-VOTE (8683) or [email](#) them.

[ADAPT's Disability Voting Action Project](#) is a new project to increase involvement by people with disabilities and their supporters in the election and political process. It plans to provide information on the voting process and candidates' positions on disability issues to help establish the disability community as an educated, strong and mobilized voting constituency.

# *DISABILITY VOTING ACTION PROJECT*

*1640A EAST 2<sup>ND</sup> ST \* AUSTIN, TEXAS 78702 \* 512 442-0252*

*WWW.ADAPTOFTEXAS.ORG*

Dear Disability Rights and Services Advocates:

We have recently started the Disability Voting Action Project of Texas.(DVAP)

This is a non partisan project that hopes to involve people with disabilities and their supporters in the election and political process.

We know many organizations have, over the years, been involved in non partisan election activities at the local level. We would like to gather this information so as to enhance, not duplicate or conflict with any of your activities . Would appreciate it if you could answer the following 6 questions:

1. Does your organization currently register people to vote?
2. Have you ever held a voter registration meeting and/or day?
3. Have you held local, state or national candidate forums?
4. Have you sent out issue surveys to candidates to ascertain their positions on issues important to the disability community?
5. What assistance do you think DVAP can provide to your organization/people with disabilities?
6. Would you be willing to participate in a non partisan voter registration campaign to increase the number of people with disabilities and their supporters are registered to vote?

Thank you for your support of disability rights and services,

Bob Kafka, Coordinator

DVAP of Texas

**Background:**

The Council will review the minutes from the August 9, 2013, Council meeting and August 8, 2013, 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 August meetings.

**COUNCIL MEETING  
DRAFT MINUTES  
AUGUST 9, 2013**

**COUNCIL MEMBERS PRESENT**

Mary Durham, Chair	Cassie Fisher, DARS	Dana Perry
Hunter Adkins	Stephen Gersuk	Joe Rivas
Kimberly Blackmon	Kathy Griffis-Bailey, DSHS	Amy Sharp, A&M CDD
Kelly Chirhart, UT CDS	Cindy Johnston	Cindy Swain, TEA
Gladys Cortez	Jeff Kaufmann, DADS	David Taylor
Andrew Crim	Diana Kern	Nancy Walker, HHSC
Mary Faithfull, DRT	Scott McAvoy	

**COUNCIL MEMBERS ABSENT**

Kristine Clark	John Morris	Susan Vardell
Kristen Cox	Lora Taylor	
Mateo Delgado	Richard Tisch	

**STAFF MEMBERS PRESENT**

Roger Webb, Executive Director	Cynthia Ellison	Jessica Ramos
Martha Cantu	Celina Galvan	Koren Vogel
Joanna Cordry	Wendy Jones	Lucy Walker
	Susan Mihalik	

**GUESTS PRESENT**

Amanda Dunnavant	Katelyn Norman	Elizabeth Tucker
Mary Martinez	Nancy Rosenau	

**CALL TO ORDER**

The Texas Council for Developmental Disabilities convened on Friday, August 9, 2013, in the Salon C&D Room of the Marriott Austin South Hotel, 4415 IH 35 South, Austin, TX 78745. Council Vice-Chair Andy Crim called the meeting to order at 8:32 AM.

**1. INTRODUCTIONS**

Council members, staff and guests were introduced. Crim noted that Council Chair Mary Durham was initially unsure if she would be available for the Executive Committee meeting so they agreed he would chair both the Executive Committee and Council meetings. He also recommended that all committee vice-chairs chair their committee meetings on occasion to gain the experience.

**2. PUBLIC COMMENTS**

No public comments were offered to the Council.

**3. CONSENT ITEMS**

Executive Director Roger Webb reviewed edits to the minutes which include the spelling of Shaun Bickley's name and corrections of the names of Interagency Council for Addressing Disproportionality and the Center for Elimination of Disproportionalities and Disparities.

**MOTION:** To approve the revised minutes of the May 3, 2013 Council and May 2, 2013, Committee of the Whole meetings.

**MADE BY:** Mary Durham

**SECOND:** Scott McAvoy

The motion **passed** unanimously.

Crim next reviewed excused absences for this meeting which include Kristen Cox, Lora Taylor, Rick Tisch, Mateo Delgado, Susan Vardell, Kris Clark and John Morris. He also noted that Cassie Fisher is representing the Texas Department of Assistive and Rehabilitative Services and Nancy Walker is representing the Texas Health and Human Services Commission in non-voting capacities since neither has received required training and orientation about TCDD.

**MOTION:** To approve the excused absences of the Council members as noted.

**MADE BY:** Mary Faithfull

**SECOND:** Jeff Kaufmann

The motion **passed** unanimously.

#### 4. CHAIR'S REPORT

The Administration on Intellectual and Developmental Disabilities (AIDD) Technical Assistance Institute and the National Association of Councils on Developmental Disabilities (NACDD) Annual Conference were held in Washington DC recently. Council members John Morris and Gladys Cortez and TCDD staff members Joanna Cordry, Jessica Ramos and Wendy Jones attended these events. Cordry reported her "take-aways" from the events including information that AIDD expects Councils to provide detailed information and reporting in annual reports and expects Councils to gather more input from the public. Cordry also attended a valuable session on managing conversations and encouraging leadership roles when a group includes minorities or people with disabilities. Cortez indicated that she learned that the Texas Council leads the way for other Councils in a number of areas. She also attended sessions on encouraging self-advocates in their participation. Ramos also reported that Texas is leading the way about respectful language and employment first policies. She attended a session with a staff member from the Department of Labor on employment for people with disabilities and is now able to provide more information to the Texas Employment First advisory committee. Jones reported that she attended sessions on Social Role Valorization and first responder training for interacting with people with developmental disabilities.

Chair Durham attended the Association on Higher Education and Disabilities conference and reported on tracks which included assistive technology and disability law. Durham attended sessions on legal issues regarding ADA accommodations and sessions on building sustainable post-secondary education programs for individuals with intellectual disabilities.

**5. EXECUTIVE DIRECTOR’S REPORT**

Webb reported that the Governor’s appointment staff do not have any updates on appointments or reappointment of Council members. Members whose terms expired in February 2013 continue to serve in a “hold-over” capacity until reappointed or replaced.

He discussed information about reported fraud at the Arc of Texas by a former staff member. The Arc’s initial review is that grant funds from TCDD were not involved. The Arc of Texas has engaged a forensic accountant who will review records in more detail and expects to provide additional verification that TCDD grant funds to the Arc of Texas were not compromised.

Webb reviewed travel guidelines for members and reminded members that reimbursement for meal expenses should be for actual expenses and not estimates or “rounded” sums for meals.

**6. PRESENTATION: EVERYCHILD, INC.**

The Council received a presentation from Elizabeth Tucker and Nancy Rosenau of EveryChild, Inc. on their work that enables children to live in families or family-based alternatives instead of institutions. They acknowledged and thanked TCDD for previous grant funding that initially established what became EveryChild, Inc. Rosenau discussed changes as a result of SB 386, the Family-Based Alternatives and Permanency Planning legislation. She noted that over 2,100 children have transitioned back to their birth families or to family based alternative settings since 2003 but approximately 800 children still reside in institutional settings. Rosenau reviewed a timeline of programs that create systems change such as HCS and CLASS Medicaid Waivers. Tucker discussed the supports needed for a child to transition from a congregate living setting to a family-based setting such as access to supports and services, access to a facilitator, a capable provider base and active engagement by all decision makers. She also provided specific stories of children who have transitioned from nursing homes and state supported living centers to their own families or family-based alternative settings. They further discussed key issues that remain for children in facilities and noted that a study of the permanency plans for these children indicates interacting factors including high support needs, difficult family circumstances and lack of system resources. Opportunities for future development of programs to create systems change include positive behavior support in families’ homes and access to enhanced/direct support in the home.

**7. SUNSET REVIEW SELF-EVALUATION REPORT**

Vice-Chair Crim and Executive Director Webb reviewed the agency Self-Evaluation report for the Sunset Review of TCDD and the major policy issues identified by TCDD staff. Webb also discussed the process for Sunset Review of agencies.

**MOTION:** To approve the major policy issues as proposed in the TCDD Sunset Review Self-Evaluation Report.

**MADE BY:** Andy Crim for the Executive Committee  
(Motions from a committee do not need a second.)

The motion **passed** without opposition. Kathy Griffis-Bailey (TDHS) abstained. (Attachment 1)

Webb further discussed the recommendation to remove the TCDD Biennial Disability Report as a requirement in statute. He noted that this work is often redundant to other agency reports. He also

discussed the TCDD State Plan as the driving entity behind Council activities instead of the Biennial Disability Report.

**MOTION:** To recommend elimination of the Biennial Disability Report requirement from state statute.

**MADE BY:** Andy Crim for the Executive Committee  
(Motions from a committee do not need a second.)

The motion **passed** without opposition. Kathy Griffis-Bailey (TDHS) abstained from voting.

#### **8. MEMORANDUM OF UNDERSTANDING WITH TEA**

Crim discussed the Executive Committee review of the Memorandum of Understanding (MOU) with the Texas Education Agency (TEA). He noted that this contract exists to outline services provided by TEA as TCDD's designated state agency and is reviewed annually. No changes have been proposed to the MOU for the coming year.

**MOTION:** To approve the Memorandum of Understanding for FY 2014 with the Texas Education Agency.

**MADE BY:** Andy Crim for the Executive Committee  
(Motions from a committee do not need a second.)

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

#### **9. FY 2014 OPERATING EXPENSE BUDGET**

Crim reported that the Executive Committee reviewed the proposed operating expense budget for FY 2014 and did not recommend changes. Operations Director Martha Cantu provided detail of the proposed budget, noting that it is based on level federal funding with FY 2013. The overall budget is reduced slightly from FY 2013 based on actual expenses the past two years. Cantu also noted that any savings during the year become available for grant projects during the next budget year. Council members asked about contingency plans if the agency loses additional funding due to federal sequestration measures. Webb explained that there are a variety of areas in operating expenses and grant funding portions of the budget that will allow for savings should TCDD experience a further reduction in federal funding.

**MOTION:** To approve the Operating Expense budget for FY 2014 as presented.

**MADE BY:** Andy Crim for the Executive Committee

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

#### **10. 2014 BIENNIAL DISABILITY REPORT SPECIAL FOCUS**

Council Chair Mary Durham reported on the Public Policy Committee discussion about the 2014 Biennial Disability Report. The Committee agreed with staff recommendations to not have a special focus for the 2014 Biennial Report.

**MOTION:** To develop the TCDD 2014 Biennial Disability Report meeting the statutory requirements but without an additional special focus.

**MADE BY:** Mary Durham for the Public Policy Committee.

The motion **passed** unanimously.

#### 11. FUTURE ACTIVITIES FOR STATE PLAN IMPLEMENTATION

Durheim reported that the Public Policy Committee discussed, as did the Project Development Committee, the development of a Developmental Disabilities Policy Fellowship Program. This program will be for three years and will include 2 fellowships in the first year, 4 in the second and 2 in the third, with total funds authorized of \$540,000. Project Development Chair Gladys Cortez noted that the Project Development Committee concurred with the proposal and asked staff to include a validation of outcome measures.

**MOTION:** To authorize funding for a Public Policy Fellowship project.

**MADE BY:** Mary Durham for the Public Policy Committee.

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

Durheim also discussed a proposal to support self-advocates on agency advisory committees and workgroups (Attachment 5). The Public Policy Committee recommends budgeting the \$50,000 set aside for public policy activities each year in the Council's budget to develop supports that allow for meaningful participation by self-advocates. Executive Director Webb further explained that the types of supports needed will be determined once those advisory body members are appointed and the supports needed by self-advocates are determined. The Committee recommends approving this project for one year.

**MOTION:** To allocate \$50,000 for one year to develop supports for self-advocates on advisory committees.

**MADE BY:** Mary Durham for the Public Policy Committee.

The motion **passed** unanimously.

The Public Policy Committee also reviewed a recommendation to continue providing travel support for public members of advisory committees. Durheim noted that TCDD has been providing funds to support public members of various agency advisory committees since FY 2000 to allow self-advocates or family-member advocates to participate on statewide advisory committees when those agencies do not have the funds to support their travel, and those appointees do not have sponsorship from another organization. Funding has been approximately \$35,000 to \$40,000 annually to support members of the Children's Policy Council, Consumer Direction Workgroup, Council on Children and Families, Task Force for Children with Special Needs, Texas Brain Injury Advisory Council and the Texas System of Care Consortium. Funding is recommended for FY 2014-2015 at \$45,000 - \$50,000 yearly. The Committee also asked staff to advise agencies that TCDD funds should be viewed as the payor of last resort.

**MOTION:** To approve \$45,000 -\$50,000 per year for two years for the travel support for public members of advisory committees.

**MADE BY:** Mary Durham for the Public Policy Committee.

The motion **passed** unanimously.

Project Development Committee Chair Gladys Cortez reported that the Committee reviewed additional information about the Advocacy U project, including minimal use of information on the site by visitors. The Committee recommends no additional funding be approved for the project. Crim added that he would explore the option for maintaining the current content by the library at the University of North Texas Health Science Center. Planning Coordinator Joanna Cordry explained that the site was not used as it was designed by the leadership and advocacy training grantees due to the time required for adding information. And, much similar information is now available at various other websites.

**MOTION:** To discontinue funding for the Advocacy U website after the current year.

**MADE BY:** Gladys Cortez for the Project Development Committee.

The motion **passed** with Stephen Gersuk opposed.

Cortez further reported on Committee discussion of a transportation project. The Council issued a Request for Proposals for this project and received only one proposal. However, that applicant withdrew from negotiations due to staffing changes before an award was finalized. The Project Development Committee asked staff to develop an executive summary for a transportation project that would support local grass-roots efforts to solve accessible transportation problems and would include a summit (or series of workgroups) for stakeholders from rural areas and potential collaborating agencies such as housing, employment, etc.

Cortez noted that no changes were made to the Future Funding Priorities chart with the exception of the removal of the Advocacy U project and the Family Involvement in Schools project because that project has begun.

## 12. EXECUTIVE COMMITTEE REPORT

Crim reported that the Executive Committee reviewed the Independent Audit and Grants Exceptions Reports and found no concerns.

Crim also reported that continuation grant awards were approved for:

- Helpful Interventions for up to \$75,000 for the second of a three-year Gulf Coast of Texas African American Family Support project, and
- Texas Tech University for up to \$174,666 for the second of a five-year Project SEARCH support project.

Crim reviewed stipend grants approved this quarter for the following applicants (see Executive Committee minutes):

- Texas Advocates
- Arc of Greater Beaumont

- A Circle of Ten, Inc.
- Barbara Jordan Endeavors
- VOLAR Center for Independent Living
- Area Network on Disabilities and Aging

Disability-Related Presentations stipend grants were approved for:

- Arc of Greater Beaumont
- Providers Alliance for Community Services of Texas
- University of Texas at El Paso

Operations Director Martha Cantu reviewed the quarterly financial report and noted the expenses and balances for operating expenses and grant projects from each fiscal year's funds. Cantu indicated that the available balance from FY 2012 operating expenses has been reallocated to grant funds and advised that the deficit showing for FY 2013 and FY 2014 will be offset by remaining balances in operating expenses and unexpended funds from other grant awards. Crim indicated that the Committee had no concerns about the quarterly financial report as presented.

The Executive Committee reviewed conflict of interest disclosures from members and staff and found no concerns. Members were encouraged to report any changes to their disclosures.

### **13. PROJECT DEVELOPMENT COMMITTEE REPORT**

Committee Chair Cortez reported on projects that began during the past quarter. Cortez also noted a committee discussion stemming from her interest to explore the policy issues of reproductive rights as well as sexual education necessary for self-advocates living in the community.

### **12 PUBLIC POLICY COMMITTEE REPORT**

Chair Durham referred members to the Public Information report.

### **13. ANNOUNCEMENTS AND UPDATES**

Crim discussed the upcoming Audit Committee meeting and encouraged members to become involved with that Committee if interested. Council members discussed the dates of the upcoming meetings which include October 23-25, 2013, February 5-7, 2014, May 7-9, 2014 and August 6-8, 2014 and Crim reported on upcoming presentations at those meetings. Jeff Kaufmann provided information on upcoming training in the Austin area for first responders relating to interacting with people with disabilities. Disabilities Rights Texas representative Mary Faithfull reported that her agency will be seeking input on its priority process beginning October 1, 2013.

### **ADJOURN**

Vice-Chair Crim adjourned the Council meeting at 10:55 AM.

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Roger A. Webb  
Secretary to the Council

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Date

**COMMITTEE OF THE WHOLE  
DRAFT MINUTES  
AUGUST 8, 2013**

**COUNCIL MEMBERS PRESENT**

Mary Durham, Chair  
Hunter Adkins  
Kimberly Blackmon  
Kelly Chirhart, CDS - UT  
Gladys Cortez  
Andrew Crim

Cassie Fisher, DARS  
Stephen Gersuk  
Manda Hall, DSHS  
Cindy Johnston  
Jeff Kaufmann, DADS  
Diana Kern

Scott McAvoy  
Joe Rivas  
Dana Perry  
Amy Sharp, A&M – CDD  
Cindy Swain, TEA  
David Taylor

**COUNCIL MEMBERS ABSENT**

Kristine Clark  
Kristen Cox  
Mateo Delgado

Mary Faithfull, DRT  
John Morris  
Lora Taylor

Richard Tisch  
Susan Vardell  
Nancy Walker, HHSC

**STAFF MEMBERS PRESENT**

Roger Webb,  
Executive Director  
Martha Cantu  
Belinda Carlton

Joanna Cordry  
Celina Galvan  
Wendy Jones  
Susan Mihalik

Jessica Ramos  
Koren Vogel  
Lucy Walker

**GUESTS PRESENT**

Amanda Dunnavant  
Greg Hansch  
Tonya Lavelle

Mary Martinez  
Katelyn Norman  
Jacques Ntome

Clayton Travis

**CALL TO ORDER**

The Committee of the Whole of the Texas Council for Developmental Disabilities convened on Thursday, August 8, 2013, in the Salon C&D Room of the Marriott Austin South Hotel, 4415 IH 35 South, Austin, TX 78745. Council Chair Mary Durham called the meeting to order at 10:35 AM.

**1. INTRODUCTIONS**

Council members, staff and guests were introduced. Joe Rivas announced that he has submitted his resignation from the Council to the Governor's office, effective October 25, 2013. He cited the time required of Council members conflicting with his personal and business activities

**2. PUBLIC COMMENTS**

No public comments were offered.

**3. CHAIR AND EXECUTIVE DIRECTOR REMARKS**

Chair Durham reviewed excused absences for Council members including Kristen Cox, Lora Taylor, Rick Tisch, Mateo Delgado, Susan Vardell, Kris Clark, John Morris and Mary Faithfull. The Texas Department of Assistive and Rehabilitative Services (DARS) will be represented by Cassie Fisher and the Health and Human Services Commission (HHSC) will be represented by Nancy Walker at the Council meeting only. Both Walker and Fisher will be in a non-voting capacity.

Durheim reported that Council Vice-Chair Andy Crim chaired the Executive Committee meeting because of her uncertainty about being available on that date, and will chair the Council meeting. Durheim encouraged Committee Vice-Chairs to chair their committee meeting on occasion for experience. Due to the absence of both the Chair and Vice-Chair of the Public Policy Committee, Durheim will chair that meeting.

**4. PRESENTATION: MENTAL HEALTH PUBLIC POLICY ADVOCACY**

Public Policy Director Jessica Ramos introduced four participants in the Hogg Mental Health Policy Fellowship program. The Fellows received intensive training, education and experience in mental health, advocacy and policy work with the purpose of developing individual and organizational capacity to encourage mental health policy and initiatives across the state. Ramos noted that the program has been very successful and TCDD staff are proposing a program similar in structure focused on developmental disabilities policy matters. Participants in the Hogg Fellowship program included Greg Hansch working with NAMI – TX, Tanya Lavell working with Easter Seals of Central Texas, Jacques Ntome working with Texas Appleseed, and Clayton Travis working with Texans Care for Children. The Fellows reviewed successes from the 2013 legislative session in the areas of mental health including increased funding for services, changes in criminal justice and education policy, and revisions to the mental health code. They described the logistics of their fellowship program and their goals upon completion of the second year of the program.

**5. 83<sup>rd</sup> TEXAS LEGISLATURE UPDATE**

Public Policy Director Jessica Ramos and Public Policy Specialist Belinda Carlton provided a summary of legislation from the 83<sup>rd</sup> Texas Legislature. They discussed the final budget as approved and Carlton noted that many of the “wish list” items for services were funded. Ramos provided detail on increases to Medicaid Community Long-Term Services Waiver programs and discussed the Community First Choice Option that will provide assistance to 11,902 people with intellectual and developmental disabilities as well as people with other disabilities with a functional need. Ramos also reviewed Promoting Independence funding for 1,377 adults and children.

Ramos and Carlton reviewed results of TCDD priority bills. Bills that passed related to Employment First, reform of long-term services and supports, and positive behavior interventions and supports training. Measures related to prohibiting discrimination of organ transplants for people with disabilities, a long-term services and supports bill of rights, and a long term plan for rebalancing the state supported living centers system did not pass. Ramos and Carlton also reviewed outcomes of bills addressing education, employment, long-term services and supports, state supported living centers, and mental health issues.

**6. GRANT PROJECT HIGHLIGHTS**

Grants Management Specialist Susan Mihalik provided highlights on TCDD funded Enabling Technology projects. She discussed current projects awarded to Strategic Education Solutions and to Educational Programs Inspiring Communities. These projects improve employment options and educational outcomes by creating technology to enable people with disabilities to gain and maintain competitive employment.

**ADJOURN**

Council Chair Durheim adjourned the Committee of the Whole at 1:35 PM.

\_\_\_\_\_  
Roger A. Webb  
Secretary to the Council

\_\_\_\_\_  
Date

**Background:**

The TCDD Internal Audit Charter is included for annual review. TCDD Policies task the Audit Committee to review the charter annually. The Audit Committee will review the Charter at the meeting on October 24 and report any recommendations to the Council.

**Audit Committee**

**Agenda Item 4.**

**Expected Action:**

The Committee will review the TCDD Internal Audit Charter as presented and may recommend revisions.

**Council**

**Agenda Item 8.**

**Expected Action:**

The Council will review the TCDD Internal Audit Charter and made final decisions about the Charter for FY 2014.



# **TEXAS COUNCIL FOR DEVELOPMENTAL DISABILITIES**

## **INTERNAL AUDIT CHARTER**

**Fiscal Year 2014**

Prepared by:  
Rupert & Associates, P.C.  
Certified Public Accountants

INTERNAL AUDIT CHARTER  
Texas Council for Developmental Disabilities – FY-2014

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## **INTRODUCTION**

The purpose, authority, and responsibility of the internal audit activity must be formally defined in an internal audit charter, consistent with the Definition of Internal Auditing, the Code of Ethics, and the *Standards*. The chief audit executive must periodically review the internal audit charter and present it to senior management and the board for approval.<sup>1</sup>

The internal audit charter is a formal document that establishes the internal audit function's position within the organization; authorizes access to records, personnel, and physical properties relevant to any activity under review; free and unrestricted access to the Council and the Audit Committee; and defines the scope of internal audit activities. Final approval of the internal audit charter resides with the board.

## **DEFINITION OF INTERNAL AUDITING**

Internal auditing is an independent, objective assurance and consulting activity designed to add value and improve an organization's operations. It helps an organization accomplish its objectives by bringing a systematic, disciplined approach to evaluate and improve the effectiveness of risk management, control, and governance processes.

## **CHIEF AUDIT EXECUTIVE**

The Texas Council for Developmental Disabilities contracts for internal audit services to meet the requirements of the Texas Internal Audit Act. The Texas Internal Audit Act §2102.006 requires that the internal auditor be either a Certified Public Accountant (CPA) or Certified Internal Auditor (CIA). The Institute of Internal Auditor's Professional Standards recommends that the Chief Audit Executive possess one or more of the following credentials: Certified Public Accountant (CPA), Certified Internal Auditor (CIA), Certified Government Audit Professional (CGAP) or Certified Information Systems Auditor (CISA). In keeping with these guidelines, TCDD's contracted internal auditor serves as the agency's Chief Audit Executive.

## **OBJECTIVES AND SCOPE OF WORK**

### **Assurance Objectives**

The objectives of assurance services are to provide formal, independent assurance to management and the Audit Committee that the organization's assets are safeguarded, that operating efficiency is enhanced, and that compliance is maintained with prescribed laws, and management and Board policies. The assurance services objectives also include independent assessment of the organization's risk awareness and management, reliability and integrity of the organization's data, and achievement of the organization's goals and objectives.

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<sup>1</sup> Institute of Internal Auditors Practice Advisory 1000-1: Internal Audit Charter (1/1/09)

### **Consulting Objectives**

The objectives of consulting services are to provide management with assessments and advice for improving processes that will advance the goals and objectives of the organization. No assurance is provided. The objectives of consulting services are to provide formal assessments and advice on the front-end of projects so that risks may be managed and internal controls may be designed at the beginning of a project. Typically, the objectives and the scope of the projects are agreed to by management.

### **Scope**

The scope of work of the internal auditing activity is to determine whether the organization's framework of risk management, control, and governance processes, as designed and represented by management, is adequate and functioning in a manner to ensure:

- Risks are appropriately identified and managed.
- Risk and control information is effectively communicated throughout the organization.
- Interaction with the various governance groups occurs as needed.
- Significant financial, managerial, and operating information is accurate, reliable, and timely.
- Employee actions are in compliance with policies, standards, procedures, and applicable laws and regulations.
- Resources are acquired economically, used efficiently, and adequately protected.
- Programs, plans, and objectives are monitored and achieved in line with the organization's mission.
- Quality and continuous improvement are fostered in the organization's control process.
- Significant legislative or regulatory issues impacting the organization are recognized and addressed appropriately.
- Internal controls are in place and are functioning effectively to accomplish business objectives.
- Information technology controls including systems security controls are in place and are functioning effectively.
- Specific operations, processes and programs are reviewed at the request of management or the Audit Committee.

During the performance of audit work, recommendations for improvement in risk management, control, and governance processes may be identified. This information will be communicated to the appropriate level of management and the Audit Committee.

**AUTHORITY**

The chief audit executive, or contract internal auditor, and staff of the internal auditing activity are authorized to:

- Have unrestricted access to all agency divisions, departments, personnel, activities, confidential and non-confidential data and records, information systems, physical property, and contractors relevant to the performance of engagements, subject to applicable state and federal laws.
- Have access to contractor records and files in line with contract terms and specifically the ‘right to audit’ section.
- Have full and free access to the chair of the Audit Committee, Audit Committee members, and the executive director.
- Allocate resources, set frequencies, select subjects, determine scopes of work, and apply the techniques required to accomplish assurance and consulting objectives.
- Obtain the necessary assistance of agency personnel in units of the organization where audits are performed, as well as other specialized services from within or outside the organization.
- Obtain timely reports from management on actions proposed and taken pertaining to audit recommendations.

The chief audit executive and staff of the internal auditing activity are not authorized to:

- Perform any operational duties for the organization, its sub-grantees or contractors. Compliance duties are not considered operational duties.
- Initiate or approve accounting transactions external to the internal auditing activity.
- Direct the activities of any organization employee external to the internal auditing activity, except to the extent such employees have been appropriately assigned to auditing teams or to otherwise assist the internal auditors.

**INDEPENDENCE AND OBJECTIVITY**

To provide for the independence of the internal audit activity, the internal auditor reports functionally to the Audit Committee and administratively to the executive director or his designee in a manner outlined in the section on Accountability.

## **RESPONSIBILITIES AND ACCOUNTABILILTY**

### **Responsibilities**

The chief audit executive and staff of the internal auditing activity have responsibility to:

- Develop a flexible annual audit plan using an appropriate risk-based methodology, considering any risks or control concerns identified by management, and submit that plan to the Audit Committee for review and approval as well as provide periodic updates.
- Implement the approved audit plan including appropriate plan amendments and special tasks or projects requested by management and the Audit Committee.
- Assess the adequacy and effectiveness of the organization’s processes for controlling its activities and managing its risks in the areas set forth under the mission and scope of work.
- Maintain a professional audit staff with sufficient knowledge, skills, experience, and professional certifications to meet the requirements of this Charter.
- Evaluate and assess significant new or changing functions, services, processes, operations, and internal controls concurrent with their development, implementation, and/or expansion.
- Issue periodic reports to the audit committee and management summarizing results of audit activities, including monitoring the implementation of previous audit recommendations.
- Keep management and the Audit Committee informed of emerging trends and successful practices in risk management, control, and governance.
- Assist in the deterrence of fraud by examining and evaluating the adequacy and the effectiveness of the system of internal controls.
- Report immediately any known incident of significant fraud to executive management, the Audit Committee, the Board, and the State Auditor’s Office.
- Assist in the investigation of significant suspected fraudulent activities within the organization and notify management and the Audit Committee of the results.
- Consider the scope of work of the external auditors and regulators, as appropriate, for the purpose of providing optimal audit coverage to the organization at a reasonable overall cost.
- Maintain an effective quality assurance program to include training, internal reviews, and external reviews.
- Prepare an annual report and submit the report before November 1<sup>st</sup> of each year to the Governor’s Office, the Legislative Budget Board, the Sunset Advisory Commission, the State Auditor’s Office, the agency’s governing board, and the agency’s administrator. The form and content of the report will be determined by the State Auditor.

INTERNAL AUDIT CHARTER  
Texas Council for Developmental Disabilities – FY-2014

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**Accountability**

The chief audit executive, in the discharge of his/her duties, shall be accountable to the Audit Committee and the executive director to:

- Provide an assessment on the adequacy and effectiveness of the organization's processes for controlling its activities and managing its risks in the areas set forth in the current year's annual audit plan.
- Report significant issues related to the processes for controlling the activities of TCDD, its sub-grantees and contractors, including potential improvement to those processes, and provide information concerning such issues through resolution.
- Periodically provide information on the status and results of the annual audit plan and the sufficiency of internal audit resources.
- Coordinate with and provide oversight of other control and monitoring functions (risk management, compliance, security, legal, ethics, environmental, external audit).

**STANDARDS OF AUDIT PRACTICE**

The internal auditing activity shall be governed by adherence to the following standards:

- *Texas Government Code*, Chapter 2102 (Texas Internal Auditing Act)
- *International Standards for the Professional Practice of Internal Auditing* and the *Code of Ethics* of the Institute of Internal Auditors.
- *Government Auditing Standards* of the United States Government Accountability Office.

**SIGNATURE SECTION**

The Internal Audit Charter was adopted by the Texas Council for Developmental Disabilities on this \_\_\_\_\_ 24<sup>th</sup> \_\_\_\_\_ day of \_\_\_\_\_ October \_\_\_\_\_, 2013.

\_\_\_\_\_  
Roger Webb, Executive Director

\_\_\_\_\_  
Mary Durham, Council Chair

\_\_\_\_\_  
Andrew Crim, Audit Committee Chair

\_\_\_\_\_  
Jaye Stepp, Chief Audit Executive

**Background:**

The Audit Committee will review the TCDD FY 2013 Annual Internal Audit Report, and the FY 2013 Audit Reports on Grantee Communications and TCDD Governance. State law requires these reports to be submitted to the State Auditor’s Office; Governor’s Office of Budget, Planning and Policy; Legislative Budget Board; and Sunset Advisory Commission by November 1<sup>st</sup> of each year. The Council will be asked to review and approve submission.

**Audit Committee**

**Agenda Item 5. - 7.**

**Expected Action:**

The Committee will review these reports and recommend Council approval for submission to the State Auditor’s Office and other offices as required by state law.

**Council**

**Agenda Item 9.**

**Expected Action:**

The Council will review these reports and approve submission to the State Auditor’s Office and other offices as required by state law.



# **TEXAS COUNCIL FOR DEVELOPMENTAL DISABILITIES**

## **ANNUAL INTERNAL AUDIT REPORT**

**Fiscal Year 2013**

Presented to  
The TCDD Audit Committee  
October 24, 2013

*Prepared by*  
**Rupert & Associates, P.C.**  
Certified Public Accountants  
Austin, Texas

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Texas Council for Developmental Disabilities (TCDD)  
Annual Internal Audit Report (AIAR) FY-2013

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The Texas Internal Auditing Act requires agencies to file an annual report on their internal audit activities and the internal audit reports prepared for your governing board. The purpose of the Annual Internal Audit Report is to provide information on the assurance services, consulting services, and other activities of the internal audit function. In addition, the annual internal audit report assists oversight agencies in their planning and coordination efforts. According to Texas Government Code, Sections 2102.009 and 2102.0091, the annual internal audit report for fiscal year 2013 is due November 1, 2013.

**I. Compliance with House Bill 16: Posting the Internal Audit Plan, Internal Audit Annual Report, and Other Audit information on Internet Web site**

TCDD will comply with the provisions of House Bill 16 by posting their Annual Internal Audit Report and their Annual Internal Audit Plan on their website, within 30 days after approval by the Council. The risk footprint in the annual plan includes a summary of the high risk areas identified in the risk assessment process. The risk management tables in our risk workbooks provide a summary of actions taken to address concerns. Actions resulting from audits are included in the individual audit reports and are followed up in the audit recommendation tracking schedule. These summaries and tables are updated annually.

**II. Internal Audit Plan for Fiscal Year 2013**

The following list represents the Texas Council for Developmental Disabilities (TCDD) reports generated from the fiscal year 2013 audit plan. There were no deviations from the audit plan that was submitted in the FY-2012 Annual Internal Audit Report. Completed audit reports for FY-2013 included:

#2013-1	05/31/13	Grantee Communications
#2013-2	07/30/13	Governance Audit

**III. Consulting Engagements and Non-Audit Services Completed**

The Internal Auditor did not perform any advisory projects which would be considered consulting engagements, as defined in *The International Standards for the Professional Practice of Internal Auditing*, and non-audit services, as defined in *Government Auditing Standards, 2011 Revision*, Sections 3.33 – 3.58, that were completed during fiscal year 2013.

#### **IV. External Quality Assurance Review (Peer Review)**

An external quality assurance review was performed in June of 2012 by David J. MacCabe, CIA, CGAP, MPA, covering TCDD internal audit activities performed by the internal audit contractor (Rupert & Associates) during the period June 2009 through May 2012. The contracted internal audit function at TCDD was found to ‘fully conform’ with the Institute of Internal Auditors (IIA) *International Professional Practices Framework* including the *International Standards for the Professional Practice of Internal Auditing*, the *Definition of Internal Auditing*, and the *Code of Ethics*, the United States Government Accountability Office (GAO) *Government Auditing Standards*, and the Texas Internal Auditing Act (*Texas Government Code*, Chapter 2102). No significant weaknesses were identified during the review, but the following opportunity for improvement was identified:

##### **Opportunity for Improvement – Plan Future Internal Audit Projects Evaluating Organizational Governance**

The internal auditor should incorporate the evaluation of ethics and governance into future audit plans.

Internal Audit Response updated 2013:

*A governance project was included in the FY-13 Internal Audit Plan submitted to the Audit Committee for approval in October, 2012. The audit was completed and reported to the Council at their October meeting 2013.*

#### **V. Internal Audit Plan for Fiscal Year 2014**

The fiscal year 2014 Audit Plan will be presented for review and approval at the October 24, 2013 meeting of TCDD’s Audit Committee and Council. The report will be submitted to oversight agencies and posted on their website within 30 days after approval.

Based on the updated risk assessment, the proposed internal audit plan for FY-2014 is:

1. An advisory project to identify potential ways to streamline processes for the development of requests for proposals.
2. Follow up on prior year audit recommendations.

Annual Internal Audit Report FY-2013  
Texas Council for Developmental Disabilities (TCDD)

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The budgeted time for all internal audit activities is approximately 192 hours. A rough estimate of how these hours might translate into specific activities follows:

- |  |         |
|--|---------|
| • Risk Assessment and Internal Audit Plan    | 40 hrs  |
| • Annual Internal Audit Report               | 10 hrs  |
| • Audit Report Tracking Schedule             | 8 hrs   |
| • Project Planning, Fieldwork, and Reporting | 120 hrs |
| • Administration and Quality Control         | 8 hrs   |
| • Board Meetings                             | 6 hrs   |

Additional high risk areas that are not included in the fiscal year 2014 audit plan include:

- the risk of staff departures and loss of skills and knowledge base;
- the risk of insufficient monitoring of grant expenditures (last audited 2012); and
- the risk of violations of state and/or federal rules / regulations.

The risk assessment methodology consists of an annual meeting with management to update the risk assessment footprint and control tables. The risk footprint is updated and used to guide the selection of specific audit areas for the current year. The risk assessment methodology is described in greater detail in the Internal Audit Plan document that is also provided to oversight agencies.

## **VI. External Audit Services**

External audit services procured in fiscal year 2013 consisted of:

- the internal audit function, and
- independent CPA services for performing desk reviews on grantee audit reports.

## **VII. Reporting Suspected Fraud and Abuse**

In accordance with the requirements of Section 7.09, and the General Appropriations Act (83rd Legislature, Conference Committee Report) Article IX, and Texas Government Code, Section 321.022, TCDD has placement of a link on the website <http://www.txddc.state.tx.us/> to connect users directly to the State Auditor's page for reporting suspected fraud, waste, or abuse.

TCDD Policies also provide guidance for anyone wanting to report suspected fraud or abuse. Grantees are provided guidance on reporting fraud in the TCDD Grants Manual.

**Report Distribution List**

Texas Council for Developmental Disabilities, Audit Committee

Andrew Crim, Committee Chair  
Jeffrey Kaufmann, Member  
Scott McAvoy, Member  
John Morris, Member  
Mary Durham, Council Chair

Texas Council for Developmental Disabilities

Roger Webb, Executive Director  
Martha Cantu, Operations Director

Oversight Agencies

Kate McGrath  
Governor's Office of Budget Planning and Policy  
[internalaudits@governor.state.tx.us](mailto:internalaudits@governor.state.tx.us)

Ed Osner  
Legislative Budget Board  
[Ed.Osner@lbb.state.tx.us](mailto:Ed.Osner@lbb.state.tx.us)

Internal Audit Coordinator  
State Auditor's Office  
[iacordinator@sao.state.tx.us](mailto:iacordinator@sao.state.tx.us)

Ken Levine  
Sunset Advisory Commission  
[sunset@sunset.state.tx.us](mailto:sunset@sunset.state.tx.us)



# **TEXAS COUNCIL FOR DEVELOPMENTAL DISABILITIES**

## **Internal Audit Report #2013-1**

### **Grantee Communications**

**Prepared by:**  
**Rupert & Associates, PC**  
Certified Public Accountants  
Austin, Texas

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## **Acronyms and Abbreviations**

- CPA           Comptroller of Public Accounts, Texas
- DSA           Designated State Agency
- GAO           Government Accountability Office, US
- IIA            Institute of Internal Auditors, International
- OMB           Office of Management & Budget, US
- OP             Operating Procedures
- QPPR          Quarterly Project Performance Report
- RAR           Request for Advance or Reimbursement
- RFP           Request for Proposals
- SAO           State Auditor’s Office, Texas
- TAC           Texas Administrative Code
- TCDD          Texas Council for Developmental Disabilities
- TEA           Texas Education Agency
- TGC           Texas Government Code
- UGMS          Uniform Grants Management Standards (Texas)



## Audit Report

May 31, 2013

Audit Committee and Council Members  
The Texas Council for Developmental Disabilities

The following report provides the results and recommendations noted during the internal audit of the TCDD's grantee communications processes and controls, conducted in fiscal year 2013. Included in this report are the purpose, scope, results, and recommendations of the project, as well as management's responses to those recommendations.

The internal audit was conducted in accordance with the Institute of Internal Auditors' (IIA) *International Standards for the Professional Practice of Internal Auditing*, the Government Accountability Office's (GAO) *Government Auditing Standards*, and the Texas Internal Auditing Act. We believe that our work fully supports our conclusions.

This report is distributed to and intended for the use of the Texas Council for Developmental Disabilities management and Governing Board, and the oversight agencies as identified in the Texas Internal Audit Act.

***Rupert & Associates, P.C.***

Certified Public Accountants  
Austin, Texas

## **Executive Summary**

### **Audit Purpose**

The Texas Council for Developmental Disabilities' (TCDD) annual internal audit plan is risk-based, with specific audit areas and objectives determined after an annual risk assessment update is conducted by management and the internal auditor. The plan developed for TCDD for fiscal year 2013 included an audit to assess the effectiveness of TCDD's outreach and communications efforts with their grantees. The audit identified the current processes and controls for communicating with grantees, from the initial orientation, to technical support, monitoring, and reporting on the status of grantee projects, and evaluated the effectiveness of those practices.

### **Key Observations**

1. TCDD has procedures and resources in place to guide staff in their communications with grantees related to the management and reporting requirements for their projects. TCDD processes include various modes of communication, an online Grants Manual and web-based reporting capabilities for grantees. The processes and controls are functioning and effective.
2. A survey of grantees provided some insight into areas where grantees have encountered problems in the communication process, including website accessibility problems, and a need for more guidance on grants that operate on different time schedules, and more guidelines to fit a for-profit grantee model.

### **Significant Recommendations**

Improvements to the grantee communication process can be made by improving on some processes and forms, as well as identifying and improving the issues that lead to website access issues.

### **Management Response**

## **Report to Staff**

### **BACKGROUND & PURPOSE**

The Texas Council for Developmental Disabilities awards grant funds to projects to promote independence, productivity, and community integration for people with disabilities. The achievement of TCDD's mission, goals and objectives requires effective and timely communications with the grantees to help ensure successful grant projects. In the agency risk assessment, the risk of providing ineffective or untimely guidance to grantees was identified as a risk with a high impact and low probability. TCDD believes there is a low probability because of their activities to ensure grantees are informed, but if communications were not sufficient and timely, the impact could be high. Therefore, an audit was undertaken to evaluate the effectiveness and efficiency of TCDD's communication efforts and to make recommendations for improvements, as appropriate.

### **SCOPE, METHODOLOGY, & OBJECTIVES**

The scope of the project was limited to an evaluation of TCDD's current communications processes and controls for effectiveness and efficiency. To assess the effectiveness of grantee communications, a survey tool was developed and participation was requested of 36 grantees that were active with TCDD in the last two years.

The audit methodology included interviews, questionnaires, and discussions with various personnel at TCDD. Research was undertaken to identify best practices, and methods and resources used by others to communicate with their grantees. TCDD's operating procedures and controls related to monitoring grantees have been reviewed in previous audits; this audit focused on evaluating communication processes.

The objectives of the engagement were –

- A. Review current communication activities between TCDD staff and grantees.
- B. Survey grantees for their assessment of the TCDD staff communication efforts.
- C. Evaluate processes and controls; make recommendations for improvements.

## **RESULTS BY AUDIT OBJECTIVE**

### **Audit Objective A – Review current communication activities between TCDD staff and grantees:**

Identify communication processes and controls currently in place and in use by TCDD staff for benchmark and comparisons.

#### **Results and Conclusions:**

We were provided information and sample documentation to illustrate the new grantee orientation process, in addition to policies and procedures at TCDD related to the grantee communications process. Our goal was to review the processes and make recommendations to improve and possibly streamline the processes. In addition to orientation, trainings, and communication channels by telephone, mail, email, and face-to-face meetings, there are online tools to guide grantees in preparing required reports on their activities. Research was also conducted to identify common grantee communication practices for activities that might enhance TCDD's communication efforts.

The information provided by TCDD on their processes was summarized and compared to guidance from OMB Circulars and the State's UGMS to test for compliance with standards, such as pre-award policies, award notices, site visits, technical assistance, etc. TCDD has processes, controls and resources in place to fully comply with those standards.

Research found several articles on best practices in communicating with grantees. This information was shared more fully with TCDD staff. Following are some promising practices identified in research:

- Regularly discuss grantee communications challenges, best practices, and the results of customer satisfaction surveys, such as during staff meetings;
- Incorporate grantee communications and the results of customer satisfaction surveys into staff performance appraisals;
- Develop key messages for staff and Council to describe the organization, respond to current issues, and explain changes in strategy or guidelines;
- Convene grantees and potential grantees (for example, in listening tours, community meetings, town hall meetings, and focus groups), both to learn from them and to update them on organization plans or changes;
- Document the grantmaking processes by creating a grantmaking manual or other standards;
- Develop "pledges" to grantees that outline what grantees can expect from the organization and what the organization expects of grantees, as well as the organization's distinctive way of working with grantees;
- Ensure consistent grantee communications with all TCDD staff, using tools such as communications standards or checklists;
- Ensure effective and timely feedback from grants staff to communications staff, so that changes can be made to websites, funding guidelines, and other grantee resources;

**Audit Objective B – Survey grantees for their assessment of the staff communication efforts:**

Through a survey process, evaluate the effectiveness of TCDD’s communication activities by requesting input from grant recipients.

**Results and Conclusions:**

The survey response rate was 44% - 16 responses, out of the 36 requests for participation sent out. The majority of respondents, 68%, had been working with TCDD for a year or more, with 32% having less than one year of experience. The questions and non-identifiable responses were provided in full to TCDD for evaluation. This report will briefly summarize the survey results.

All grantees acknowledged receiving an orientation that discussed TCDD’s organization and structure, including the role of the Grants Management Team and the project’s fiscal, administrative and reporting requirements. The majority rated the orientation process as excellent or satisfactory. Some recommended additional help for those projects that operate on different time periods than most grantees. The majority also rated the information and materials provided during the orientation process as excellent or satisfactory. Comments included that the material was comprehensive, but could be better organized. A quick reference guide to required approvals, reports, deadlines, was suggested.

All of the respondents reported they have used the online TCDD Grants Manual. A majority, 88%, rated the ease of finding information in the Manual as excellent or satisfactory. The same majority rated the helpfulness of the information found in the Manual as excellent or satisfactory. Commenters would like to see more information for exception items, such as more direction and input on “how to calculate performance measures”; more guidance to grantees that are on a different time schedule; and some clarification on financial review requirements.

There were some comments about problems with accessing the Manual to download information. The problems identified are access issues rather than Manual content issues. There have been problems with multiple log-ins required, or with password problems. Another issue identified is the need to use different logins for each grant when one organization is reporting on multiple grants.

All respondents stated that they would know who to contact at TCDD if they had questions. Most had contacted TCDD 10 or more times in the last year, including contacts by mail, telephone, e-mail, or face-to-face contacts.

We asked participants to rate the difficulty of using the various forms, reports, and processes required on their projects. For each process the responses seemed to follow experience levels – staff of newer grantees had more problems with the forms and processes than staff of more experienced grantees. A summary of results by inquiry is presented below:

	<i>Easy</i>	<i>Difficult</i>	<i>N/A</i>
New Grant Award Application - Continuation Workplan	68.8%	31.2%	0.0%
Project Performance Reports (QPPR)	93.8%	6.3%	0.0%
Financial Reports (Grant Awards, RAR, Budget Revisions)	50.0%	37.5%	12.5%

Texas Council for Developmental Disabilities (TCDD)  
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Most survey responses rated their organization's preparedness for and comfort with the onsite review process based on TCDD's communications and available resources as either excellent (37.5%) or satisfactory (44%). Other responses included average and not applicable (because someone else does it).

A few questions were posed to assess the grantee's knowledge of various processes they may encounter in the management of their project. This question sought to evaluate if grantee's staff are familiar with what actions are triggered by certain project activities.

<b><i>Do you know when / what to submit for the following?</i></b>	<b>Yes</b>	<b>No</b>
Budget Revisions	75.0%	25.0%
Personnel Changes	91.3%	18.8%
Audit Requirements	87.5%	12.5%
Final Closeout Reports	87.5%	12.5%

For the most part the negative responses were from the newer grantees, although there were some more experienced grantees who also responded negatively to some of these.

We requested respondents to tell us about what types of technical assistance they have requested from TCDD. 80% had requested assistance with budget revisions and with quarterly grant reports. 40% had requested assistance with personnel revisions and with final reports. Comments added these other topics on which they've requested assistance: Financial Review guidelines, Advisory Council nominees, and Requests for Reimbursement. They also noted that assistance was obtained through various communication channels, including by phone, email, and through the website.

We followed up by asking responders to provide a rating on their overall communications experience with TCDD staff. All responses were positive, as shown below.

	<b><i>Strongly Disagree</i></b>	<b><i>Disagree</i></b>	<b><i>Strongly Agree</i></b>	<b><i>Agree</i></b>
Courteous	0.0%	0.0%	87.5%	12.5%
Responsive	0.0%	0.0%	81.3%	18.7%
Knowledgeable	0.0%	0.0%	56.3%	43.7%
Timely	0.0%	0.0%	68.8%	31.2%

We asked if there were any particular concerns that survey respondents would like to share. Comments included the following:

- Website issues – out of order when information deadline is near
- Outcomes to report are not always compatible with grant award
- Guidelines were written with nonprofits and universities in mind; small business is different and adapting to requirements is time-consuming. If TCDD plans to continue working with small for-profit businesses, it might be worth taking a closer look at some of these issues.
- The continuation / grant application form itself is cumbersome due to the formatting
- We seem to have complex funding for the program that TCDD funds which can make it difficult to communicate with the financial staff at TCDD.

We closed the survey by asking if respondents had any suggestions for enhancing the quality of the TCDD communications process. Comments included:

- I appreciate the personal attention we receive for our project. No concerns and no suggestions other than to continue the personal approach with us grantees!
- Have a webmaster fix the website or create a new one for outcomes reporting. Also, clarify with grantees what outcomes are to be reported BEFORE you determine what is required. We might be able to advise you on more appropriate outcomes to report.
- I think tailoring the process somewhat, to the individual starting points of each grantee, flagging specific points where reports or expectations will be out of synch with the original timetable, and informing grantees proactively, rather than after they are late, would alleviate a great deal of frustration.
- I have always found TCDD staff to be prompt and courteous in responding to questions and concerns. I really appreciate the atmosphere that is fostered at TCDD – "We all want the best for our stakeholder, so let's work together to make it happen!"

**Audit Objective C – Evaluate process and controls; make recommendations for improvements:**

TCDD Procedures include outreach to grantees in the forms of orientation, training, various communication channels, and monitoring of grant projects. The survey suggests that while there are some problems in some areas, these concerns were relatively few and were generally from new grantees. The overall response to the survey was very positive. Some grantees did identify areas where they have had some problems, and these areas will be addressed individually. Major changes are not needed, but rather clarification on some issues, and perhaps a quick reference guide that would provide a ‘quick glance’ reference as to what items require approvals, when reports are due, or when special forms or approvals are required.

In addition some useful information was gathered from the internet research of logical techniques that TCDD should consider adapting. Some of the items listed below are already in place at TCDD. They were not removed in order to highlight that some best practices are already utilized by TCDD.

Written grantee communications guidance in the form of standards or a checklist is recommended. An example was provided to TCDD for use as a guide if they decide to implement. Some other promising practices identified include:

**Setting Expectations**

- Review all of the required proposal documentation with every applicant (proposal questions, budget template, reporting questions, etc.);
- Explain the process and timeframe for approving or non-approved of grants;
- Use the RFP and grant negotiation process to clarify scope, timeline, expectations, deliverables, and requests for reimbursement schedule;
- Determine how (email, phone, mail, and face-to-face meetings) and how often the TCDD grants staff and grantee will communicate;
- Let the grantee know what is expected in terms of final report questions, specifying the deliverable, etc.

### **Communication During the Grant**

- Schedule and conduct periodic check-ins with grantees;
- Use email to communicate with grantees when appropriate, because this allows the TCDD grants staff to document and track communication, as well as to copy program assistants;
- Summarize and document key decisions made with grantees, as well as next steps;
- Coordinate with other TCDD communications staff as needed, including setting up a process and procedures for interactions to support grantee activities; and
- Meet with grants staff regularly to discuss the status of proposals and grants and to determine communication needs.

### **Reviewing Reports and Deliverables**

- Send reminders of deliverable deadlines in advance to new or at-risk grantees;
- Review outlines and early drafts of reports to ensure the grantee is on track;
- Email questions about reports in advance of discussions with grantees; and
- Discuss interim and final reports with grantees and request revisions if needed.

## **RECOMMENDATION:**

Recommendation #2013-1-01: Use the survey results to identify and review processes, forms, and website access issues to improve the grantee communications process. Consider developing written guidance on grantee communications for staff, periodic grantee surveys, follow up with grantees on problem areas; encourage electronic communications, and other communication tools to enhance the process, as deemed appropriate.

#2013-1-01 Management Response:

**REPORT DISTRIBUTION PAGE**

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Jeffery Kaufman, Member  
Scott McAvoy, Member  
John Morris, Member  
Mary Durham, Council Chair

Texas Council for Developmental Disabilities

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# **TEXAS COUNCIL FOR DEVELOPMENTAL DISABILITIES**

## **Internal Audit Report #2013-2**

### **Governance Audit**

**Prepared by:**  
**Rupert & Associates, PC**  
Certified Public Accountants  
Austin, Texas

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**Acronyms and Abbreviations**

- CPA           Comptroller of Public Accounts, Texas
- DSA           Designated State Agency
- ED            Executive Director
- GAO           Government Accountability Office, US
- IIA            Institute of Internal Auditors, International
- OAG           Office of Attorney General, TX
- OMB           Office of Management & Budget, US
- OP            Operating Procedures
- RAR           Request for Advance or Reimbursement
- RFP           Request for Proposals
- SAO           State Auditor’s Office, Texas
- TAC           Texas Administrative Code
- TCDD          Texas Council for Developmental Disabilities
- TEA           Texas Education Agency
- TGC           Texas Government Code



## Audit Report

September 20, 2013

Audit Committee and Council Members  
The Texas Council for Developmental Disabilities

The following report provides the results and recommendations noted during the internal audit project on governance conducted in fiscal year 2013. Included in this report are the purpose, scope, and results of the audit. There were no significant findings or recommendations resulting from this audit.

The internal audit was conducted in accordance with the Institute of Internal Auditors' (IIA) *International Standards for the Professional Practice of Internal Auditing*, the Government Accountability Office's (GAO) *Government Auditing Standards*, and the Texas Internal Auditing Act. We believe that our work fully supports our conclusions.

This report is distributed to and intended for the use of the Texas Council for Developmental Disabilities management and Governing Board, and the oversight agencies as identified in the Texas Internal Audit Act.

***Rupert & Associates, P.C.***

Certified Public Accountants  
Austin, Texas

## **Executive Summary**

### ***Audit Purpose***

The Texas Council for Developmental Disabilities' (TCDD) annual internal audit plan is risk-based, with specific audit areas and objectives determined after an annual risk assessment update is conducted by management and the internal auditor. The plan developed for TCDD for fiscal year 2013 included a governance audit. The audit purpose is to verify board member compliance with training and filing requirements. The Report to Staff following this summary provides details on the audit work.

### ***Key Observations***

- The Council has policies in place that include procedures for implementation and control steps. The policies cover a range of topics, including complaints, absences, public input, adoption of rule, conflict of interest disclosures, etc. These policies were last reviewed in 2006. The TCDD website has information to guide Council members in conducting efficient meetings.
- Council members were found to be in general compliance with training and filing requirements. Open Meetings Act training records should be maintained and made available for public inspection in accordance with Texas Government Code §551.005(c). Administrative records supporting the completion of training or timely filing of disclosures had a few missing documents. A checklist has been developed and the missing documentation has been addressed.
- Survey responses provide some insight into areas that may need to be emphasized or revisited. The best practices provided are for information purposes only. Many of these best practices can be identified as practices that are already in place at TCDD.

### ***Recommendations - None***

The Open Meetings Act requires that board members' open meetings training certificates be available for public inspection. Best practices recommend that required training records and periodic filings be maintained. A checklist for information to be included in a member's file has been developed and an audit of the files has taken place to ensure consistency and completeness.

The cooperation and assistance from staff and the Council members' participation in the survey facilitated an effective audit process. The input provided by staff during the audit fieldwork is always helpful and appreciated.

## **Report to Staff**

### **BACKGROUND & PURPOSE**

The purpose of the audit was to ensure compliance and promote best practices in governance. Good governance is a means to building an effective and performing organization, able and equipped to pursue its mission and serve those individuals and communities it is there to serve.

Some signs of a governing board performing its role well are:

- It keeps out of management issues and decisions and lets the Executive Director manage all operational matters;
- It provides strategic direction and clear policies for the Executive Director to work to;
- It advocates effectively on behalf of the organization and of the communities the organization is there to serve;
- It ensures that the organization is in a financial situation to keep operations running in the long term; and
- It provides leadership to the organization and operates according to agreed ethical standards.

The Board's focus is on the decision making process, planning, and providing resources for goal achievement. The ability of the board to perform these duties effectively is determined by their knowledge and recognition of the separation of their role from that of the Executive Director. The Executive Director serves as the administrative leader responsible for policy implementation and daily operations. The Executive Director supports the council's responsibility as policy maker and helps council members fulfill their duties by providing training opportunities and instituting procedures that facilitate effective board meetings, open communications, and timely transfer of information.

### **SCOPE, METHODOLOGY, & OBJECTIVES**

The scope of the audit was limited to current criteria that relate to Council functions and training requirements. These included timely filing of personal financial disclosures with the Texas Ethics Commission, statement of appointed official and oath of office filed with the Secretary of State's Office, and required training components, including an initial orientation, and training on the Open Meetings Act and Open Records (Texas Public Information Act).

The objectives of our audit were to provide an overall assessment of the governance activities and the extent to which controls have been applied, with the intent of providing an opinion on the extent to which risks are managed. During the course of the audit we incorporated a survey tool developed by the Institute of Internal Auditors into the engagement. The survey tool was modified to better address the governance function at TCDD.

The audit methodology included interviews, observations, surveys, a review of best practices and documentary evidence obtained from staff and other Texas State agencies.

## **RESULTS BY AUDIT OBJECTIVE**

**Audit Objective A –Compliance:** Review the information, identified rules, laws, regulations, and information from other sources to determine specific Council member filing responsibilities. State statutes and internal policies and procedures, were used to test compliance. These included the Open Meetings Act (TGC §551) and the Personal Financial Disclosure, Standards of Conduct and Conflict of Interest (TGC §572).

The Texas Council for Developmental Disabilities is one of 56 state councils. TCDD receives federal funding through the US Department of Health and Human Services on a formula basis, mostly related to the state's population. TCDD is governed by a 27 member Council. Members include individuals with developmental disabilities, parents of individuals with developmental disabilities, and representatives designated by the Executive Director of several state agencies and organizations. Governor appointed members serve six-year staggered terms and may serve no more than two consecutive six-year terms. The Governor also designates a member of the Council to serve as chair.

The full Council and committees meet quarterly, in accordance with state law and Council Policy. Meetings are conducted in accordance with the Open Meetings Act. All members have received training on open meetings and further guidance is available online. Minutes are distributed, reviewed, and approved by the members at each meeting.

The TCDD Council has developed policies and procedures and reviews and updates them as needed. The Council Policies define the powers and responsibilities of the Council and the Executive Director. The Council authorizes and approves the annual budget, the State Plan, grants projects and public policy priorities. Council Policies also address Committees, their authority and duties, conflict of interest disclosures, and other processes. The Council has the following committees:

- Audit Committee
- Executive Committee
- Nominating Committee
- Project Development Committee
- Public Policy Committee

The Council oversees the financial resources by periodically reviewing budget reports, audit reports, and management reports at their regularly scheduled meetings. In accordance with the Internal Audit Act (§2102.006), Council Policies provide for the Council to approve the Internal Audit Charter (IV (B)(6), and provide for the Audit Committee to recommend the selection of the Internal Auditor to the Council for approval (VIII. (D)(1)(d)). The Internal Audit Charter provides for the Internal Auditor to report directly to the Council through the Audit Committee.

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The Open Meetings Act (§551.005(c)) General Provisions states “The office of the attorney general or other entity providing the training shall provide a certificate of course completion to persons who complete the training required by this Section. A governmental body shall maintain and make available for public inspection the record of its members' completion of the training”. Individual folders have been organized for each member’s training items and disclosure preferences for certain information. The files were inspected to test members’ compliance with training requirements. Various elements tested on the nineteen members yielded the following compliance rates:

Annual Conflict of Interest Statement (TCDD Policy)	18/19	94%
Open Meetings Training certificate	15/19	78%
Public Information / Open Records Training certificate	15/19	78%
Statement of Officer filed with Secretary of State	19/19	100%
Oath of Office filed with Secretary of State	19/19	100%
Personal Financial Statement filed with Ethics Comm.	19/19	100%

The Executive Director has established an effective communication process with the board members. Email provides an open communication channel that is both efficient and accessible. Emails are provided to the members by the Executive Director as needed to keep Council members abreast of serious or newsworthy events between scheduled board meetings. TCDD staff support the needs of the board.

There were no findings on the compliance portion of the audit, and no recommendations. Some general indicators of strong governance, as well as examples of problem areas for governance are provided below for reference only.

Some indicators of strong governance include:

- A policy framework that provides for policies approved by the board to govern all the organization’s major risks and activities.
- Board and committee structure with defined charters and mandates for the chairs.
- An oversight matrix that defines the board’s responsibilities and tasks and guides the agenda-setting flow of information to board members.
- A framework for board approval and oversight of significant transactions, new initiatives, and change management.
- Executive Director selection and recruiting criteria and standards.
- Orientation and continuous education program for Council members and Executive staff.
- A board, committee, and Executive Director assessment process.
- An ethics program and activities.
- A whistleblower hotline and a mechanism to handle complaints.

Some examples of problems that might be identified include:

- Organizational strategies approved by the board and management without reliable, current, and useful information.

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- Board oversight limited by directors who lack the required business, industry, technical, IT, or other experience.
- Board dynamics that don't include sufficient challenges and skeptical inquiry by independent directors.
- Board-approved strategies that are not linked to the individual goals of operating department managers.

**Audit Objective B – Board Survey:** Evaluate the Board's perspective of their responsibilities as a board and how their activities satisfy those responsibilities. Identify areas for improvement and provide the Board with feedback.

Guidance from the Institute of Internal Auditing (IIA) defines Governance as "the combination of processes and structures implemented by the board to inform, direct, manage, and monitor the activities of the organization toward the achievement of its objectives". The IIA developed a Governance checklist that was used as a guide to developing our survey instrument. We distributed the survey to all current Council members for completion, including state agency alternate representatives. The request was sent to a total of 35 recipients and we received responses from 13, for a response rate of 37%. Of the thirteen participants, almost half were parent-representatives and about 30% were individuals with developmental disabilities. One agency representative participated. It should be noted that the thirteen respondents did not necessarily respond to every question, so percentages will vary on some answers.

The purpose of the survey was to obtain feedback from Council members about current governance activities and their knowledge of and comfort with the roles and responsibilities of the governance function. The results were received in confidence and communicated to TCDD in this report, without identifying factors.

A discussion of the result, conclusions, and recommendations follows:

The first question asked for some identifying information from the respondents. This allowed us to consider variances in responses that may stem from a lack of experience with the Council or participation on a specific committee.

A) *Board knowledge and awareness - The first questions were intended to assess whether individual Council members receive the appropriate information regarding the organization and its area of work. This type of information helps the Council members to be clear about WHAT it is governing.*

1. Do you, as a Council member, have a basic understanding of the roles and responsibilities of the Council?

Yes, we undertake this work / activity 100.0%

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2. Do you, as a Council member, have a basic understanding of the responsibilities and activities of the TCDD staff organization and how they operate?

Yes, we undertake this work / activity 100.0%

Best practices include:

- Providing essential governing documents to new members (strategic plan, Council policies, etc)
- Training updates for existing members
- Inviting outside experts to fill gaps in members' knowledge, and
- Visiting sites where the organization is implementing a program

*B) Member integrity and collective responsibility. The next section of the survey was to assess whether the governing board ensures member integrity and collective responsibility. The intent was to assess whether there are guidelines and mechanisms in place to ensure that Council members act for the collective good of the agency and its mission.*

3. Are you familiar with the Council's Conflict of Interest policy and disclosure procedures?

Yes, we undertake this work / activity 100.0%

Comments indicate regular discussion at Council meetings.

4. Are you, as a Council member, committed to the TCDD's mission and guiding principles and actively involved in promoting and enhancing the public standing of TCDD?

Yes, we undertake this work / activity 92.3%  
N/R – not relevant to our work 7.7%

The N/R respondent was a state agency representative, whose role is somewhat different from the public members.

Best practices include:

- Working with the Council to develop a code of conduct
- Reviewing Council members' responsibilities
- Discussing the importance of acting as one and of individual members not showing public disagreement with a decision the Council has taken; and
- Providing advocacy training for Council members and developing an advocacy plan in partnership with the Executive Director and key staff.

Texas Council for Developmental Disabilities (TCDD)  
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C) Strategic direction and policies. *The next section covered the governing body's participation in the agency's strategic direction and policies. These questions were meant to help the Council Members reflect on the extent to which they are involved in setting the strategic direction of the agency and developing policies to guide how the agency operates.*

5. Was there sufficient Council involvement in the development of TCDD's State Plan?

Yes, we undertake this work / activity 100.0%

6. Do you, as a Council member, keep abreast of developments that might affect TCDD's capacity to pursue its mission?

Yes, we undertake this work / activity 100.0%

Comments included praise for the Executive Director and staff for being very good at presenting external and internal potential barriers to achieving outcomes. Executive Director updates are helpful.

7. Has the Council approved a set of policies that provide sufficient guidance for how the Council conducts business?

Yes, we undertake this work / activity 100.0%

8. Are you confident that there is a sufficient mechanism in place to report potential misuse of TCDD funds?

Yes, we undertake this work / activity	83.3%
Insufficient, in preparation, or being considered	8.3%
No, we have not yet tackled this work	8.3%

One commenter stated that although it has not been an issue that has come up, the transparency of the staff/council allows one to be certain that there are sufficient mechanisms in place to report potential misuse of funds.

Best Practices:

- Reviewing the State Plan with members who are not acquainted with it;
- Engaging the members in thinking strategically about TCDD's work and their own role;
- Reviewing existing policies to ensure they are up to date and identify areas where policies are needed; and
- Ensuring that a fraud workplace policy is in place that is in line with best practice and is being enforced.

Texas Council for Developmental Disabilities (TCDD)  
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*D) Council members relationship with the Executive Director. This section is intended for the board to review how it appoints and supports the Executive Director and their relationship to the operational side of TCDD. A good working relationship between the governing body and the Executive Director is essential to all agencies and is one worthy of careful and continuous cultivation.*

9. Who has primary responsibility for the development of a job description for the position of Executive Director, defining its powers and duties?

Council	30.8%
Executive Committee	61.5%
TEA	0.0%
Council Chair	23.1%
None of the above	0.0%

Comments show members believe TEA and the Council Chair work together to do this, and in conjunction with guidelines from TEA.

10. Has the Council established a recruitment procedure for the position of the Executive Director, should the position become vacant?

Yes, we undertake this work / activity	30.8%
Insufficient, in preparation, or being considered	23.1%
No, we have not yet tackled this work	7.7%
N/R – not relevant to our work	0.0%
DK – Don't know	30.8%

Comments included one that this was recently reviewed and approved during an Executive Committee meeting, and that staff and council have done extensive work on succession planning. One of the 'don't know' responses came from an agency representative and was not included.

11. Is there a process for evaluating the Executive Director annually and in writing?

Yes, we undertake this work / activity	84.6%
Insufficient, in preparation, or being considered	7.7%
No, we have not yet tackled this work	0.0%
N/R – not relevant to our work	0.0%
DK – Don't know	7.7%

Comments include some who have not experienced this, or may know of the process, but was not an active participant.

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Best practices:

- Reviewing the Executive Director's job description to make sure it is up to date and gives sufficient powers for the Executive Director to effectively manage the organization;
- Reviewing the reward package to ensure it is competitive for the sector;
- Establishing an appraisal system for the Executive Director;
- Reviewing or developing policies defining the Council's relationships with the Executive Director and the agency's staff, and limitation to executive powers; and
- Reviewing whether and how well those policies are followed in practice.

E) How Council members monitor and review the agency's performance. This section relates to how well the Council members know where the organization is in relation to its strategic plan and annual program.

12. Are you, as a Council member, satisfied that the timeliness, quality and clarity of the periodic reports received enables the Council to make informed decisions regarding TCDD's performance?

Yes, we undertake this work / activity	92.3%
Insufficient, in preparation, or being considered	7.7%

Comments include one who is very impressed with the efficiency of the staff and Executive Director in reporting to Council. Another noted that "staff is always asking for suggestions on report content and presentation methodology to ensure members are getting and understanding information that is important to them. Staff is also open to questions and requests for more detail or clarification."

13. Do Council and Committee meeting minutes reflect discussion and decisions made?

Yes, we undertake this work / activity	100.0%
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14. Does the Council review at least annually the progress of activities in relation to the State Plan?

Yes, we undertake this work / activity	100.0%
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Texas Council for Developmental Disabilities (TCDD)  
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Best Practices:

- Reviewing whether reports to the Council give sufficient and succinct information regarding the implementation of TCDD's program and budget;
- Ensuring that reports are sent to Council members in advance of meetings and that these are read and understood by them;
- Developing a calendar that makes it clear which matters will be discussed at future meetings; and which reports members can expect to receive and when; and
- Setting aside time during at least one meeting per year to review how well the agency's performance measures up to its agreed strategic objectives

F) Effective oversight of the agency's financial health. *This section is concerned with the finances of TCDD and the Council's capacity to monitor them. It must satisfy itself that the internal control systems in place are adequate to protect the agency from loss and waste; and that it has taken the steps necessary for operations to continue in the future.*

15. Do meeting minutes reflect approval of the annual budget and review of subsequent spending?

Yes, we undertake this work / activity 100.0%

16. Do the Council meeting minutes reflect the appointment of internal auditors and review of the audit reports and recommendations?

Yes, we undertake this work / activity 100.0%

20. Has TCDD identified and recorded the risks of various acts and functions and taken appropriate action to manage those risks?

Yes, we undertake this work / activity 90.9%  
N/R – not relevant to our work 9.1%

Comments indicate that some respondents did not fully understand the question, or were not sure if TCDD does this. One commenter states that TCDD has done a great job at this within the organization and with the grantees. "Their system is clear, easy to understand, and well documented. It is also shared regularly with council members."

Texas Council for Developmental Disabilities (TCDD)  
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Best practice:

- Setting aside adequate time to review organizational and audit reports and agree on actions to address any recommendations made;
- Developing a resource mobilization plan in partnership with the agency's staff;
- Establishing a risk register, regularly reviewing it for accuracy, completeness and the monitoring of identified high risk activities;
- Reviewing the internal control framework of the agency and identify any areas that need strengthening; and
- Asking the auditor to review specific areas of the agency's internal controls

G) The Governing Body ensures its own review and renewal. *These last questions focus on the performance of the board itself. It is generally accepted that an effective board is one where the individual members come from diverse backgrounds and possess a wide range of skills. Board work needs to be rewarding for each member; to achieve that the members need supporting as they learn more about TCDD and how best they can contribute to its work.*

21. Does the Council make effective use of the time and skills of its members and ensure that their capabilities are enhanced through development and training?

Yes, we undertake this work / activity	83.3%
Insufficient, in preparation, or being considered	8.3%
No, we have not yet tackled this work	8.3%

Three comments:

"As members we are continuously given the opportunity to participate in conferences and such that enhance our understanding."

"Yes. Continued training is, however, important. It is too easy to stagnate without development!"

"No ongoing training after orientation; some meetings are not well managed (time wise); missing a key opportunity to conduct more business when they have us all in Austin and dismiss early."

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22. Does the Council encourage individuals with DD and/or family members to consider applying for appointment to serve in a governance role?

Yes, we undertake this work / activity	84.6%
Insufficient, in preparation, or being considered	7.7%
No, we have not yet tackled this work	7.7%

23. Does the Council formally assess its own performance annually?

Yes, we undertake this work / activity	75.0%
Insufficient, in preparation, or being considered	8.3%
No, we have not yet tackled this work	16.7%

Comments include one who is unsure, and another who does not believe the Council has adequately reviewed its own performance with regard to activities.

Best practice:

- Conducting a board profile review to identify skills and background currently missing on the board
- Developing a board calendar that clearly identifies what topics each meeting will address
- Ensuring that meetings are held at times and locations suitable for members.

The objective of the survey was to promote thought and conversation among Board members, and to present some ideas for consideration. Strong agreement on a question indicates areas of strength, and the areas with a broad difference in responses indicate areas that could be looked at for future training or further discussion.

There are no recommendations resulting from this audit objective.

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Report # - Date      High-Level Audit Objective(s)      Observations/Findings and Recommendations      Current Status      Impact

**#2012-1 -- 8/31/12 Advisory Project: Federal Funds Monitoring**

Objective A	To identify current monitoring activities at TCDD. Evaluate processes for tracking the money from planning to awards to liquidation, including processes for monitoring the status of obligations and projects. Identify any trends analysis, various reporting capabilities, and other tools used for monitoring spending.	<u>Recommendation #2012-1-01</u> – Written Guidance: Review and update the existing Policies and Procedures for the funds monitoring process. Policies should define principles, rules, and guidelines formulated to achieve TCDD's goals and objectives. Develop written procedures to ensure funds monitoring processes and control activities are understood and consistently completed. All aspects of monitoring should be included, with roles and responsibilities defined. Functional job descriptions should include position responsibilities for monitoring of funds that coincide with the procedure.	<u>Implemented:</u> TCDD procedures have been reviewed; designations of roles and responsibilities have been made; better communication activities are in place; and more frequent reviews of financial status have been implemented.	Effectiveness and efficiency of processes
Objective B	Information and Communication – determine the roles and responsibilities for the flow of communications on funds monitoring. Identify timelines for staff communication to ensure funds are appropriately monitored and new projects are ready to move forward when and as needed.	Establish a team of staff who each play a part in the monitoring of grant funds. They should share current information and monitoring reports on a regular basis. They should communicate at least monthly after activity updates to more closely monitor, evaluate, and be prepared to make budget adjustments as needed to ensure complete liquidation of federal grant funds prior to the end of the period. Team meetings at least quarterly are also recommended.	<u>Implemented:</u> The management team of staff who play an important role in the process include the Budget Support Specialist, Grants Director, Operations Director, Planning Coordinator and Executive Director. Communications between management staff regarding current expenditures, and strategies to fully obligate funds have strengthened and occur more frequent. Roles and responsibilities as clarified have been updated in job descriptions of the Grants Director and Operations Director.	Improved fiscal monitoring process.
		Develop a 'toolbox' of alternatives for fast-tracking final obligation and re-obligation of funds as needed. Options could include a streamlined continuance process for established, successful grantees; a queue of potential projects at a variety of funding levels on stand-by; and initiating larger, longer term projects with successful grantees.	<u>Implemented:</u> TCDD staff developed a "toolbox" of strategies that could allow funds to be obligated more quickly. Staff will further develop those ideas that were supported by Council members so that the "tool box" has more options in the future that can be used if needed. Current monitoring reports suggest that we likely will not need these options in the near future, thus other projects have taken a priority.	Improved fiscal monitoring process.

**REPORT DISTRIBUTION PAGE**

Texas Council for Developmental Disabilities, Audit Committee

Andrew Crim, Committee Chair  
Jeffery Kaufman, Member  
Scott McAvoy, Member  
John Morris, Member  
Mary Durham, Council Chair

Texas Council for Developmental Disabilities

Roger Webb, Executive Director  
Martha Cantu, Operations Director

**Oversight Agencies**

Kate McGrath  
Governor's Office of Budget, Planning, and Policy

Ed Osner  
Legislative Budget Board

Internal Audit Coordinator  
State Auditor's Office

Ken Levine  
Sunset Advisory Commission

**Background:**

The Audit Committee will review the proposed TCDD FY 2014 Audit Plan, recommend revisions as it determines to be appropriate, and recommend Council approval of the Plan for the coming year. Following approval, the Audit Plan will be submitted to the State Auditor’s Office; Governor’s Office of Budget, Planning and Policy; Legislative Budget Board; and Sunset Advisory Commission by November 1<sup>st</sup> as required by state law.

**Audit Committee**

**Agenda Item 8.**

**Expected Action:**

The Committee will review, revise as appropriate, and recommend Council approval of TCDD FY 2014 Internal Audit Plan for submittal as required.

**Council**

**Agenda Item 10.**

**Expected Action:**

The Council will review, revise as appropriate, and approve the TCDD FY 2014 Internal Audit Plan for submittal as required.



# **TEXAS COUNCIL FOR DEVELOPMENTAL DISABILITIES**

## **INTERNAL AUDIT PLAN**

**Fiscal Year 2014**

**Prepared by:**  
**Rupert & Associates, PC**  
Certified Public Accountants  
Austin, Texas

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**RUPERT & ASSOCIATES**  
**CERTIFIED PUBLIC ACCOUNTANTS**

September 25, 2013

Members of the Council,  
Texas Council for Developmental Disabilities (TCDD)

The following document presents the proposed fiscal year 2014 Internal Audit Plan for your review and approval, in accordance with the Texas Internal Auditing Act.

Chapter 2102 of the Government Code requires that the internal audit plan be risk-based and include areas identified through a risk assessment process. This document presents the risk assessment results, the proposed audit plan, and a summary of internal audits performed in prior years at TCDD.

The FY 2014 Internal Audit Plan that follows is submitted for your approval.

Respectfully,

**Rupert & Associates, PC**

Certified Public Accountants  
Austin, Texas

## **Section 1: RISK ASSESSMENT**

This section presents the update of the Texas Council for Developmental Disabilities (TCDD) Risk Assessment for FY-14, and establishes the foundation for the Internal Audit Plan presented in the next section.

The risk assessment update process was performed by TCDD management and facilitated by the internal auditor in September of 2013. Management continues to exhibit a commitment to improving operational efficiencies and performance, including their voluntary participation in and responsiveness to the internal audit function.

### Purpose

The TCDD risk assessment provides management and board members with a prioritized list of risks associated with their activities. From these risks, a management strategy is developed. The risk assessment allows the Board to review the identified risks being monitored by management and evaluate the effectiveness of controls and responses to those risks.

### Concepts of Risk

Risk is defined as the level of exposure to uncertainties that an agency must comprehend and manage to effectively and efficiently achieve its objectives and execute its strategies. Risk is a measurement of the likelihood that an organization's goals and objectives will not be achieved. Controls are anything that improves the likelihood that goals and objectives will be achieved.

### Methodology

The Texas Council for Developmental Disabilities' risk assessment process includes three parts: (1) identifying agency activities; (2) identifying and rating risks for each activity; and (3) identifying actions to mitigate risks. The risk assessment update contemplates additional risks to be added and also considers additional controls put in place. The risk assessment update is used to determine the highest risk areas for the current year's audit plan.

## Risk Footprint

The attached risk assessment footprint reflects the prioritized risks as identified and ranked in the current year's risk assessment update. Each risk identified in the matrix is assigned two risk factors of High, Medium, or Low based on the impact the risk would have on the agency if it occurred and the probability of occurrence. By combining these measures the agency develops a priority ranking for each risk factor. The following key provides the level of risk management that will be employed by the agency for each potential risk factor ranking:

- HH, HM – Extensive Risk Management that includes monitoring by management and an internal audit.
- HL, MH – Considerable Risk Management that includes monitoring by management and a less in depth audit.
- MM, ML, LH – Manage and monitor the risk
- LM, LL – Monitor or accept the risk

## Results

The results of the risk assessment shown in Exhibit 1 illustrate changes in the prioritization and organization of consolidated activities and risk factor priorities based on the current year's update. The highest-risk areas are marked in red and relate to activities in Executive and Administrative functions, Grant Administration, and the Public Policy and Information area.

Risks in the red area require oversight controls to ensure that the supervisory and operating controls are working. Oversight controls can include exception reports, status reports, analytical reviews, variance analysis, etc. These controls are performed by representatives of executive management, on information provided by supervisory management. Areas within this highest risk category should be considered for inclusion in the internal audit plan.

Activities that fall within the yellow risk category require considerable risk management. Under this category of risk executive management or their designees should perform oversight controls to ensure that supervisory and monitoring controls are working. If internal audit provides services in this area, it is to ensure that oversight of the supervisory controls are appropriate and are being performed.

The last two categories of risk are marked in green and gray. Risks falling within the green areas rely on department managers to provide oversight by ensuring that supervisory controls and operating controls are working. Department managers should report to the Executive Director on the condition of these risks. Risks in the gray area are low risk areas that are managed by operating and supervisory controls and executive management accepts the residual risk in these areas.

## **Section 2: INTERNAL AUDIT PLAN**

The Texas Internal Auditing Act requires certain audits to be performed on a periodic basis. Required audits include audits of the department's accounting systems and controls, administrative systems and controls, electronic data processing systems and controls, and other major systems and controls.

The *International Standards for the Professional Practice of Internal Auditing* requires the internal audit activity to evaluate the effectiveness and contribute to the improvement of risk management processes. The internal audit activity must evaluate risk exposures, including the potential for the occurrence of fraud and how it is managed. The auditor assists the organization in maintaining effective controls by evaluating the effectiveness and efficiency of the risk management process and by promoting continuous improvement. Specifically, the internal audit activity must evaluate the adequacy and effectiveness of controls in responding to risks within the organization's governance, operations, and information systems regarding the:

- Reliability and integrity of financial and operational information,
- Effectiveness and efficiency of operations,
- Safeguarding of assets, and
- Compliance with laws, regulations, and contracts.

Internal auditors are required to ascertain the extent to which management has established adequate criteria to determine whether objectives and goals have been accomplished.

Based on the updated risk assessment, the proposed internal audit focus for the current year is:

1. An advisory project to identify potential ways to streamline processes for the development of requests for proposals.
2. Follow up on prior year audit recommendations.

**Section 3:  
HISTORY OF  
INTERNAL AUDITS AT TCDD**

2013	Grantee Communications Governance Audit
2012	Funds Monitoring Quality Assurance Review
2011	Grantee Monitoring
2010	Information Security TAC 202
2009	Contracts Administration and Management Quality Assurance Review
2008	Grantee Audit Desk Review Process Internal Controls over Financial Reporting to Council Grantee Records Management (database and hard copy files)
2007	Grantee Monitoring: Onsite Reviews Internal Administrative Operating Procedures
2006	Control Environment Evaluation Grantee Expenditure Monitoring Public Policy Processes and Controls Quality Assurance Review
2005	Grantee Risk Assessment Model & Master Records Maintenance Fraud Prevention and Reduction Policy Administrative & Project Development Procedures
2004	Follow-up on MATRS Review Findings Grantee Risk Assessment Model & Electronic Grants Manual Review
2003	Grants Manual Compliance Review TRC Performance Audit Review
2002	Grants Administration



**Report Distribution Page**

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# Exhibit 1: RISK FOOTPRINT - Texas Council for Developmental Disabilities (TCDD)

ACTIVITY PRIORITY	RISKS		RISKS		RISKS		RISKS		RISKS		RISKS		RISKS		RISKS											
	PROBABILITY RATING	IMPACT RATING	PROBABILITY RATING	IMPACT RATING	PROBABILITY RATING	IMPACT RATING	PROBABILITY RATING	IMPACT RATING	PROBABILITY RATING	IMPACT RATING	PROBABILITY RATING	IMPACT RATING	PROBABILITY RATING	IMPACT RATING	PROBABILITY RATING	IMPACT RATING										
		1																								
		2																								
		3																								
		4																								
		5																								
		6																								
		7																								
		8																								
1	Executive and Administrative	H	H	H	M	Staff departures (loss of skills; knowledge-base)	H	M	Violation of state and/or federal rules or regulations	M	M	Inadequate monitoring of funding obligations and liquidations (2012)	M	M	Inadequate monitoring of fiscal reporting system	M	L	Ineffective succession planning for executive management	L	L	Ineffective governance functions	L	L	L	L	
5	Grant Administration	H	M	H	L	Insufficient monitoring of grant expenditures	H	L	Providing inadequate or inappropriate guidance to grantees (2013)	H	H	Non-compliance with federal or state regulations (OMB / UGMS)	L	L	Fraud and/or inappropriate use of federal funds	L	L		L	L		L	L	L	L	
4	Public Policy and Information	H	M	M	M	Violation of state or federal rules	M	M	Negatively impact relationships	M	M	Communication risks of mis-information; lack of control	M	L	Inaccurate policy interpretations provided to constituents	L	L		L	L		L	L	L	L	
6	Information Technology	H	L	H	L	Unauthorized access to data set	H	L	Loss of data / data integrity	L	L	Ineffective design of data system	M	L	Unauthorized access to TCDD website	L	L	Increased vulnerability from social networking	M	L		L	L	L	L	
3	Project Development	M	M	M	M	Non-compliance with approved procedures	M	M	Insufficient investment options	M	L	Poorly planned	M	L		L	L		L	L		L	L	L	L	
8	DSA Administrative Support: Finance & Accounting, Human Resources, Purchasing	M	L	M	L	Inadequate contract administration & management	M	L	HR: Hiring unqualified employees; inadequately addressing employee performance / productivity	M	L	HR: Non-compliance with current HR policies & reporting requirements	L	L	Over spend or under spend budget	L	L	Inaccurate reports to management and board	L	L	Purchasing: Improper / unauthorized procurements; incorrect postings	L	L	L	L	L
7	Council Support	M	L	M	L	Non-compliance with state and federal requirements	M	L	Non-compliance with Council policies and procedures	M	L	Insufficient logistical support	M	L		L	L		L	L		L	L	L	L	
2	Planning, Evaluating and Reporting	M	L	M	L	Non-compliance with state or federal requirements	M	L	Poorly planned	M	L	Documentation processes are insufficient for reporting requirements	L	L	Negatively impact relationships	M	L		L	L		L	L	L	L	
9	Designated State Agency (DSA) Operational Relationship	M	L	M	L	DSA / Council Separation of Authority	L	L	Inaccurate accounting information reported to State and/or Federal Government	L	L	Inadequate or inappropriate guidance from DSA	L	L		L	L		L	L		L	L	L	L	

## Quarterly Council and Committee Meetings

### Tentative Dates

**February 5-7, 2014**

*Hilton Austin Airport*

**May 7-9, 2014**

**August 6-8, 2014**

**October 22-24, 2014**

Council Meeting

Agenda Item 16.

Expected Action:

Discussion only; no action is anticipated.