

Council and Committee of the Whole Meeting Minutes

Tab 21

Background:

The Council will review the minutes from the August 8, 2014, Council meeting and August 7, 2014, 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 8, 2014**

COUNCIL MEMBERS PRESENT

Mary Durham, Council Chair
Hunter Adkins
Patty Anderson, DRT
Kimberly Blackmon
Kristine Clark
Gladys Cortez
Kristen Cox

Andrew Crim
Mateo Delgado
Stephen Gersuk
Manda Hall, DSHS
Sara Kendall, DARS
Diana Kern
Penny Larkin, DADS

Scott McAvoy
Amy Sharp, A&M CDD
Cindy Swain, TEA
Lora Taylor
Rick Tisch
Susan Vardell
April Young, HHSC

COUNCIL MEMBERS ABSENT

Cindy Johnston
John Morris

Dana Perry
Penny Seay, UT CDS

David Taylor

STAFF MEMBERS PRESENT

Roger Webb, Executive Director
Martha Cantu
Belinda Carlton
Joanna Cordry

Celina Galvan
Sonya Hosey
Cynthia Ellison
Wendy Jones

Susan Mihalik
Jessica Ramos
Joshua Ryf
Koren Vogel

GUESTS PRESENT

Ashley Butler
David Chapple
Eric Clow

Erik Fajardo
Jordana Gerlach
Ivy Goldstein, DSHS

John Harper
Celia Hughes
Susan Maxwell

CALL TO ORDER

The Texas Council for Developmental Disabilities convened on Friday, August 8, 2014, in the Chennault Room of the Hilton Austin Airport Hotel, 9515 Hotel Drive, Austin, TX 78719. Council Chair Mary Durham called the meeting to order at 8:34 AM.

1. INTRODUCTIONS

Council members, staff and guests were introduced.

2. PUBLIC COMMENTS

No public comments were offered to the Council.

3. CONSENT ITEMS

Council members reviewed the minutes of the May 2014 Council and Committee of the Whole meetings. Dr. Manda Hall noted that her agency was listed incorrectly at the bottom of page 1. This will be corrected for the record. Durham reviewed the absences for this meeting of Cindy Johnston, John Morris, Dana Perry, David Taylor and Penny Seay (UT CDS). Since there was no objection, the consent items were approved by acclamation.

4. EXECUTIVE DIRECTOR'S REPORT

Executive Director Roger Webb discussed the Sunset Commission review of TCDD. Meetings between TCDD staff and Sunset Commission staff took place over the summer. A draft report is expected early September for TCDD review and comments followed by an exit interview September 16, 2014. The final reports about TCDD and various other agencies are expected early October. The Sunset Commission will review the staff reports and take public comments on recommendations on those agencies November 12-13, 2014, and expects to make final decisions in mid-December.

5. REVISIONS TO TCDD POSITION STATEMENTS

Public Policy Committee Chair Kristen Cox reported that the Committee accepted revisions as presented for the Family Support, Children and Families, and Emergency Preparedness position statements. The Committee agreed to continue discussions about possible further revisions to the Community Living position statement at the November 2014 meeting.

MOTION: To approve revisions to the Family Support, Children and Families and Emergency Preparedness position statements as presented.

MADE BY: Kristen Cox for the Public Policy Committee (motions from Committee do not need a second.)

The motion **passed** unanimously. (Attachments 1-3 as approved.)

6. FUTURE ACTIVITIES FOR STATE PLAN IMPLEMENTATION

Project Development Committee Chair Gladys Cortez reviewed the Committee's discussion about future projects to implement the TCDD State Plan. The Committee approved an executive summary for Leadership Development and Advocacy Skills Training projects for up to four projects for up to \$75,000 per year. (Attachment 4) The Committee also approved the executive summary for Targeted Online Training for stakeholders that proposes up to \$10,000 to develop a webinar template and guide, and up to \$15,000 per year for two years for the development of products. (Attachment 5)

MOTION: To approve the Executive Summaries for Leadership Development and Advocacy Skills Training projects and for Targeted Online Training activities as presented.

MADE BY: Gladys Cortez for the Project Development Committee

The motion **passed** unanimously.

7. GRANTEE PRESENTATION: VSA ARTS OF TEXAS – SELF-ADVOCATES AS SPEAKERS

The Council received a presentation from VSA Arts of Texas about the Self-Advocates as Speakers Project. Executive Director Celia Hughes and Project Coordinator Eric Clow provided details about the "Opening Minds, Opening Doors" project. The purpose of the project is to increase the number of speakers with disabilities at conferences and events. 20 participants have been trained in the Austin area and the project is expanding to El Paso. The training began with a 6-week pilot program in September 2013 where participants developed and presented their personal stories. Additional classes included writing intensive classes as well as creative expression to develop participant's stories. In March 2014, participants began a series of preparation sessions to showcase their speeches. Current classes are nurturing ongoing participants and training new participants. Project

Coordinators are currently looking for opportunities for participants to offer presentations. They have already presented at several conferences, an Olmstead event and to the Cap Metro – Metro Access Advisory Committee.

Council members enjoyed three presentations from project participants. Jordana Gerlach provided a PowerPoint presentation on her fused glass art work, David Chapple spoke on his journey to independent living, and Ashley Butler spoke on her job search and employment with HEB.

8. FUTURE ACTIVITIES FOR STATE PLAN IMPLEMENTATION (continued)

Chair Durham reported that the Executive Committee recommends a 6-month extension of the Arc of San Angelo for the Alternatives to Guardianship project to allow the grantee to develop stories that illustrate successful alternatives to guardianship as well as barriers and concerns for supported-decision making. These stories would be presented as ten 1-page documents to use in advocacy efforts during the next legislative session. Since this extension is beyond funding originally authorized for this project, Council approval is required.

MOTION: To approve funding of up to \$25,000 for a 6-month extension of the Arc of San Angelo for the Alternatives to Guardianship project as presented.

MADE BY: Mary Durham for the Executive Committee

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

Project Development Committee Chair Cortez reported that the Committee revised priorities for Future Project Funding in the following order: 1) Targeted Online Training; 2) Understanding Employment Options and Supports Conference; 3) Culturally Competent Family Supports; 4) Leadership Development and Advocacy Training Projects; 5) Partnership with African-American Clergy to Support Family; 6) Accessible Transportation Projects.

MOTION: To approve revised Future Project Funding Priorities as presented.

MADE BY: Gladys Cortez for the Project Development Committee

The motion **passed** unanimously.

9. FY 2015 OPERATING BUDGET

Operations Director Martha Cantu reviewed the proposed operating expense budget for FY 2015 (October 1, 2014 – September 30, 2015). The proposed budget reduces operating expenses by \$67,000 compared to FY 2014 due to improved monitoring of various expense categories. Operating expenses includes staff salaries and benefits, professional services, Council member and staff travel expenses, supplies, office space and utilities and rental of computer equipment. The total proposed budget for FY 2015 is \$1,560,928 and \$50,000 is budgeted to the Texas Education Agency (TEA) for administrative support. Any budgeted amounts not expended at the end of the fiscal year will become available for grant projects.

MOTION: To approve the FY 2015 Operating Expense budget as presented.

MADE BY: Mary Durham for the Executive Committee

The motion **passed** unanimously. (Attachment 7 as approved.)

10. ANNUAL REVIEW OF MEMORANDUM OF UNDERSTANDING WITH TEA

Cantu next reviewed the Memorandum of Understanding (MOU) with TEA. This document establishes the roles and responsibilities of the designated state agency and is reviewed annually. Neither TCDD nor TEA recommend changes to this year’s MOU.

MOTION: To approve the FY 2015 Memorandum of Understanding with TEA.

MADE BY: Mary Durham for the Executive Committee

The motion **passed** unanimously. (Attachment 8)

11. FY 2014 ANNUAL INTERNAL AUDIT REPORT

Council Vice-Chair and Audit Committee Chair Andy Crim reported that Lora Taylor has agreed to serve on the Audit Committee replacing Jeff Kaufmann who is no longer a representative to the Council. Crim also reported that Jaye Stepp will complete her services as Internal Auditor at the end of August because she is ending her employment with Rupert and Associates. The Committee reviewed the FY 2014 Internal Audit Report with Stepp. Crim noted the Committee had no concerns with the report and indicated Stepp will revise the report to this year’s prescribed format from the State Auditor’s Office prior to submission but that no content changes will be made. It was suggested that the paragraph on Page 3 of the report that describes the RFP award process should be revised to say “The Executive Committee on behalf of the Council approves proposals to fund, dependent on successful negotiation of work-plan and budget”.

MOTION: To approve the FY 2014 Internal Audit Report with the revision as noted.

MADE BY: Andy Crim for the Audit Committee

The motion **passed** unanimously. (Attachment 9)

Operations Director Cantu reviewed the process TCDD will use to obtain a new Internal Auditor. TCDD will solicit vendors who have been previously approved through the Texas Multiple Award Schedule (TXMAS) program and request a statement of work (including fee schedule) from organizations interested in providing internal audit services to TCDD. Applicants will be interviewed and the Audit Committee will meet in November to make a recommendation to the Council.

12. TCDD PUBLIC POLICY PRIORITIES

Public Policy Committee Chair Cox reported that the Committee discussed 2015 Public Policy Priorities as presented in meeting materials. The Committee agreed that Long-Term Services and Supports and Employment are the top two priorities and agreed to keep Education and Guardianship as listed in the document. (Attachment 10)

MOTION: To approve the 2015 Public Policy Priorities.

MADE BY: Kristen Cox for the Public Policy Committee

The motion **passed** unanimously.

13. 2014 BIENNIAL DISABILITY REPORT RECOMMENDATIONS

Public Policy Committee Chair Cox reported that the Committee discussed the 2014 Biennial Disability Report but that no action was taken on recommendations. This will be further discussed at the November meeting and a recommendation will be made to the Council at that time. Executive Director Webb noted that staff will contract with a technical writer to draft the report.

14. EXECUTIVE COMMITTEE REPORT

Grants Management Director Sonya Hosey reviewed the Independent Audit Status Report, the Grants Monitoring Exceptions Report and Risk Assessment report noting that there were no issues or concerns with any of the reports.

Hosey provided members with a summary of grant funding approved by the Executive Committee meeting and five event stipends and speaker stipends awards approved by the Executive Director. New grant funding was approved for Texas Advocates for a Self-Advocate Grassroots Community Organizing project. Continuation grant funding was approved for five projects.

Operations Director Cantu reviewed the quarterly financial reports noting that FY 2012 funding has been closed out with only \$2,802 in lapsed funds. Those funds were not identified by grantees in time to be reallocated to other projects. FY 2013 funds have been fully obligated. Staff expect current deficits projected for FY 2014 and FY 2015 will be resolved through unspent operating expense or grant funds. Committee members did not have concerns regarding the financial reports.

The Executive Committee reviewed Council member and staff Conflict of Interest disclosures and found no concerns.

15. AUDIT COMMITTEE REPORT

Audit Committee Chair Crim further discussed the plans to obtain a contract for internal auditing services and noted that the new auditor will develop the FY 2015 Audit Plan. The FY 2014 Internal Audit Report can be amended at that time if desired to include the FY 2015 Audit Plan.

16. PROJECT DEVELOPMENT COMMITTEE REPORT

Project Development Committee Chair Cortez had no further items to report.

17. PUBLIC POLICY COMMITTEE REPORT

Public Policy Committee Chair Cox reported that the Committee received policy updates on Senate Bill 7 implementation activities, Employment First Task Force activities, and State Supported Living Center activities. The Committee reviewed a Public Information Report including statistics on TCDD social media activities.

Executive Director Webb discussed the upcoming Candidate Forum hosted by the Disability Action Project to be held on September 24, 2014. TCDD is a co-host of the event and has committed approximately \$5,000 for CART translation, interpreter services and simulcast broadcasting.

18. ANNOUNCEMENTS AND UPDATES

Council members discussed dates of future meetings November 5-7, 2014, at the Marriott Austin South, February 4-6, 2015, May 6-8, 2015, and August 5-7, 2015. Chair Durham reminded members

Draft Minutes, August 8, 2014, Council Meeting

of the Sunset Commission hearings November 12-13, 2014, where public comments about TCDD will be accepted.

ADJOURN

Council Chair Durham adjourned the meeting at 10:31 AM.

Roger A. Webb
Secretary to the Council

Date

Attachment 1



Family Support Position Statement

The Texas Council for Developmental Disabilities supports the position that families should have access to supports and services needed to provide sustained care throughout the lifespan of a child, a sibling, or an adult with disabilities. Family caregiving is the backbone of long term services and supports for Texans with disabilities. National caregiver studies estimate that more than 85 percent of individuals with developmental disabilities reside with and rely on their families for care. Emotional, social and economic challenges accompany a family's commitment to their family member with a developmental disability.

Throughout an individual's lifespan, family support services are intended to strengthen and maintain family connections while fostering self-determination, independence, and participation in school, job, recreational and community activities. Adequate support services must be available to people with disabilities so that they can remain in the community rather than face inappropriate institutional placements.

The Texas Council for Developmental Disabilities supports the provision of a full array of flexible, culturally competent family support services that include but are not limited to:

- adaptive equipment and specialized clothing;
- assistive technology devices and services;
- counseling services;
- financial assistance with the extra expenses of providing support;
- home modifications;
- leisure-time planning;
- person-centered comprehensive planning for transition from early childhood to school, from school to adult life, and from adult life to retirement;
- personal assistance services/direct care services;
- respite care that is affordable, safe, age-appropriate and in the most integrated setting;
- service coordination including information and referral services;
- training to empower people with disabilities and their families to advocate for lifestyles they choose and skills to effectively support their family member at home;
- transportation; and
- vehicular modifications.

Providers of family support services must have education and training that will prepare them to work with families and people with disabilities of all ages to maximize each individual's potential and inclusion with their peer groups.

To be effective and beneficial, family supports and services must be affordable, easy to access, designed by the individual and their family, individualized based on functional needs rather than diagnosis, flexible to changing needs and circumstances, and culturally appropriate.

Attachment 2



Children and Families

Position Statement

The Texas Council for Developmental Disabilities supports the position that all children belong in families that provide love, caring, nurturing, bonding and a sense of belonging and permanence that best enables them to grow, develop and thrive. Children with disabilities are no different from other children in their need for the unique benefits that come only from growing up in a permanent family relationship. All children benefit and are enriched by being part of an inclusive environment that promotes physical, social, and intellectual well-being and leads to independence and self-determination.

Families of children with disabilities often need supports and services to sustain family life and keep their children at home and included in the community. Family support services are intended to strengthen the family's role as primary caregiver, prevent expensive out-of-home placement of individuals with disabilities, maintain family unity and foster self-determination.

The Texas Council for Developmental Disabilities supports the position that:

- All children can and should live in a family. All children need a family to best grow, develop and thrive. All children deserve the love, nurturing and permanency that are unique to family life.
- Families come from many cultures and are multidimensional. No matter its composition or cultural background, a family offers a child a home and a lifelong commitment to love, belonging and permanency. Parents with disabilities are capable of and do provide loving families and homes to children.
- Families, including parents with disabilities, should have available the level of supports and services needed to keep their children with and without disabilities in their own homes. Family support services should include, but are not limited to, respite care, provision of rehabilitation and assistive technologies, personal assistant services, parent training and counseling, vehicular and home modifications, and assistance with extraordinary expenses associated with disabilities. In addition, since the vast majority (over 85%) of individuals with disabilities reside with families in their own households, families of children with disabilities need access to appropriate child care and to before- and after-school programs. Child care for children with disabilities should be affordable, safe, appropriate and in the most integrated setting.
- Providers of family support services must have education and training that will prepare them to work with people with disabilities in inclusive settings to achieve this goal.
- To be effective and beneficial, supports and services must be easy to access, family-driven, individualized, flexible to changing needs and circumstances, culturally sensitive and based on functional needs rather than categorical labels.

- ❑ When children cannot remain in their own families, for whatever reason, the first priority should be to reunite the family through the infusion of services and supports. When that is not possible and the family can remain actively involved in the child's life, the natural family should be a key participant in selecting an alternate family situation for their child, including foster families, co-parenting and adoption.
- ❑ When families cannot be actively involved in their children's lives, permanency planning must occur to allow each child to live in a family.
- ❑ School districts and health and human services agencies are integral sources of information and training for parents. Coordination among school districts and outside agencies is critical to provide parents with accurate, timely information regarding services and eligibility requirements.
- ❑ It is essential to guarantee that all children are safe from abuse and neglect. Support of the families of children with disabilities from this system is critical to make sure children remain in a safe, family environment and are not unnecessarily removed from families due to the absence of necessary services and supports.

When children with disabilities grow up in families, the community at large accepts the value of providing supports to children and families at home so that children become and remain participants and contributors to their communities.

The Council supports the public policy statement adopted by the State of Texas recognizing the value of families in children's lives and supports the development of programs, policies and funding mechanisms that allow all children to live and grow up in a family.

Approved August 8, 2014

Attachment 3



Emergency Preparedness Position Statement

The Texas Council for Developmental Disabilities supports the position that people with disabilities deserve respectful, prompt and efficient assistance during “shelter in place,” evacuation, and relocation resulting from a natural disaster or emergency event. Individuals must have access to appropriate and accessible transportation, shelter, medical and mental health care, and information on temporary support services. To achieve this, people with disabilities and their families, state agencies, first responders, relief workers, and local and state government must work together to create emergency preparedness systems and plans that are responsive to people with disabilities’ needs and stated preferences. There also must be a priority on people with disabilities and their families creating individual emergency preparedness plans.

The Texas Council for Developmental Disabilities supports the position that people with disabilities and their families must be involved in planning and implementing first responder and relief worker trainings that address the needs of people with disabilities in an emergency event, including accessible transportation, adherence to an individual’s existing emergency preparedness plan, and the importance of keeping families and other support networks, including service animals, together throughout the evacuation and relocation processes.

The Texas Council for Developmental Disabilities supports the following principles as integral to the health and safety of people with developmental disabilities during an emergency event:

- Individuals and families create, review and revise as necessary (at least annually) individual emergency preparedness plans, to include “shelter in place” plans, with support from long-term care and support programs when appropriate;
- Confidentiality of personal and medical information included in an individual’s emergency preparedness plan or provided to any registry system or service provider;
- Participation of people with disabilities and families in developing local, regional, and state emergency preparedness plans, to include “shelter in place” plans, that are responsive to the needs and preferences of people with disabilities;
- Participation of people with disabilities and their families in developing trainings for first responders and relief workers on the needs of people with all disabilities during and after an emergency event, including information on invisible disabilities, self-determination, and preserving support networks; and
- Information on emergency preparedness and preparedness planning activities and resources must be available to everyone.

Approved August 8, 2014

Attachment 4

Funding Proposal Executive Summary Leadership Development and Advocacy Training Projects

Background

All but one of TCDD's current leadership development and advocacy training projects, each awarded \$75,000 per year for up to three years, have begun their last year:

- Texas A&M University Youth Leadership (training high school students in schools)
- Texas Advocates Project SAVE (training self-advocates in State Supported Living Centers)
- The Arc of Texas Project MOVE (training self-advocates and families)
- The Arc of Dallas Advocates for Choice and Change North Texas (training self-advocates, families, and other community members)
- The TX Statewide Independent Living Council (SILC) Conference (providing training for any attendees)

Previously funded projects that have already ended include:

- Brighton Center's Parent Alliance for Learning and Support Program (training families)
- Region 19 ESC & Imagine West TX Youth Leadership grants (training young self-advocates)
- Family to Family (training for self-advocates and families)
- Paso del Norte Children's Development Center (training for families)

Two projects that support self-advocates to improve and market their public speaking skills, one project to support a self-advocate group engaging in community organizing, and the Texas Parent to Parent advocacy network project will all continue to be active after the projects noted above have ended. In addition, TCDD has planned up to five new projects to build culturally competent family supports; these projects may provide leadership development and advocacy skills training and will be expected to identify self-advocates and family members who would like to be more actively involved in advocacy efforts or take more visible leadership roles. However, there will be no other projects that regularly provide the type of training TCDD has supported for over twenty years.

In May 2014, the Project Development Committee discussed accomplishments of these projects and noted that there continues to be a need for effective, culturally relevant, leadership development and advocacy training to be available in local communities. The Committee expressed the desire to fund additional projects that address the needs of the people living in local communities in a cost effective way.

State Plan Goal

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 4: 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.

Expected Outcome

Up to four TCDD-funded Leadership Development and Advocacy Skills Training projects will each train at least 100 people each year, on average, and document that:

- at least 80% of trainees demonstrate perceived improvement in their ability to advocate for themselves and others; and
- at least 10% of trainees have continued involvement in leadership roles or public advocacy.

Project Description

Up to four projects will provide leadership development and advocacy skills training using approved curriculum. Project staff will select curriculum and determine how training will be provided. Training must focus on issues relevant in the lives of people with developmental disabilities and must include:

- History and philosophy of the disability rights movement;
- Principles of self-determination;
- Strategies to find and access necessary services and supports;
- Activities to develop self-advocacy skills; and
- Activities to promote interaction between participants and peer support.

Training participants may include individuals with disabilities, family members of people with disabilities, and other interested community members who do not fall into either of these categories. First priority shall be given to support the participation of individuals with developmental disabilities; spouses or partners of individuals with developmental disabilities; and family members of adults with developmental disabilities. Other community members who are interested in being active advocates around developmental disabilities issues may attend training if space permits.

Organizations implementing the training may charge a reasonable fee for training or for Continuing Education Units (CEUs) but must ensure that any person with a developmental disability and family member of a person with a developmental disability will be able to participate, regardless of personal ability or inability to pay. TCDD will have final approval of any fee structure and procedure.

All organizations must have procedures in place to obtain contact information (including e-mail addresses) from participants and to inform participants if their contact information will be forwarded to TCDD so that TCDD may provide information related to advocacy opportunities to those individuals who have been trained. Grantees will also be expected to forward names of individuals who are interested in advanced training or serving on a board or committee to TCDD.

Proposed Funding Amount

Up to \$75,000 per project, per year. Additional funding may be made available to provide reasonable accommodations to support Project Directors or Project Coordinators who have a developmental

disability if needed accommodations exceed the amount the organization can afford. Additional funding must be based on level of need and must be reasonable and necessary as determined by TCDD.

Proposed Duration

Up to five years

Other Considerations

The Council may wish to allow individuals to “opt” out of having their contact information automatically forwarded to TCDD or may wish to make furnishing contact information to TCDD a requirement of participation.

Attachment 5

Funding Proposal Executive Summary Targeted Online Training

Background

Over the last several years, TCDD staff have identified specific types of training that might help stakeholders to enhance their advocacy efforts as well as their results or provide grantees with expertise that could improve their outcomes. In addition, staff have noted that some trainings currently conducted on a regular basis by staff, such as new grantee trainings, could be developed as webinars and made available for others to view at will.

For staff to develop these types of trainings individually on an intermittent basis appears to be inefficient, takes time and focus away from their primary duties, and is likely to result in inconsistent quality as subject matter experts are not necessarily also good trainers. Obtaining Council approval for funding to develop each single specific webinar also seems to be an inefficient approach.

As an alternative, staff recommend the Council approve limited funding for a limited period of time to allow staff to initiate development and deployment of online trainings as funding allows. To maintain consistent quality, staff would first work with an organization or individual with expertise in universal learning to prepare a template that will then be used by subject matter experts to prepare specific products that provide training effectively. This approach would also allow TCDD to rapidly invest unspent funds to implement an activity that has already been discussed and approved by the Council.

State Plan Goal

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 4: 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 9/30/2016.

Expected Outcome

TCDD will provide online training to stakeholders such as self-advocates, families, local organizations, service providers and grantees to help them improve their outcomes.

Project Description

TCDD will provide funding to an organization or entity familiar with universal learning and accessibility guidelines to develop:

- a template for webinars;
- a guide to structuring online training for the most effective use of the template;
- a guide for drafting outlines or scripts for effective short informational videos;
- a strategy to ensure that the products developed can be accessed at will via the internet; and

- a brief evaluation that individuals participating in the training are asked to complete to assess the effectiveness and usefulness of the training.

The organization or entity selected will be required to recommend necessary technology and provide technical assistance to TCDD staff or their designees to support the development of up to 12 webinars or podcasts over a 2 year period of time. All trainings developed would be property of TCDD.

Following the development of the training templates and guides for use, TCDD staff propose that the TCDD Grants Management Director or the TCDD Public Policy Director would recommend topics for specific trainings. The TCDD Executive Director would review and approve recommended training topics. To be considered an appropriate topic for training, the topic must meet the following conditions:

- The training does not already exist in an easily available format that is free to the public;
- The training addresses a State Plan Goal or Objective; or a public policy priority; or would enable TCDD to operate in a more efficient manner; and
- Staff determine enough people would make use of the product to justify the funding spent. over the life of the product.

For each training, staff would select and work with subject matter experts as needed to develop and provide the training using the template. TCDD staff or collaborators may serve as subject matter experts at no cost to TCDD. Paid subject matter experts may be also be used.

Examples of training topics might include (but would not limited to):

- Information about emerging or time-sensitive issues, such as a public policy issue that requires timely action by a group of people who would not otherwise be adequately informed.
- Training to develop useful skills, such as:
 - Using social media and internet-based marketing for advocacy; and
 - Identifying, understanding, or addressing public policy issues.
- Education around best practices - such as person-centered thinking, community organizing, or cultural competency - that would be beneficial to a large group of people.
- Training to improve the quality of TCDD grant projects, such as training to help grantees improve their outreach to & support of people who may have diverse backgrounds and cultures.

Proposed Funding Amount

Up to \$10,000 for the development of the template and guide, to buy necessary technology (hardware and software as necessary), and to pay for any necessary training. No more than \$15,000 per year, total, for development of products using the template.

Proposed Duration

Up to two years

Other Considerations

None.

Attachment 6

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

Date: 8/06/2014

Review of Proposed Activities & Budget

ITEM: D

Grantee: The Arc of San Angelo

Year: 1 of 1

Project Title: Alternatives to Guardianship - *Extension Proposal*

Project Location: Statewide

Website: none

Original TCDD RFP Intent:

The project intent is to demonstrate how volunteers can provide appropriate supports to help individuals with intellectual and other developmental disabilities to make decisions concerning their own lives. In 2009, the Texas Legislature passed HB 1454 directing the Health and Human Services Commission (HHSC) to develop and evaluate two Volunteer-Supported Decision-Making Advocate pilot programs that will provide supported decision-making services to persons with intellectual and developmental disabilities and other cognitive disabilities. The Department of Aging and Disability Services (DADS) was directed by HHSC to develop and implement the pilot program and to provide the legislature with a report and recommendations. TCDD has partnered with DADS to implement the pilot.

Authorized Funding: TCDD approved up to \$75,000 per year for up to three years.

Proposed Additional Funding: TCDD staff is recommending an extension of 6 additional months for up to \$25,000 for the project to develop additional information and materials.

Expected Results: TCDD staff has asked Arc-SA to develop a one-page overview with anecdotes that illustrate issues pertaining to unnecessary guardianships. These will be based on the experiences of the grantee and barriers encountered. Public policy staff will use these to draft potential solutions to the issues identified by the grantee. Between five and ten anecdotes are expected by November 2014.

Previous Project Goals and Accomplishments for Year (s) 1-3:

Goal: To provide supported decision-making services to individuals with intellectual and developmental disabilities and other cognitive disabilities to increase their self-determination, power, and control of their own lives through recruiting, training, monitoring, and supporting volunteers.

Accomplishments per goal: Diversion was established as the priority of the initial 3-year project with education and execution of advanced directives identified as secondary activities; Court-initiated guardianship for 4 individuals was successfully diverted. The third year of the project focused on exploring the issues of Advance Directives and lack of communication/cooperation among residential providers and treatment facilities. A key achievement of the Arc-SA project was an agreement with the I/DD Local Authority in that area to revise policy regarding the integrity and efficacy of HCS waiver Service Coordinators That ensures a clear separate of service coordination function by authority staff from provider functions of the community center. Service Coordinators have the ability to be an advocate for HCS participants and in some instances could be a viable alternative to guardianship

Proposed Goals and Objectives for Proposed 6-Month Extension:

Goal: Produce at least 10 individual stories from experiences with the local guardianship program, each as a one-page narrative illustrating successful alternatives, successes, barriers, recommendations for reform and concerns to be addressed to give individuals viable, successful supports for decision-making.

Objectives: 1) Request stories; 2) Craft original stories; 3) Provide input to policy discussions concerning supported decision-making and alternatives to guardianship.

Council Considerations: Public Policy Considerations: Stories collected will be used in guardianship reform advocacy efforts. **Grant Management Considerations:** No concerns; low risk monitoring.

Staff Recommendation: TCDD staff recommends Council to consider funding for this project.

Budget Detail Summary			
	Federal	Match	Totals
Amount expended in Year 1	\$74,922/\$74,922	\$27,856/\$28,577	\$102,778/\$103,499
Amount expended in Year 2	\$73,941/\$73,941	\$24,823/\$30,997	\$98,764/\$104,938
Amount expended in Year 3 (8 months)	\$75,000/\$52,054	\$33,000/\$22,204	\$108,000/\$74,258
Amount requested for new award:			
I. Personnel services	23,813	0	23,813
II. Travel	226	0	226
III. Purchased services	0	3,168	3,168
IV. Property/Materials	0	60	60
V. Rental/Leasing	0	4,410	4,410
VI. Utilities	961	1,649	2,610
VII. Other (Indirect Costs)	0	0	0
Budget period totals	\$25,000	\$9,287	\$34,287

Attachment 7

TEXAS COUNCIL FOR DEVELOPMENTAL DISABILITIES

	BUDGETED		PROPOSED FY 2015 BUDGET		PROPOSED		VARIANCE	NOTES
	FY 2014	% OF WHOLE	YEAR END EXPENDITURES FY 2014	% OF WHOLE	BUDGET FY 2015	% OF WHOLE		
	(10/13-9/14)		(10/13-9/14)		(10/14-9/15)			
Revenues								
<i>Federal Allotment</i>	\$4,804,064	100.0%	\$4,804,064	100.0%	\$4,804,064	100.0%	\$0	1
		0.0%		0.0%				
Total Revenues	\$4,804,064	100.0%	\$4,804,064	100.0%	\$4,804,064	100.0%	\$0	
Expenses								
Council Operations	17 FTE		17 FTE		17 FTE			
Salaries	\$909,359	18.9%	902,030	18.8%	\$871,924	18.1%	(\$37,435)	
Benefits	261,249	5.4%	312,933	6.5%	259,320	5.4%	(1,929)	
Professional Services	75,000	1.6%	92,547	1.9%	96,014	2.0%	21,014	2
Out-of-State Travel	27,000	0.6%	7,866	0.2%	27,000	0.6%	0	3
In-State Travel	63,000	1.3%	41,322	0.9%	58,000	1.2%	(5,000)	3
Supplies	10,000	0.2%	14,135	0.3%	12,000	0.2%	2,000	
Utilities	35,000	0.7%	24,993	0.5%	32,000	0.7%	(3,000)	4
Rent - Building - Space	69,450	1.4%	60,541	1.3%	64,570	1.3%	(4,880)	5
Rent - Computers - Equip	46,000	1.0%	37,795	0.8%	35,000	0.7%	(11,000)	6
Capital Expenditures	0	0.0%	-	0.0%	0	0.0%	0	
Other Oper. Expenses	132,150	2.8%	59,868	1.2%	105,100	2.2%	(27,050)	7
Total Operating Expenses	\$1,628,208	33.9%	\$1,554,029	32.3%	\$1,560,928	32.5%	(\$67,280)	
Admin. Reimb. To TEA	\$50,000	1.0%	\$50,000	1.0%	\$50,000	1.0%		
Available for Grants	\$3,125,856	65.1%	\$3,200,035	66.6%	\$3,193,136	66.5%	\$67,280	
TOTAL EXPENSES	\$4,804,064	100%	\$4,804,064	100%	\$4,804,064	100%	\$0	

NOTES:

¹ Level funding with FY 2014

² Professional Services: Training - \$3,000; Auditor - \$39,000 (Internal \$35,000 & Peer \$4,000); CPA Desk Reviews - \$8,000; Legal Services - \$3,000; Job Coaches - \$4,000; Review Panelist - \$3,000; Web Hosting - \$3,000; Computer Programming w/TEA \$16,014; Other contracted \$17,000 (Consultants \$5,000 & Temp Services \$12,000)

³ Travel - In-State Council - \$41,000; Out-of-State Council - \$15,500

Travel - In-State Staff - \$17,000; Out-of-State Staff - \$11,500

⁴ Utilities - \$11,260; Telecommunications - \$17,740; Dedicated Circuit - \$3,000

⁵ Rent-Building & Space: Office & Storage Space - \$41,770; Quarterly Council Facility Rooms - \$22,800

⁶ Rent-Machine - Rental of laptops - \$8,900; Quarterly Council AV rental - \$21,420; Rental of copier - \$4,680

⁷ Other OE: NACDD Dues - \$21,000; Contingency for 18th FTE - \$0, Printing, Registration, Publications, Maintenance & Repair, Postage, Cleaning, Delivery, Advertising, Interpreter/translator, Security, Furniture & Equipment, Software, and Awards - \$84,100

Attachment 8

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.

11. **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 carry out 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 (OMS) 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, 2014, and shall terminate on August 31, 2015. 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: **August 8, 2014**

Date: 7-3-14

Attachment 9



**TEXAS COUNCIL FOR
DEVELOPMENTAL DISABILITIES**

ANNUAL INTERNAL AUDIT REPORT

Fiscal Year 2014

Presented to
The TCDD Audit Committee
August 7, 2014

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

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Report Distribution List3

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 2014 is due November 1, 2014.

I. Compliance with House Bill 16: Posting the Internal Audit Plan, Internal Audit Annual Report, and Other Audit information on Internet Web site

TCDD complies 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 2014

The Texas Council for Developmental Disabilities (TCDD) had one advisory report delivered from the fiscal year 2014 audit plan. There were no deviations from the plan that was submitted in the FY-2013 Annual Internal Audit Report. Completed reports for FY-2014 included:

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.

III. Consulting Engagements and Non-Audit Services Completed

The Internal Auditor performed one advisory projects which is considered a consulting engagement, 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, during fiscal year 2014.

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. One opportunity for improvement was identified – to plan future projects to evaluate organization governance. In FY-2013 the internal audit function performed a Governance Audit at TCDD.

V. Internal Audit Plan for Fiscal Year 2015

The fiscal year 2015 Audit Plan will be presented at a later date. The contracted internal audit function at TCDD’s is being rebid this year and the risk assessment and internal audit plan will be developed by the new auditors. The report will be submitted to oversight agencies and posted on the TCDD website within 30 days after approval by the Audit Committee and Council.

VI. External Audit Services

External audit services procured in fiscal year 2014 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

Ed Osner
Legislative Budget Board
Ed.Osner@lbb.state.tx.us

Internal Audit Coordinator
State Auditor's Office
iacordinator@sao.state.tx.us

Ken Levine
Sunset Advisory Commission
sunset@sunset.state.tx.us

Attachment 10



Texas Council for Developmental Disabilities

The mission of the Texas Council for Developmental Disabilities is to create change so that all people with disabilities are fully included in their communities and exercise control over their own lives.

2015 Public Policy Priorities

- Long Term Services and Supports:** Improve the system of long-term services and supports to ensure the availability, timeliness and quality of community-based services and supports for individuals with developmental disabilities throughout the lifespan with an emphasis on providing services in integrated, community settings thereby reducing reliance on the need for institutional services.

- Education:** Protect the right of students with disabilities to an appropriate, inclusive, publicly-funded education that provides preparation for life's transitions, supports opportunities for full participation and eliminates the use of inappropriate disciplinary alternatives throughout the educational spectrum - from early education programs to post-secondary schooling.

- Employment:** Improve the system of employment services and income supports for individuals with developmental disabilities, including programs that help individuals develop assets and resources and help students with disabilities transition from school to work, by maximizing federal opportunities.

- Guardianship Reform and Supported Decision Making:** Protect and promote the civil rights and well-being of people with developmental disabilities by improving access to alternatives to guardianship and advancing protections and rights for those for whom guardianship is found to be the least restrictive alternative.

**COMMITTEE OF THE WHOLE
DRAFT MINUTES
AUGUST 7, 2014**

COUNCIL MEMBERS PRESENT

Mary Durham, Council Chair
Hunter Adkins
Patty Anderson, DRT
Kimberly Blackmon
Kristine Clark
Gladys Cortez
Kristen Cox

Andrew Crim
Mateo Delgado
Stephen Gersuk
Manda Hall, DSHS
Sara Kendall, DARS
Diana Kern
Penny Larkin, DADS

Scott McAvoy
Amy Sharp, A&M CDD
Cindy Swain, TEA
Lora Taylor
Richard Tisch
Susan Vardell

COUNCIL MEMBERS ABSENT

Cindy Johnston
John Morris

Dana Perry
Penny Seay, UT CDS

David Taylor
Nancy Walker, HHSC

STAFF MEMBERS PRESENT

Roger Webb,
Executive Director
Martha Cantu
Belinda Carlton

Joanna Cordry
Celina Galvan
Sonya Hosey
Wendy Jones

Jessica Ramos
Fernando Rodriguez
Joshua Ryf
Koren Vogel

GUESTS PRESENT

Kari Brock
Jennifer Esterline
Gina Fuller

Ivy Goldstein, DSHS
Susan Maxwell
Ginger Mayeaux

Jason Sabo

CALL TO ORDER

The Committee of the Whole of the Texas Council for Developmental Disabilities convened on Thursday, August 7, 2014, in the Chennault Room of the Hilton Austin Airport, 9515 Hotel Drive, Austin, TX 78719. Council Chair Mary Durham called the meeting to order at 9:03 AM.

1. INTRODUCTIONS

Council members, staff and guests introduced themselves.

2. PUBLIC COMMENTS

No public comments were offered.

3. PRESENTATION: ADVOCACY FOR POLICY CHANGE

Executive Director Roger Webb introduced Jason Sabo, founder of Frontera Strategy, who provided an outlook on the 2015 Texas Legislature. Sabo has previously worked with Council members on advocacy strategies to provide an effective message for legislators and state agency staff members. His presentation included a brief review of actions taken during the 2013 Texas Legislature and expected outcomes for the 2014 elections including expectations for changes to legislative committee leadership. He also provided guidance on the differences between lobbying and

advocacy including a review of ideas for advocacy strategies. Sabo emphasized focusing on 1-2 issues, concentrating on powerful data, recruiting unexpected messengers, capitalizing on the political process and following up after successful efforts. He provided examples of these five strategies and discussed how they could apply to TCDD priority issues of long-term services and supports, education, employment and guardianship.

4. SUNSET STAFF REPORTS FOR DARS, DSHS & DADS

TCDD Public Policy Director Jessica Ramos presented a summary of Sunset Commission Staff Recommendations for the Department of Assistive and Rehabilitative Services (DARS), the Department of State Health Services (DSHS) and the Department of Aging and Disability Services (DADS). She provided an overview of the Sunset Commission Review process and noted that the Sunset Commission expects to make final decision on these health and human services agencies August 13, 2014. Sunset staff recommendations for DARS include integration of blind services into vocational rehabilitation services, better coordination with Texas Workforce Commission services, targeting high schools with the highest need for transition services and increased support for the independent living centers network. Sunset staff recommendations for DSHS include elimination of eight advisory committees, improvement of mental health crisis capacity, and integration of mental health and substance abuse services with greater outcome measures. Sunset staff recommendations for DADS include closure of the Austin State Supported Living Center (SSLC) by 2017, establishing an SSLC Closure Commission to determine for five additional SSLC closures to be implemented by 2022, and investment of the savings from the SSLC closures in crisis support and enhanced services for individuals with complex needs in community settings. Ramos also noted that final Sunset staff recommendations for TCDD, Texas Health and Human Services Commission and 6 other agencies will be released in mid-October with public hearings scheduled for November 12-13, 2014. Final Sunset Commission recommendations for those agencies will be released on December 10, 2014.

5. MEMBER UPDATES

Council member Stephen Gersuk provided the story of his son Stephen and their family's decision for Stephen's placement at the Denton State Supported Living Center (SSLC). Stephen was diagnosed as an infant with Cornelia de Lange Syndrome and has had challenging behaviors as a result of this condition. The Gersuk family attempted a group home residence for Stephen but found this to be an unsuccessful and abusive environment. Gersuk described Stephen's life at Denton SSLC to be the most inclusive environment for him in that he participates in a great number of activities and that he and his family find the setting to be safe and nurturing.

6. CHAIR AND EXECUTIVE DIRECTOR REMARKS

Chair Durham reviewed expected Council member absences for this quarter's meetings including Cindy Johnston, Dana Perry and David Taylor.

Executive Director Webb indicated that the Governor's Appointments Office expect to make TCDD appointments in early fall 2014. At least four appointments are expected, replacing Joe Rivas who resigned, Cindy Johnston who is not interested in another term, and John Morris and Susan Vardell who are not eligible for reappointment. Reappointments are expected for Andy Crim, Mateo Delgado, Stephen Gersuk and Lora Taylor.

Durham and Webb along with TCDD Vice-Chair Andy Crim and Public Policy Director Ramos reported on the NACDD conference and AIDD Technical Assistance Institute which took place in July

in Washington DC. The conference was also attended by Council member Hunter Adkins and Grants Management Specialist Susan Mihalik.

Webb noted the recent departures of Public Policy Specialist Erin Lawler and Project Management Assistant Theresa Esquivel and welcomed new Communications Coordinator Joshua Ryf and Fernando Rodriguez who is serving in a temporary position as the Project Management Assistant. Webb also noted that Planning Coordinator Joanna Cordry has been elected to the NACDD Board of Directors.

Public Policy Specialist Belinda Carlton reported on her participation in the World Congress on Guardianship and noted that it was a highlight of her career to discuss supported decision making policy with advocates from around the world.

7. GRANT PROJECT HIGHLIGHTS

Grants Management Specialist Wendy Jones provided highlights of two TCDD grant projects: Arc of Texas Project MOVE (leadership development and advocacy skills training) and VSA Arts of Texas Opening Minds, Opening Doors (promoting self-advocates as speakers). Representatives from both projects will provide presentations to Council members during this quarter’s meetings.

8. PRESENTATION: ARC OF TEXAS PROJECT MOVE

Jones introduced project manager Kari Brock and Ginger Mayeaux who discussed the Arc of Texas Project MOVE. MOVE stands for Mobilize and Organize self-advocates, families and allies to use their Voices to Empower communities and create meaningful change. The project has trained over 600 individuals through partnerships with local Arc chapters in Austin, San Antonio, Lubbock, El Paso, San Angelo, Richmond and the lower Rio Grande Valley.

ADJOURN

Council Chair Durham adjourned the Committee of the Whole adjourned at 12:50 PM.

Roger A. Webb
Secretary to the Council

Date