

**Texas Council for Developmental Disabilities
Quarterly Meeting
Horseshoe Bay Resort
200 Hi Circle North
Horseshoe Bay, Texas 78657**

Meeting Schedule

Wednesday, November 4, 2015

2:00 PM – 6:00 PM
Executive Committee Meeting
Room: Limestone

Thursday, November 5, 2015

9:30 AM – 2:00 PM
Committee of the Whole
Room: Ballroom F-H
Lunch provided for Council Members and staff

2:15 PM – 4:30 PM
Project Development Committee Meeting
Room: Limestone North

Public Policy Committee Meeting
Room: Limestone South

Friday, November 6, 2015

9:00 AM – 11:30 AM
Council Meeting
Room: Ballroom F-H



Texas Council for Developmental Disabilities

Executive Committee Meeting - Agenda

Horseshoe Bay Resort

Room: Limestone

Wednesday, November 4, 2015 2:00 PM – 6:00 PM



Action Item

Call to Order

1. **Introductions of Committee Members, Staff and Visitors**
 2. **Public Comments**
 3. **Consideration of August 5, 2015, Minutes** Tab 1 
 4. **Chair's Report**
 - A. Council Member Absences
 - B. Other Updates
 5. **Executive Director's Report** Tab 2
 - A. Stipends Approved
 - B. Staff Updates
 - C. Other Updates
 6. **Grants Activities Reports** Tab 3
 - A. Grants and Projects Update
 - B. Independent Audit Status Report
 - C. Grants Monitoring Exceptions Report
 7. **Consideration of Continuation Grant Awards** Tab 4
 - A. A Circle of Ten – *Building Community Capacity Through Collaboration* 
 - B. Community Healthcore – *Building Community Capacity Through Collaboration* 
 - C. Texas A&M University – *Higher Education* 
 - D. Texas Tech University – *Higher Education* 
 8. **Appeal of Funding Decisions – Helpful Interventions** Tab 5 
 9. **Review Panel Recommendations** Tab 6
 - A. TCDD Public Policy Fellows 
 - B. Understanding Employment Options and Supports 
 - C. Stakeholder Training for Guardianship Alternatives 
 10. **TCDD Administrative Rules Review** Tab 7 
 11. **TCDD Quarterly Financial Report** Tab 8
 12. **Conflict of Interest Disclosures**
 13. **Other Updates**
- Adjourn**



Texas Council for Developmental Disabilities

Committee of the Whole Meeting - Agenda

Horseshoe Bay Resort

Room: Ballroom F-H

Thursday, November 5, 2015 9:30 AM – 2:00 PM



Action Item

Call to Order

1. **Introductions**
2. **Public Comments**
3. **Chair & Executive Director Remarks**
 - A. Member and Staff Reports
 - B. Agency Reports
 - C. Process to Establish Nominating Committee
 - D. Other Updates

4. **DD Policy Fellows Updates**

5. **Grant Project Highlights**

Tab 13

6. **Public Information Report**

Tab 9

7. **FY 2017-2021 State Plan Goals & Objectives**

Tab 10



Lunch Buffet

8. **Consideration of Partners in Policymaking Project Proposal**

Tab 11



9. **Council Challenge**

Adjourn



Texas Council for Developmental Disabilities

Project Development Committee Meeting - Agenda

Horseshoe Bay Resort

Room: Limestone North

Thursday, November 5, 2015 2:15 PM – 4:30 PM



Action Item

Call to Order

1. **Introductions**
2. **Public Comments**
3. **Consideration of August 6, 2015, Minutes** Tab 12 
4. **Chair's Remarks**
5. **Member Updates**
6. **Staff Reports** Tab 13
 - A. Status of New Projects
 - B. Projected Available Funds
 - C. Other Updates
7. **Future Project Funding Priorities** Tab 14 
8. **Selection of TCDD Nominating Committee Member** Tab 15 
9. **Workplace Bullying** Tab 16
10. **Support for Statewide Self-Advocacy Organization**
11. **Other Discussion Items**

Adjourn



Texas Council for Developmental Disabilities

Public Policy Committee Meeting - Agenda

Horseshoe Bay Resort

Room: Limestone South

Thursday, November 5, 2015, 2:15 PM – 4:30 PM



Action Item

Call to Order

1. Introductions of Committee Members, Staff and Visitors
2. Public Comments
3. Consideration of August 6, 2015, Minutes Tab 17 
4. Chair's Remarks
5. Member Updates
6. Support for Statewide Self-Advocacy Organization
7. Selection of TCDD Nominating Committee Member Tab 15 
8. TCDD Position Statement Review Schedule Tab 18 
9. Public Policy Issues Tab 19
 - A. State Policy Issues
 - B. State Supported Living Center Activities
 - C. Federal Policy Issues
10. Other Discussion Items

Adjourn



Texas Council for Developmental Disabilities

Council Meeting - Agenda

Horseshoe Bay Resort

Room: Ballroom F-H

Friday, November 6, 2015 9:00 AM – 11:30 AM



Action Item

Call to Order

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|---|---------|---|
| 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 | Tab 2 | |
| 6. Selection of Nominating Committee Member | Tab 15 |  |
| 7. Approval of Internal Audit Report | Tab 21 |  |
| 8. Approval of Internal Audit Plan | Tab 21 |  |
| 9. Future Activities for State Plan Implementation | | |
| A. Partners in Policymaking | Tab 11 |  |
| B. Future Project Funding Priorities | Tab 14 |  |
| 10. TCDD Administrative Rules Review | Tab 7 |  |
| 11. State Plan Goals and Objectives | Tab 10 |  |
| 12. Executive Committee Report | | |
| A. Grants Activities Report | Tab 3 | |
| B. Grant Awards | Tab 4-6 | |
| C. TCDD Quarterly Financial Report | Tab 8 | |
| D. Conflict of Interest Disclosures | | |
| E. Other Discussion Items | | |
| 13. Project Development Committee Report | | |
| A. Grants and Projects Report | Tab 13 | |
| B. Other Discussion Items | Tab 16 | |
| 14. Public Policy Committee Report | | |
| A. Public Policy Issues | Tab 19 | |
| B. Public Information Report | Tab 9 | |
| C. Other Discussion Items | Tab 18 | |
| 15. Audit Committee Report | | |
| 16. Announcements and Updates | Tab 22 | |

Adjourn

Executive Committee Meeting Minutes	Tab 1
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Background:

Minutes of the August 5, 2015, Executive Committee meeting are included for your review.

<u>Executive Committee</u>	<u>Expected Action:</u>
<u>Agenda Item 3.</u>	The Committee will review, revise as appropriate, and approve.

**EXECUTIVE COMMITTEE MEETING
DRAFT MINUTES
AUGUST 5, 2015**

COMMITTEE MEMBERS PRESENT

Mary Durham, Council Chair	Kristen Cox	Lora Taylor
Gladys Cortez	Michael Peace	

COUNCIL MEMBERS PRESENT

Amy Sharp	John Thomas
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STAFF PRESENT

Beth Stalvey, Executive Director	Joanna Cordry Cynthia Ellison	Susan Mihalik Jessica Ramos
Martha Cantu	Wendy Jones	Koren Vogel

GUESTS PRESENT

Joey Acosta	Robert Holder
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CALL TO ORDER

The Executive Committee of the Texas Council for Developmental Disabilities convened on Wednesday, August 5, 2015, in the Chautauqua A Room at the Embassy Suites San Marcos, 100 East McCarty Lane, San Marcos, TX 78666. Council Chair Mary Durham called the meeting to order at 3:01 PM.

1. INTRODUCTIONS

Committee members and staff were introduced.

2. PUBLIC COMMENTS

No public comments were offered.

3. CONSIDERATION OF MINUTES

The minutes were reviewed and no additions or corrections were noted.

MOTION: To approve the minutes of the May 6, 2015, Executive Committee meeting as presented.

MADE BY: Kristen Cox

SECOND: Lora Taylor

The motion **passed** unanimously.

4. CHAIR'S REPORT

Council Chair Mary Durham welcomed Beth Stalvey as the new TCDD Executive Director. As Stalvey is in the process of moving to Texas from North Carolina, she is working remotely on a contract basis until her official start date of August 31, 2015. Durham discussed the interview process noting that the panel reached a decision after the first round of interviews in late May. After completion of the human resources process for hiring, Stalvey was able to begin working with TCDD at the end of June.

Durham next reported the expected absences for the meeting which include Hunter Adkins, Kristine Clark, Andy Crim, Stephen Gersuk, Scott McAvoy (Friday only), Dana Perry and representatives from Disability Rights Texas. She also noted that DARS alternate representative Sara Kendall would be in attendance for that agency.

Durham also reported that DADS representative Penny Larkin expects to move to the alternate position with Donnie Wilson being appointed as the representative for that agency. Both expect to be in attendance at the meetings but as no official notice has been received and Wilson has not attended orientation, he will not be a voting member. Dan "Dalun" Zhang as the new director of the Texas A&M Center on Disability and Development is the new representative from that agency. He has been through orientation and will be in attendance as a voting member. Amy Sharp as the alternate also expects to attend but will not be voting. UT Center for Disability Studies director Penny Seay has announced her retirement effective in September so she will no longer be representing that agency on the Council.

Durham addressed the issue of Council Member suggestions regarding TCDD projects or activities. She noted that this can become complicated for staff if requests are time intensive or not consistent with the state plan goals and objectives or public policy priorities. It was noted that TCDD does not accept unsolicited proposals but suggestions from stakeholders can be reviewed by Committees at the discretion of the Committee Chair. Committee members discussed the need to be vigilant regarding conflict of interest and that members cannot benefit from TCDD projects. Committee member Lora Taylor reported that the topic of conflict of interest was discussed during sessions at the NACDD conference by Technical Assistance Director Sheryl Matney who advised that all projects should be scrutinized for conflicts that may not initially be obvious. Durham recommended that Council Member suggestions follow the standard process of taking the issue before the appropriate Committee. It was suggested that members be reminded during the review of Conflict of Interest statements that members cannot benefit from TCDD grant projects or stipends. Questions arose about Council Members suggesting a project but then abstaining from further discussion or planning of the project because an organization they are affiliated with could apply or be involved with the project. It was noted that while that situation had not previously been presented, it should be clarified with TCDD legal counsel.

MOTION: To reaffirm current policy that notes suggestions for projects should be presented to the appropriate TCDD Committee.

MADE BY: Lora Taylor

SECOND: Gladys Cortez

The motion **passed** without opposition. Kristen Cox abstained from voting.

The Committee next discussed the current status of Outreach and Development projects. It was noted that staff propose suspending consideration of new Outreach and Development applications for at least 3-6 months. These projects require significant and disproportionate amount of time for the Senior Grants Specialist to monitor and with her increased responsibilities at this time, additional projects would be difficult. It was noted that there are four current projects and the RFP allows for five per fiscal year. There were no applications to consider during the previous quarter.

MOTION: To suspend consideration of Outreach and Development projects.

MADE BY: Lora Taylor

SECOND: Michael Peace

The motion **passed** unanimously.

Chair Durham expressed her gratitude to TCDD staff regarding expectations for handling the workload of the Outreach and Development projects as well as other projects given the absence of the Grants Management Director. Committee Member Taylor complimented staff and noted that during the NACDD conference it was very evident to her that TCDD is a “well-oiled machine” regarding effectiveness of staff activities. She noted that Planning Coordinator Joanna Cordry was viewed by many as “rock star” for her knowledge and experience and that the general opinion of TCDD was extremely positive. Durham added that her experience at national events shows the work of the Council to be far ahead of other states. A&M Center of Disability and Development representative Amy Sharp added that Texas is one of the very few states that encourages collaborative activities between the DD Network Partners (TCDD, University Centers of Excellence Developmental Disabilities at Texas A&M and University of Texas, Disability Rights Texas).

Taylor, Cordry, and Michael Peace further discussed their experiences at the National Association of Councils of Developmental Disabilities Annual Conference and the AIDD Technical Assistance Institute. Cordry addressed the focus of NACDD on diversity and advocacy and noted that she attended sessions on sustainability of statewide advocacy organizations. She noted that many Councils have not addressed racial and ethnic diversity related to advocacy and while TCDD is still making efforts in this area, it is ahead of the majority of other states. Cordry further noted that AIDD continues to increase the reporting requirements regarding Council activities and that a new template was received for development of the next state plan with further emphasis on documentation and measurements. Taylor appreciated the opportunity to meet advocates and policy specialists from other states and particularly enjoyed a session from the Ohio DD Council on reaching the under-served. She reported that she learned that TCDD needs to “narrow the agency’s focus and drill deeper on the topics of focus” and will emphasize that to all Council members. Peace discussed his interest in learning how other Councils conduct

business and appreciated tips for self-advocates in collaborating with advocacy groups that aren't focused on disability issues.

Committee member Gladys Cortez discussed her experience at the *National Down Syndrome Congress Convention* in Phoenix, AZ which she attended with her parents and her young sister who has Down syndrome. She noted there were more than 3,000 people in attendance and it was an exceptionally positive experience for her parents to become aware of all of the opportunities available for her sister. She spoke of the power of the key note speaker who was a 24-year old woman with Down syndrome who shared her experiences and encouraged people in her life to not place limits on her abilities.

Durheim reported that Public Policy Specialist Belinda Carlton attended the Texas Advocates Conference and presented on Supported Decision Making as well as conducted a public input session to obtain information for the State Plan. Public Policy Specialist Linda Logan attended the Texas Autism Research Conference and attended sessions on education and applied behavioral analysis. Public Policy Director Jessica Ramos attended the American Association on Intellectual and Developmental Disabilities (AAIDD) Texas Conference and participated in the closing panel.

5. EXECUTIVE DIRECTOR'S REPORT

Operations Director Martha Cantu reviewed stipend awards that were approved during the past quarter to the following applicants:

- Texas Advocates: Events stipend for up to \$5,972 for the *201 Texas Advocates Annual Convention* on July 24-26, 2015, in Dallas.
- Providers Alliance for Community Services of Texas: Speakers stipend for up to \$6,000 for the *PACSTX 201 Annual Conference* on September 16-18, 2015, in San Marcos.
- Volar Center for Independent Living: Events stipend for up to \$6,000 for the *Our Lives Disabilities Conference and Service Providers Expo* on October 30, 2015, in El Paso.

Cantu provided an update on TCDD staff and reviewed an updated organizational chart that shows all TCDD positions as filled. Danny Fikac joined TCDD staff as the Planning Specialist on July 1, 2015. He previously worked as an HCS Specialist with Bluebonnet Trails Community Services and has experience with the Texas Department of Family and Protective Services and as guardianship specialist with the Texas Department of Aging and Disability Services. Cantu also reported that Grants Management Director Sonya Hosey continues to be out of the office due to illness. She is still working part-time from home as her health allows and continues to be under a doctor's care for further testing and treatment.

6. GRANTS ACTIVITIES REPORTS

Senior Grants Management Specialist Cynthia Ellison reported there were no new grants or projects begun during the quarter. She reviewed the Independent Audit Status Report and noted no deficiencies or exceptions. She discussed the Grants Monitoring Exceptions report for on-site reviews that were completed during the quarter and noted that several are shown with a status of "pending". The Texas Advocates project is now "completed" but the rest are still pending for further documentation. Ellison reviewed the Risk Assessment document that highlights the projects that will be reviewed for continuation funding during the meeting

including the risk level for each project. The report also includes all other TCDD projects and indicates those that have received additional monitoring strategies during the quarter.

7. TRAVEL SUPPORT FOR PUBLIC MEMBERS OF ADVISORY COMMITTEES

Chair Durham reminded members that the Council has designated funds to support travel for public members to participate in advisory committees, councils and workgroups where other funding is not available to those members. Operations Director Cantu noted that funds are advanced to individuals by the Texas Center for Disability Studies (TCDS) following approval for each group by the Council. The contract that TCDD had in place ended June 30, 2014 and participants have not been able to receive funding to support travel since that time. Cantu further explained that funding has progressively increased since 2000 and recommends designating \$50,000 per year for FY 2016 and FY 2017 based on the increased needs from the past two years. Committee members questioned the significant increase and it was explained that the lengthy process required to request additional funding when needed jeopardizes the ability of advocates to attend the necessary meetings and any unused funds stay with the Council. Cantu did note that the number of workgroups has decreased but the number of travelers has increased as well as the number of meetings with a specific increase noted for the Employment First Taskforce (EFTF) which now meets on a monthly basis. Committee members further questioned the timeliness of paperwork submitted by TCDS and expressed hesitance to award additional funding that would validate the delays in paperwork. It was acknowledged that there are administrative issues that need to be resolved but TCDD staff further expressed reluctance to obstruct any funding and ultimately impede advocate participation. It was clarified that any amount approved for funding is a reimbursement with TCDS authorizing travel advances up to the amount approved per year and any funds not used stay with TCDD.

MOTION: To approve funding (at a lesser amount than the staff proposal) of up to \$30,000 per year to the Texas Center for Disability Studies for the travel support of public members of advisory committees, with a modified request for reimbursement to include a breakdown of travel expenses.

MADE BY: Kristen Cox

No second to the motion was offered. It was noted that if the EFTF needs increase during this time, it could further delay member travel until the Council is able to approve additional funding. Cox then offered to amend her motion to approve funding for up to \$50,000 but still require additional reporting on the travel expenses.

It was questioned if any TCDD funds were used as administrative expense or if 100% was allocated to travel reimbursement and it was noted that a portion of funding was provided toward the salary and benefits for TCDS staff administration.

Members again noted that TCDS must submit appropriate paperwork along with the Request for Reimbursement (RAR) but it was again acknowledged that withholding funds for non-compliance penalizes the advocates who would then be unable to travel. It was explained that during the past two months additional funds could have been awarded past the end of the contract to allow for participant travel in July but TCDS did not submit paperwork to extend the contract and receive those funds. Executive Director Stalvey again acknowledged the issues with

the administration of funds but noted that staff have been making efforts on a daily basis to resolve those issues with the main goal for advocates to be able to attend the next EFTF meeting on August 17, 2015. It was noted that with the impending retirement of the TCDS director it could allow for additional conversations with a new director on the administration of these funds.

Members further discussed options to continue funding so that advocates may travel but limit the amount awarded to TCDS. Options include limiting funding through October 31, 2015 instead of a full year but it was noted that because the budget request of \$50,000 was for an entire year, and expenses do not occur equally throughout the year, it would be difficult to determine how much is needed for that shortened time period. It was also noted that in order to cover the upcoming travel a preliminary contract beginning August 1, 2015 is in the process of being signed but this can be amended for the amount or time limit determined at any point the Council may choose. Stalvey further explained that TCDS has been granted some flexibility in light of reported computer glitches and because they are the only known entity that can provide advance funding to stakeholders in this manner.

Kristen Cox withdrew the motion previously presented.

MOTION: To recommend Council approval of funding of up to \$50,000 per year for up to two years to the Texas Center for Disability Studies for the travel support of public members of advisory committees. Staff were directed to continue efforts to obtain proper documentation from TCDS and/or present options to amend the contract at the November meeting.

MADE BY: Gladys Cortez

SECOND: Michael Peace

The motion **passed** unanimously. Committee members requested that staff attempt to obtain the number of advocates receiving travel funding before presenting the motion to the Council.

8. CONSIDERATION OF CONTINUATION GRANT AWARDS

Chair Durham chose to move forward in the agenda to address continuation grant awards.

TCDD Grants Management Specialist Susan Mihalik reviewed the executive summary for continuation funding to the Arc of Texas for the Developmental Disabilities Policy Fellows project. She reviewed the accomplishments of the first year which included the selection of Megan Morgan as the Fellow. Morgan has selected guardianship reform as her primary focus and has participated in more than 3 public policy activities including legislative hearings, trainings and conferences such as the Disability Policy Seminar in Washington, DC. Goals for the second year include a public policy campaign on alternatives to guardianship and production of a toolkit for stakeholders to develop their own public policy campaigns. TCDD staff have no concerns regarding this project. It was noted that the requested funding amount includes a 5% pay raise for Morgan but this needs to be approved by the Arc of Texas board and if approval is not granted that award amount will be adjusted. Committee members clarified match amounts provided by the grantee.

MOTION: To approve up to \$67,500 in continuation funding to the Arc of Texas for the second and final year of the Developmental Disabilities Policy Fellows project.

MADE BY: Kristen Cox

SECOND: Lora Taylor

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

Grants Management Specialist Wendy Jones reviewed the executive summary for continuation funding to Texas Tech University for administrative support of Project SEARCH. She noted that Project SEARCH is a national business-led school to work transition model and Texas Tech provides supports to school districts, business and/or other entities who wish to contract with Project SEARCH. The grantee identifies communities that wish to participate in this business model and provides technical assistance to get begin the project. The goal of the TCDD funding is to support the development of ten new Project SEARCH sites by the completion of the 5th year. As the grant approaches the 4th year, nine communities are participating and seven business partners have been established. 18 students have transitioned from school to work and 2-3 new sites are expected for the 4th year of the project. Staff do not have any concerns with the project.

MOTION: To approve up to \$174,656 in continuation funding to Texas Tech University for the 4th year of a 5-year project that provides administrative support to Project SEARCH sites in Texas.

MADE BY: Gladys Cortez

SECOND: Lora Taylor

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

Grants Management Specialist Mihalik next reviewed the executive summary for continuation funding to Volar Center for Independent Living for the second year of a five year Building Community Capacity through Collaboration project. She first invited project coordinator Joey Acosta to speak about grantee efforts with this project. Acosta expressed his appreciation for TCDD grant funding and noted that Phase II implementation of the project will continue to implement initiatives in areas of youth leadership, transition, and support of Project HIRE. He also noted the proposal of a behavior support training program. Acosta further expressed gratitude to Mihalik and other TCDD staff who provide support to him and his staff. Mihalik explained the purpose of the project to establish a support network that identifies un-met needs of the community with an emphasis on decreasing the need for institutionalization of individuals with developmental disabilities. The Upper Rio Grande Intellectual and Developmental Disabilities Community Support Network was established and chose Volar as the fiscal agent for the network to receive grant funds. The end result of the project is to prevent

and reduce admissions to State Supported Living Centers (SSLC). An initial development phase of the project took place and during the first year of Phase 2 implementation, the Network has worked on five initiatives. These include emergency respite, supported employment, transition planning, youth leadership and post-secondary education. A transition planner has been hired and has received 3 referrals. 2 families have been assisted including one student who was in the process of being admitted to an SSLC and another student who did not drop out of high school as planned. TCDD funded Project HIRE has provided training to Volar on higher education models for people with disabilities and a summer college readiness training is scheduled through El Paso Community College (EPCC). A Project SEARCH site is also in development. Mihalik reports that goals for the second year include continuing first year initiatives as well as developing person-centered transition plans for young adults, implementation of Project HIGHER (assisting students to complete certificate training program through EPCC and modeled after Project HIRE), provide workshops on positive behavior supports, and provide leadership and advocacy training to young adult self-advocates. TCDD public policy staff had initial concerns regarding the behavior management trainings due to collaboration with Board Certified Behavior Analysts (BCBAs) who may use aversive techniques, but all training modules will be approved by TCDD staff and will have had input from DARS, DADS, and local authority staff members. It was noted that this alleviates staff concerns. The project receives considerable risk monitoring due to the amount of sub-awards but lines of communication are clear with regular documentation provided.

MOTION: To approve up to \$145,475 in continuation funding to Volar for the 2nd year of a 5-year Building Community Capacity through Collaboration Phase 2 Implementation project.

MADE BY: Kristen Cox

SECOND: Lora Taylor

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

9. REVIEW PANEL RECOMMENDATIONS – CULTURALLY APPROPRIATE FAMILY SUPPORTS

Planning Coordinator Joanna Cordry discussed the review panel recommendations for the Culturally Appropriate Family Supports Request for Proposals (RFP). She first discussed a complaint from an applicant who claimed to have technical difficulties when submitting an application. Cordry noted that staff members from that organization contacted her 2 hours before the deadline indicating they were having trouble with the submission and then later noted they were unable to complete the process. Instructions were provided online and ample time was provided prior to the deadline for questions to be asked. This included two scheduled bidder's conferences and other opportunity for Cordry to provide personal assistance. The applicant wished to express their dissatisfaction with the process and submit an appeal but it was noted that the only appeal process in TCDD policy is for denied funding of applications. Chair Durham and Executive Director Stalvey were made aware of the situation at the time of the complaint but since the situation did not meet the guidelines of the appeal process, no formal matter is brought before the Committee. Due to this situation, further guidance has been clarified on the TCDD website regarding the RFP process and notes that applicants should ask for

technical guidance as soon in the process as possible and that user/technical errors are not grounds for acceptance of missed deadlines. Chair Durham confirmed that she and Stalvey consulted with Cordry on this situation and felt that the standards were applied evenly to all applicants, that the applicant participated in a bidder's conference and just because technical errors were perceived during a last-minute submission did not warrant an exception to the deadline.

Cordry reviewed the concept of the RFP to allow previous Outreach and Development grantees as well as the grantee administering the Gulf Coast of Texas African American Family Support Conference to apply for further funding to build on the work done with those projects. She reported that six proposals were received from the Arc del Paso, Arc of Greater Houston, Growing Roots, Light and Salt, REACH and Helpful Interventions. She noted the review panel only included 2 external reviewers (after contacting 7) because a third member withdrew at the last minute. TCDD staff also reviewed the proposals. All of the proposals were determined to be time intensive and require considerable work from the grants specialists on project budgets and other topics with five considered eligible for funding. The review panel ranked the proposals with Arc Del Paso and Arc of Greater Houston as the top. The second tier included Growing Roots, Light and Salt Association and REACH. Helpful Interventions was not recommended for funding primarily because this organization focused on mental illness and didn't specifically reach individuals with intellectual and developmental disabilities (IDD). The RFP allows funding for up to five projects but Committee members were advised that they were not required to provide funding for that many projects if they did not wish.

Cordry noted that the top three recommended proposals work with Hispanic populations and conduct a large amount of their work in Spanish. The review panel noted that parent involvement is strong in all of these applicants but that Growing Roots appears to be more about providing services where the other two focus on advocacy activities.

Arc Del Paso was ranked highest due to strengths in collaborative efforts with other organizations but a large part of the proposal includes activities with "Jacob's Arc Center" which is a day program for people with IDD. Cordry reminded members that this is the same program that the Committee elected not to fund its activities that were proposed as part of the Building Community Capacity through Collaboration project from Volar. It was also noted that the proposed family support coordinator for the project is a board member of the organization and this presents a conflict of interest because she would be supervising herself. Cordry further noted that much of the project funding goes toward salaries of the staff for the day program. Members discussed the activities of the Jacob's Arc Center and felt this was another group seeking funding for activities that the Committee has previously declined.

Arc of Greater Houston – Parents as Partners in Special Education began as a support group for Spanish speaking mothers of children with IDD and looks to expand by identifying and training 6-10 families to become public policy advocates and lead other self-advocates in the community. Advocates would attend *Inclusion Works!* conferences as well host listening forums for policy makers to hear from families. Trainings would be held in Spanish with Spanish-speaking trainers from the medical field, educators, and social workers. Budget concerns were noted by the review panel as well as TCDD staff.

Growing Roots in the Austin area has a strong focus on family and parents with evidence-based teaching methods. The proposal is focused on providing training to parents but did not say how to identify or share info regarding self-advocacy. Staff and review panel members shared concerns regarding the proposed budget and noted that it would require extensive negotiations.

Cordry next reviewed the proposal from Light and Salt Association of Houston that works with Asian-Americans. It was noted that a majority of the individuals who receive services from this organization are first-generation immigrants and 30%-40% reported that they speak English "less than well". The proposal includes advocacy training, translation of information, hosting a forum for policy-makers, providing information to partners and emphasized providing information to TCDD. Cordry noted that Light and Salt Association has a history of doing strong work with the Outreach and Development project. It was noted that the proposal included a day program and a Saturday program with structured activities, job training, development of skills to achieve independence and activities to help participants develop individual talents. TCDD staff concerns included the observation that activities do not seem to have an "Employment First" focus and that the day program goals are not clear. It was noted that if the proposal was approved by the Committee, staff could negotiate removal of the day program. It was also suggested that due to language barriers the concept of "day program" may not mean the typical definition of "day-hab" programs. Committee members acknowledged the organization's strong accomplishments including the status of "Community Partner" from Texas Health and Human Services Commission and the fact that two staff and one volunteer are now certified to provide government benefit consultations.

Cordry next presented the proposal from Reaching Families Advocacy and Support Group (REACH) which provides culturally appropriate family support to families raising children with developmental disabilities and adults with developmental disabilities of East African origin. A primary focus of this organization is children with autism because the autism rate is higher with this population. The proposal focuses on providing education, family inclusion, raising public awareness, and translating educational materials. TCDD staff note that this is an underserved community who may seek improved access to services if attitudinal barriers are addressed. Budget negotiations are expected to take a great deal of work.

Cordry noted that TCDD stands to learn the most from Light and Salt Association & REACH due to the communities served by those organizations and that those groups do not have an abundance of resources. Chair Durham briefly discussed the proposals and noted that she agrees that the most potential is seen from those two projects. She also expressed desire to not fund five projects given the amount of staff resources that many projects would require. It was noted that staff could stagger the start dates if more projects were approved. Committee members agreed to address each proposal separately in deciding which projects to fund.

MOTION: To not approve funding to the Arc Del Paso proposal.

MADE BY: Kristen Cox

SECOND: Lora Taylor

The motion **passed** unanimously.

The Arc of Greater Houston Parents as Partners in Special Education proposal was further discussed and it was suggested that it was the strongest of the three proposals that serve the Hispanic community. Committee members expressed concern regarding the need to hire a project coordinator. No motion was initially offered.

No motion was offered for the proposal from Growing Roots.

MOTION: To approve funding of up to \$75,000 per year for up to four years to the Light and Salt Association for Culturally Appropriate Family Supports project.

MADE BY: Lora Taylor

SECOND: Michael Peace

Chair Durham noted that the day program part of the proposal needs to be addressed and clarified. The motion **passed** unanimously. (Attachment 4)

MOTION: To approve funding of up to \$75,000 per year for up to four years to Reaching Families Advocacy and Support Group (REACH) for a Culturally Appropriate Family Supports project.

MADE BY: Lora Taylor

SECOND: Michael Peace

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

MOTION: To not approve other applicants for Culturally Appropriate Family Support projects.

MADE BY: Kristen Cox

SECOND: Michael Peace

The motion **passed** unanimously.

10. MEMORANDUM OF UNDERSTANDING WITH TEXAS EDUCATION AGENCY

Operations Director Cantu discussed the annual review of the TCDD Memorandum of Understanding (MOU) with Texas Education Agency (TEA). This MOU delineates the roles and responsibilities of TEA as the designated state agency to provide administrative services and supports to TCDD. Changes for FY 2016 include a TEA request to add a section on Business Continuity and Disaster Recovery Services.

MOTION: To recommend Council approval of the Memorandum of Understanding between TCDD and Texas Education Agency.

MADE BY: Lora Taylor

SECOND: Kristen Cox

The motion **passed** unanimously.

11. TCDD QUARTERLY FINANCIAL REPORT

Operations Director Cantu reviewed the quarterly financial report noting that there is \$85,905 remaining from FY 2014 funds that will need to be obligated to grant projects by September 30, 2015. \$645,000 is planned for new FY 2015 projects but a \$416,179 balance of funds is still projected to be rolled into FY 2016 grant projects. FY 2016 funding is based on an estimate because Congress has not awarded funds at this time but there is still estimated to be a small balance after operating expenses and planned projects are considered.

Cantu further reviewed operating expenses and noted that although negative variances are noted for staff benefits the overall budget will not be exceeded. Variances in this area were explained during the May meeting because inaccurate information was initially calculated for retiree benefits.

Committee members reviewed the Grants & Contracts portion of the report and did not express concerns.

12. FY 2016 OPERATING EXPENSE BUDGET

Operations Director Cantu reviewed the proposed operating expense budget for FY 2016. The budget is based on expenditures of the past two years and includes an increase of \$157,336 due to increased benefits, the expectations of all TCDD positions to be filled, and an expected increase for professional services regarding training.

MOTION: To recommend Council approval of FY 2016 Operating Expense Budget.

MADE BY: Michael Peace

SECOND: Lora Taylor

The motion **passed** unanimously.

13. CONFLICT OF INTEREST DISCLOSURES

Committee members reviewed updated conflict of interest disclosure information for Council members and staff. It was noted that Dalun Zhang is the project manager for the Texas A&M Higher Education project and serves on the board for the Light and Salt Association. He will not participate in discussion or vote on these projects. No concerns were noted

ADJOURN

Chair Durham adjourned the Executive Committee at 6:00 PM.

Beth Stalvey
Secretary to the Council

Date

Attachments

Texas Council for Developmental Disabilities

Executive Committee

Date: 8/5/15

Review of Proposed Activities & Budget

ITEM: A

Grantee: Arc of Texas

Year: 2 of 2

Project Title: Developmental Disabilities Policy Fellows

Project Location: Statewide **Website:** www.thearcoftexas.org

TCDD RFP Intent: The project intent is to hire and support a Developmental Disabilities Policy Fellow to increase the capacity of individuals and organizations in Texas to engage effectively in developmental disability policy advocacy and to increase the number of individuals who have the skills, knowledge and experience to work effectively in developmental disabilities policy.

Authorized Funding: TCDD has approved up to \$67,500 per year for up to two years.

Expected Results: New policy-focused professionals will receive training and mentoring to effectively work together with self-advocates and families to create the policies and procedures of the future.

Project Goals and Accomplishments for Year 1:

Goal: The Arc of Texas will provide a policy fellow with a supportive learning environment to prepare them to successfully engage in and build capacity for public policy advocacy to create meaningful change for people with developmental disabilities in Texas.

Accomplishments per goal: In year one, the grantee recruited and hired a Policy Fellow. The Fellow attended a Midwest Academy training on Organizing for Social Change and has also attended a variety of agency, legislative, and workgroup meetings. She has conducted several focus groups with stakeholders around the state to research and identify policy issues. The Fellow has selected guardianship reform as her primary focus and policy goal. The mentor and Fellow have attended and participated in over 30 public policy activities to date including hearings, conferences, and trainings including the national Disability Policy Seminar in Washington, D.C. The Fellow made over 50 visits to legislator's offices with self-advocates and family members of people with Intellectual and Developmental Disabilities (IDD) during the legislative session. She created three educational 1-pagers on the following topics: state budget, supported decision-making, and state supported living centers. The Fellow will use these materials as a launching point during the final quarter of the first grant year to create six public education/awareness materials.

Proposed Goals and Objectives for Year 2:

Goal: Same as above

Objectives: The Fellow will launch a public policy campaign to achieve the major policy goal identified in year one; The Fellow will develop a public policy campaign toolkit to recruit and engage stakeholders in public policy that promotes self-advocacy and self-determination; The Fellow will utilize the toolkit and host trainings to assist stakeholders in developing their own public policy campaigns.

Staff Recommendations:

Public Policy Considerations: The Public Policy Fellow developed public policy expertise and was actively engaged with stakeholders and policy makers to advance significant reforms in guardianship and implementation of supported decision-making. The fellow is now working on educating stakeholders on how guardianship reform and supported decision-making can impact their self-determination.

Grant Management Considerations: No concerns; moderate risk monitoring (new grantee). Grantee states that staff will receive a 5% pay raise upon approval of the board. TCDD will not execute the NGA for year 2 until documentation has been received that the pay raise has been approved by the Arc of Texas board.

Staff Recommendation: TCDD staff recommends Council consideration of continuation funding for this project.

Continuation Budget Detail Summary			
	Federal	Match	Totals
Expended Year 1 (8 months) (Consultants: \$4,400)	\$67,500/\$25,285	\$30,865/\$8,299	\$98,365/\$33,584
Amount requested for Year 3 budget:			
I. Personnel Services	48,929	38,227	87,156
II. Travel	3,971	0	3,971
III. Purchased Services (\$5,607 Consultants)	11,850	0	11,850
IV. Property/Materials	1,651	0	1,651
V. Rental/Leasing	275	0	275
VI. Utilities	825	0	825
VII. Other (Indirect Costs)	0	0	0
Budget period totals	\$67,500	\$38,227	\$67,500

**Texas Council for Developmental Disabilities
Executive Committee**

Date: 8/5/15

Review of Proposed Activities & Budget

ITEM: B

Grantee: Texas Tech University
Project Title: Project SEARCH

Year: 4 of 5

Project Location: Statewide Website: 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 students with developmental disabilities.

Authorized Funding: TCDD has approved up to \$175,000 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 5 of this grant.

Project Goals and Accomplishments for Years 1-3:

Goals: 1) Develop the infrastructure and leadership team who will be responsible for the development and implementation of a strategic plan. 2) Develop a marketing plan to identify and recruit communities who wish to establish a site. 3) Assist entities across the state indicating an interest to establish a 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

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). A difficult negotiation process to contract with the Project SEARCH® national office was completed. Communities currently participating include: Tyler, Lake Travis/Eanes, San Antonio, Garland, Fort Worth, Lewisville, College Station, Brenham, and Sugarland. Business partners include: Atlas Copco Drilling Solutions, Medical Center of Lewisville, Texas Wesleyan University, Baylor Scott & White Hospital (2 – College Station and Brenham), and United Healthcare. Several programs are in planning phases, scheduled to begin serving students interns in August 2015. So far in Year 3, a total of 18 students transitioned from school to community and jobs and a total of 18 adults have jobs of their choice through Council efforts.

Proposed Goals and Objectives for Year 4:

Goal: Same as above.

Objectives: 1) Solicit letters of interest from local communities in the DARS 5 region, which includes south Texas. 2) Select 2-3 sites that are the most ready to begin and provide training and technical assistance

Council Considerations: Public Policy Considerations: If Project SEARCH is successful building sites that engage individuals with intellectual and developmental disabilities in competitive employment it will be a declaration of both philosophy and policy stating that competitive employment is the first priority and preferred outcomes of people with developmental disabilities.

Grant Management Considerations: No concerns; high risk monitoring (awards within award).TCDD staff has frequent contact on a quarterly basis and annual onsite reviews.

Staff Recommendation: TCDD staff recommends continued funding for this project

Continuation Budget Detail Summary			
	Federal	Match	Totals
Expended Year 1	\$174,854/\$174,854	\$59,523/\$58,784	\$234,377/\$233,638
Expended Year 2	\$174,666/\$174,666	\$58,751/\$58,751	\$233,417/\$233,417
Expended Year 3 (7 months)(Consultant: \$45,000)	\$66,613/\$174,716	\$22,830/\$58,768	\$89,443/\$233,484
Amount requested for Year 2 budget:			
I. Personnel services	85,409	0	85,409
II. Travel	19,733	0	19,733
III. Purchased services (\$51,780 consultants)	52,000	0	52,000
IV. Property/Materials	1,636	0	1,636
V. Rental/Leasing	0	0	0
VI. Utilities	0	0	0
VII. Other (Indirect Costs)	15,878	58,748	74,626
Budget period totals	\$174,656	\$58,748	\$233,404

**Texas Council for Developmental Disabilities
Executive Committee**

Date: 8/5/15

Review of Proposed Activities & Budget

ITEM: C

Grantee: Volar Center for Independent Living
Project Title: Building Community Capacity through Collaboration
Project Location: El Paso **Website:** www.volarcil.org

Year: 2 of 5

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 Upper Rio Grande Intellectual and Developmental Disabilities Community Support Network will identify, enhance, and expand community supports for people with disabilities in order to prevent and reduce admissions of people with developmental disabilities to institutions.

Project Goals and Accomplishments for Year 1:

Goal: To prevent and reduce admissions of people with developmental disabilities to State Supported Living Centers or other institutionalized settings by strengthening the capacity of community supports and developing additional resources.

Accomplishments per goal: The grantee established a network that includes representation from 55 agencies and organizations. The Network began implementing five approved initiatives to provide a variety of services including emergency respite, supported employment, transition planning, youth leadership, and post-secondary education. A transition planner was hired and has received 32 referrals for assistance. There are currently 21 families receiving support through this initiative. One student helped by the planner was in the process of being admitted to a State Supported Living Center (SLLC). Staff from Project HIRE visited El Paso to provide training and technical information about their model. Eighteen students attended this training and several have applied to enroll in the 2015 fall semester at El Paso Community College (EPCC). A summer college readiness training is scheduled for early August. The Network partnered with Texas Tech University to sponsor a Project Search forum for service providers, school districts, and community organizations. Forty people attended the event, but Project Search has not yet been established in El Paso. A Youth Leadership Development (YLD) Assistant has been hired to provide leadership and advocacy training and educate young people with disabilities about available services and supports in their community. The assistant conducted outreach to area high schools and developed media to recruit new participants. Some of the YLD participants met with legislators on Capital Day in Austin.

Proposed Goals and Objectives for Year 2:

Goal 1: Same as above

Objectives: Develop person-centered transition plans for young adults with Intellectual and Developmental Disabilities (IDD) between the ages of 13 to 21; Implement Project HIGHER in El Paso to assist six students with IDD in completing a certificate program at EPCC; Provide workshops on Positive Behavioral Supports (PBS) to stakeholders; Provide leadership and advocacy training to 30 people with IDD between the ages of 16 and 22.

Staff Recommendations:

Public Policy Considerations: [Public policy staff have concerns with the plan to provide 2 hour behavior management trainings. Some BCBAs use aversive techniques that could result in emotional and/or physical harm. Training should be reviewed by TCDD staff to ensure that ONLY positive techniques are used.](#)

Grant Management Considerations: Considerable risk monitoring (awards within awards; award amount). **Staff Recommendation:** TCDD staff recommends Council to consider continued funding for this project.

Continuation Budget Detail Summary			
	Federal	Match	Totals
Expended Year 1 (7 months) (Consultant: \$59,358)	\$125,000/\$43,004	\$14,483/\$15,488	\$139,483/\$58,492
Amount requested for Year 3 budget:			
I. Personnel Services	37,153	12,287	49,440
II. Travel	1,218	0	1,218
III. Purchased Services (\$103,274 consultants)	103,274	2,517	105,791
IV. Property/Materials	1,409	0	1,409
V. Rental/Leasing	1,881	3,370	5,251
VI. Utilities	541	0	541
VII. Other (Indirect Costs)	0	0	0
Budget period totals	\$145,476	\$18,174	\$163,650

Review Panel Recommendations – Culturally Appropriate Family Supports

Tab 5

Background:

Staff coordinated an independent review panels to evaluate proposals received this quarter for one Request for Proposals: “Culturally Appropriate Family Supports.” Summaries of the recommendations from the panels and staff comments **will be emailed** to Executive Committee members prior to the meeting and included in the handout folder.

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

Executive Committee

Agenda Item 8.

Expected Action:

The Executive Committee will consider this information and make final decisions on the project proposals.

Council

Agenda Item 9. B.

Expected Action:

The Council will receive a report of Executive Committee decisions.

Background:

- **Stipends Grants Applications Approved** - TCDD Policies provide for the Executive Director to approve applications for Events Stipends and Presentation Support Stipends. Two (2) stipend applications were approved during the quarter to the following organizations. The summaries of each are enclosed.
 1. **Coalition of Texans with Disabilities** for the *12th Annual Cinema Touching Disability Film Festival and Short Film Competition* November 6, 2015, in Austin. (Speakers Stipend)
 2. **Texas Center for Disability Studies** for *The Texas Gathering* November 5-7, 2015, in Arlington. (Events Stipend)
- **Annual Stipend Summary** – A full list of the annual stipend expenditures is found in the Quarterly Financial Report under Tab 8
- **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.

Speakers 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.

<p><u>Executive Committee</u></p> <p><u>Agenda Item 5.</u></p>	<p><u>Expected Action:</u></p> <p>The Executive Committee will review the information provided and may provide guidance to staff.</p>
<p><u>Council</u></p> <p><u>Agenda Item 5.</u></p>	<p><u>Expected Action:</u></p> <p>The Council will receive a report on the Executive Committee discussion.</p>

CONSUMER STIPENDS PROPOSALS

Date: 8/5/15

Executive Director Review

ITEM: 1

Organization: Coalition of Texans with Disabilities
City, State: Austin, TX

Federal: \$ 1,330
Match: \$ 412

Event: Conference: 12th Annual Cinema Touching Disability Film Festival & Short Film Competition
Date: November 6, 2015
Venue: Alamo Drafthouse Village Cinema
City, State: Austin, Texas

Previously Funded: No

Comments: The Coalition of Texans with Disabilities (CTD) is proud to host the Cinema Touching Disability Film Festival and Short Film Competition. This annual event shines a spotlight on films that positively and accurately represent disability. The festival serves as a unique and entertaining way of dispelling common misperceptions about disability to a live audience of people with and without developmental disabilities as well as through media coverage.

Considerations: The conference sponsors propose to provide stipends to cover:

Speaker – 1 individual
(1 @ \$1,330.00/individual) = \$ 1,330.00
Total cost (federal): = \$ 1,330.00

Applicant match covers speaker fees, travel and lodging expenses:
Speaker – 1 individual = \$ 142.00
Total cost (match): = \$ 142.00

Recommendation: Staff recommends funding. Proposal received 90 days prior to the event.

Approved: yes no Martha Cantu Digitally signed by Martha Cantu
DN: cn=Martha Cantu, ou=TCDD, ou=TCDD,
email=martha.cantu@tcd.texas.gov, c=US
Date: 2015.08.05 08:28:20 -0500 Date: 8/5/2015

Comments: _____

CONSUMER STIPENDS PROPOSALS

Date: 8/10/15

Executive Director Review

ITEM: 2

Organization: Texas Center for Disability Studies
City, State: Austin, TX

Federal: \$ 6,000
Match: \$ 705

Event: Conference: The Texas Gathering
Date: November 5-7, 2015
Hotel: First United Methodist Church
City, State: Arlington, Texas

Previously Funded: No

Comments: The goal of the Texas Gathering is to facilitate critical conversations on person-centered practices, share and gather knowledge to enhance training skills, and to network with like-minded people and make connections. One day will focus on supporting families to apply the use Person-Centered practices to create change.

Considerations: The conference sponsors propose to provide stipends to cover:

Lodging - 20 individuals		
(20 individuals @ \$50.00/individual for two nights)	=	\$2,000
Meals - 20 individuals		
(20 @ \$100.00 for 3 days)	=	\$2,000
Transportation - 10 individuals		
(10 @ 57.5 cents per mile for 173.9 miles)	=	\$1,000
Respite – 10 individuals		
(10 individuals @ \$50/day for two days)	=	\$1,000
 Total cost (federal):		 = \$6,000
 Applicant match covers registration:		
Registration- 12 family members		
(12 family members @ \$45.00/individual)	=	\$ 540
Registration- 11 individuals		
(11 individuals @ \$15.00/individual)	=	\$ 165
 Total cost (match):		 = \$ 705

Recommendation: Staff recommends funding. Proposal received 90 days prior to event.

Approved: yes no Martha Cantu

Digitally signed by Martha Cantu, DN: cn=Martha Cantu, o=TDOS, ou=TDOS, email=martha.cantu@tdos.texas.gov, c=US, Date: 2015.08.11 08:19:48 -0500

Date: 8/11/2015

Comments: _____

**TCDD QUARTERLY COUNCIL MEETINGS
ATTENDANCE REPORT
November 2013 – May 2015**

Council Member	8/15	5/15	2/15	11/14	8/14	5/14	2/14	10/13
H. Adkins	EA	P	P	P	P	P	P	P
K. Blackmon	P	P	P	P	P	P	P	P
K. Clark	EA	P	P	P	P	P	P	EA
G. Cortez	P	P	P	P	P	P	P	P
K. Cox	P	P	P	P	P	P	P	P
A. Crim	EA	P	P – Wed EA – Th/Fr	P	P	EA	EA	P
M. Delgado	P	EA	P	EA	P	EA	P	EA
M. Durham	P	P	P	P	P	P	EA	P – Th EA - Fr
S. Gersuk	EA	P	P	P	P	P	EA	P – Th EA - Fr
R. Mason	P	P	P	P	NA	NA	NA	NA
S. McAvoy	P – Th EA - Fr	P	EA	P	P	P	P	P – Th EA - Fr
M. Peace	P	P	P	P	NA	NA	NA	NA
D. Perry	EA	EA	P	EA	EA	P	EA	EA
B. Pharris	P	P	P	P	NA	NA	NA	NA
D. Taylor	P	P	P	P	EA	P	P	P
L. Taylor	P	P	P	P	P	P	P	EA
J. Thomas	P	EA	EA	P	NA	NA	NA	NA
R. Tisch	P	P	P	P	P	EA	EA	P
DRT (AI)	EA	P	P	P	P	EA	P	P
UT CDS	P	P	EA – Th P - Fr	P	EA	P	EA	P
A&M CDD	P	P	P	EA- Th P - Fr	P	P	P	EA – Th P – Fr
DADS	P	P	P	P	P	P	P	P
DARS	P	P	P		P	P	P	P
DSHS	P	P	P	P	P	EA	P	P
HHSC	P	P	P	EA	P	P	P	
TEA	P	P	EA - Th P - Fr	P	P	P	P	P

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

Grants Activities Reports

Tab 3

Background: Grants Management Staff will review these reports:

- **Independent Audit Status Report** – summarizes the status of desk reviews of annual independent audits submitted by grantees.
- **Grants Monitoring Exceptions Report** – summarizes concerns noted by TCDD Grants Management staff in their ongoing monitoring activities, and the status of resolving those concerns.
- **Grants Risk Assessment of TCDD Projects & Quarterly Update Report** – summarizes the risk assessment matrix for considerations of continuation grant awards, new grant awards and provides more detail about monitoring activities for all TCDD funded projects. This format now includes any concerns identified by grants staff from ongoing monitoring of projects.

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

GRANTEE	FYE	DATE RECEIVED	AUDIT FIRM	EXCEPTIONS NOTED	RECOMMENDATIONS/ RESOLUTIONS
Any Baby Can of San Antonio, Inc	6/30/2014	12/9/2014	BDO USA, LLP	The Auditors' report on the financial statements omitted a reporting section that is required.	The report was acceptable with quality deficiencies that should be brought to the attention of the organization and grantee's auditor, but no need for the report to be redone. Audit corrected by grantee auditor and accepted by TCDD audit desk reviewer, Abi Bankole.
Any Baby Can of San Antonio, Inc	6/30/2013	12/9/2014	BDO USA, LLP	The auditors' report on the financial statements omitted a reporting section that is required.	The report was acceptable with quality deficiencies that should be brought to the attention of the organization and grantee's auditor, but no need for the report to be redone. Audit corrected by grantee auditor and accepted by TCDD audit desk reviewer, Abi Bankole.
Community Healthcore	8/31/2014	1/30/2015	Henry & Peters, P. C.	None.	None/Done.
Epilepsy Foundation Texas	12/31/2014	7/30/2015	Carr, Riggs & Ingram, LLC	None.	Forward for Desk Review.
Paso del Norte Children's Development Center	8/31/2014	5/19/2015	Gibson, Ruddock, Patterson, LLC.	None.	None/Done.
Region 17 ESC	8/31/2014	1/12/2015	Bolinger, Segars, Gilbert & Moss, LLP	None.	None/Done.

Key: Audits were submitted to TCDD during the fiscal year (Oct. 1, 2014 – Sept. 30, 2015). 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
SafePlace	12/31/2014	6/29/2015	Atchley & Associates, 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 Abi Abankole, CPA, for desk review.
Texas A&M University	8/31/2014	6/30/2015	State Auditor's Office	None.	None/Done.
Texas State Independent Living Council	8/31/2013	4/12/2015	Montemayor Hill Britton & Bender PC	None.	None/Done.
Texas State Independent Living Council	8/31/2012	4/21/2015	Montemayor Hill Britton & Bender PC	None.	None/Done.
West Central Texas Regional Foundation	9/30/2014	7/6/2015	Condley & Co, LLP		

Key: Audits were submitted to TCDD during the fiscal year (Oct. 1, 2014 – Sept. 30, 2015). 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	ACTIONS REQUIRED FROM ONSITE REVIEW	CORRECTIVE ACTIONS	STATUS
Texas SILC (<i>Leadership Development and Advocacy Skills Training</i>)	Final	1/22/15	<p>Audit report; final audit invoice; utility(s) invoices; match documentation</p> <p>Note: The audit was due at the onsite review that was conducted January 2015. The grants specialist was advised that the audit would be complete at the end of July 2015, therefore a due date of 7/31/2015 was set.</p>	<p>Document requested: 12/22/15 Documents due: 1/22/15 Additional follow-up information requested: 7/31/15, 8/11/15 and 9/11/15</p>	Pending
Texas SILC (<i>Health and Fitness</i>)	Follow-up	1/22/15	<p>Audit report; final invoice for audit report; insurance premiums for current budget period; utility invoices/receipts; match documentation; PAC meeting minutes</p> <p>Note: The audit was due at the onsite review that was conducted January 2015. The grants specialist was advised that the audit would be complete at the end of July 2015, therefore a due date of 7/31/2015 was set.</p>	<p>Documentation requested: 12/22/15 due: 1/22/15 Additional follow-up information requested/received: 7/31/15, 8/11/15 and 9/11/15</p>	Pending
Coalition of Texans with Disabilities (<i>Developmental Disabilities Policy Fellows</i>)	Initial	1/27/15	<p>Affirmative action written procedures; evidence of policies that address the federal regulations for I/DD; audit and/or financial report; review of personnel file; service/consultant agreement for the Hogg Foundation; office space lease agreement; match documentation for office space; budget revision for temporary service paid with TCDD funds not in approved budget</p>	<p>Documentation requested: 12/27/15 Documentation due: 1/27/15 Additional follow-up information requested/received: 3/3/15 Documents received: 4/24/15 and 6/4/15</p>	Complete
Community Healthcore (<i>Building Community Capacity through Collaboration</i>)	Follow-up	2/11/15	<p>PAC nomination form required for approval and PAC needs to be scheduled; additional details for possible unallowable charges; copy of cell phone and land line invoice; correct forms required for donated time</p>	<p>Documentation requested: 1/11/15 Documents Due: 2/11/15 Additional follow-up information requested/received: 3/3/15</p>	Complete

The Arc of Greater Tarrant County (<i>Inclusive Faith-Based Symposium</i>)	Final	2/26/15	PAR's for the current project director and signatures on timesheet; PAC meeting minutes for 1/12/15 PAC meeting; copy of audit report for FY July 1,2013 through August 31, 2014; explanation/clarification on travel documents submitted; clarification on charges for Workers Comp; signatures on all contracts/service agreements	Documentation requested: 1/26/15 Documents due: 2/26/15 Additional follow-up information requested/received: 3/6/15 Documents received: 4/20/15 and 5/1/15	Complete
The Arc of Texas (<i>Leadership Development and Advocacy Skills Training</i>)	Final	3/4/15	No job duties listed on timesheets submitted; current documentation for lease space TCDD/match	Documentation requested: 2/4/15 Documents Due: 3/4/15 Additional follow-up information requested/received: 3/10/15	Complete
The Arc of Texas (<i>Developmental Disabilities Policy Fellows</i>)	Initial	3/6/15	Correction on timesheets for staff paid with TCDD funds; correction on travel document; Documentation verifying purchase of laptop computer with TCDD funds; current documentation for lease agreement; documentation for utilities listed in approved budget	Documentation requested: 2/6/15 Documents Due: 3/6/15 Additional follow-up information requested/received: 3/12/15 Documents received: 4/13/15 and 4/23/15	Complete
Texas Advocates (<i>Self-Advocates Grassroots Community Organizing</i>)	Initial	7/13/15	Procedures for Affirmative Action; required signatures on timesheets/PAR's; amount of time spent on TCDD project added to timesheets; copy of organizational chart; copy of agenda and minutes for 6/29/15 PAC meeting; copy of most recent audit report; clarification on insurance charges as not consistent with approved budget; contracts/service agreements for listed consultants; copy of photocopy log for charges listed in general ledger; required signatures on phone reimbursement; percentage and/or amount of time devoted to TCDD project required on timesheet; and, copy of new grantee orientation checklist	Additional follow-up information requested: 7/17/15 Documents received: 8/27/15 and 8/31/15	Completed
Texas Advocates (<i>Leadership Development and Advocacy Skills Training</i>)	Final	3/4/15	Timesheet/PAR for Executive Director; contract and/or service agreement for the Arc of Texas for the project coordinator; current	Documentation requested: 2/4/15 Documents Due: 3/4/15	Complete

			lease agreement required; current documentation to verify match funds reported for office space	Additional follow-up information requested/received: 3/12/15	
Volar CIL (<i>Building Community Capacity through Collaboration</i>)	Follow-up	4/29/15	Timesheet/PAR for Executive Assistant; clarification on amount paid for insurance; contracts/service agreements for Project Search and Post-Secondary Program for People with Disabilities; clarification on charges paid Paso del Norte; current documentation for office space; documentation showing payment for internet and telephone services; documentation for match reported for personnel, fringe benefits, purchase services	Documents requested: 3/23/15 Documents due: 4/29/15 Additional follow-up information requested/received: 5/12/15 Documents received: 5/13/15, 6/12/15, 6/15/15 and 8/13/15	Complete

Date Revised: 10/19/15

1 - Audit due within 9-months after the end of the budget period.

**RISK ASSESSMENT FOR CONSIDERATION OF CONTINUATION AWARDS
06/01/15– 05/31/16**

Item	Grantee	TCDD Funds	Other Fed Funds	Risk Activity	Risk Code
A	A Circle of 10, Inc. <i>(BC3)</i>	\$105,250	\$125,000	2, 4, 5,8*	
B	Community Healthcore <i>(BC3)</i>	\$78,329	\$4,663,336	2,3	
C	Texas Tech University <i>(Higher Education)</i>	\$136,588 (7 months) \$222,924 (12 Months)	\$50mil	2, 3	
D	Texas A&M University <i>(Higher Education)</i>	\$217,565	\$244mil	2, 3	

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)

RISK ASSESSMENT OF TCDD PROJECTS – QUARTERLY UPDATE

Grantee		TCDD Fund Amt.	Other Federal Fund Amt.	Date of Last Onsite	Next Onsite Due By	Risk Activity	Risk Code
Extensive Risk							
1.	Region 17 ESC (FIS)	\$300,000	\$1,687,806	10/2/2014	2015	2	
2.	Epilepsy Foundation of Texas (Health & Fitness)	\$250,000	\$390,600	10/28/2014	2015	2	
3.	Texas State Independent Living Council (Health & Fitness)	\$238,000	\$395,083	1/7/2015	2016	2	
4.	DARS (Higher Education)	\$225,000	\$488 mil	7/18/2014	2015	2	
5.	Educational Programs Inspiring Communities, Inc. (Enabling Technology)	\$225,000	\$200,000	8/27/2014	2015	2	
6.	Texas A&M University (Higher Education)	\$225,000	\$244 mil	7/10/2014	2015	2,3	
7.	Texas Tech University (Higher Education)	\$225,000	\$35mil	10/1/2014	2015	2,3	
8.	Strategic Education Solutions, LLC (Enabling Technology)	\$224,925	\$ 0	12/19/14	2015	2	
Considerable Risk							
9.	Any Baby Can (Health & Fitness)	\$174,887	\$ 0	12/10/14	2016	2	
10.	Texas Tech University (Project SEARCH)	\$174,716	\$35 mil	10/1/2014	2016	2,3	
11.	Volar Center for Independent Living (BC3)	\$150,000	\$203,823	4/29/2015	2017	1,2	
12.	Sabine Valley Regional MHMR Center (dba Community Healthcore) (BC3)	\$139,440	\$4,663,336	2/11/2015	2017	2, 3	
13.	Imagine Enterprises (Project SPEAK)	\$125,000	\$725,000	7/9/2013	2015	2	
14.	VSA Arts of Texas- (Self-Advocates as Speakers)	\$125,000	\$10,000	8/14/2013	2015	2	
15.	SafePlace (Meaningful Relationships)	\$115,029	\$2,340,306	9/26/2013	2015	2	
16.	A Circle of Ten, Inc. (BC3)	\$100,000	\$25,000	3/8/2013	2015	2,4,5, 8*	
17.	Texas Advocates (Self-Advocates Grassroots Community Organizing)	\$100,000	\$0	7/13/2015	2017	2	
Moderate Risk							
18.	Coalition of Texans with Disabilities (Developmental Disabilities Policy Fellows)	\$67,500	\$0	1/27/15	NA	2	
19.	The Arc of Texas (Developmental Disabilities Policy Fellows)	\$67,500	\$0	3/6/15	NA	2	
Monitor or Accept							
20.	Texas Parent to Parent (Public Policy Collaboration Activities)	\$50,800	\$97,500	7/2/2013	NA	2	

NA							
21.	Nuevos Horizontes de Starr County (O&D)	\$9,955	\$0	NA	NA	NA	NA
22.	Special Kids, Inc. (O&D)	\$10,000	\$0	NA	NA	NA	NA

Highlighted grantees indicate additional monitoring strategies this quarter.

*Increased risk due to the number of sub-awards and no previous audit.

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)

RISK ACTIVITIES

1 – New Grantee

3 – Funding Issues

5 – Performance Issues

7 – Fiscal Office Out of State

2 – Awards within Award

4 – Compliance Issues

6 – Legal Actions

8 – No Prior Audit

**TCDD RISK MATRIX
FY 2013**

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

KEY: 1st letter denotes impact; 2nd 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 2015**

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 rd 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 rd & 5 th 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

Consideration of Continuation Grant Awards

Tab 4

Background:

Executive Summaries for four (4) current grant projects that are eligible for continuation funding are enclosed for consideration by the Committee (Items A-D). Grants monitoring strategies are noted under staff recommendations which follow the grants risk assessment report.

- A. A Circle of Ten – *Building Community Capacity through Collaboration*
- B. Community Healthcare – *Building Community Capacity through Collaboration*
- C. Texas A&M University – *Higher Education*
- D. Texas Tech University – *Higher Education*

There are two Executive Summaries listed for Texas Tech University. One is for the final 7 months of the project. The second summary is proposed by the grantee to complete the remaining 7 months and extend funding for an additional five months for a total of 12 months.

Grants Risk Assessment Report (found under Tab 3) – The Grants Risk Assessment Report enclosed summarizes the risk assessment matrix for consideration of grant awards and provides more detail about monitoring activities for all TCDD funded projects.

Important Terms:

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

<p><u>Executive Committee</u></p> <p><u>Agenda Item 7.</u></p>	<p><u>Expected Action:</u></p> <p>The Executive Committee will review the information provided and consider approving funding for each continuation award.</p>
<p><u>Council</u></p> <p><u>Agenda Item 12. B.</u></p>	<p><u>Expected Action:</u></p> <p>The Council will receive a report on Executive Committee decisions.</p>

**Texas Council for Developmental Disabilities
Executive Committee**

Date: 11/04/2015

Review of Proposed Activities & Budget

Item: A

Grantee: A Circle of Ten, Inc.

Year: 2 of 5

Project Title: Building Community Capacity through Collaboration

Project Location: Gulf Coast: Alvin, Bellaire, Crosby, Galveston, Houston, Huffman, Katy, Liberty, Pasadena, Pearland, Port Bolivar, Seabrook, Spring & Sugarland

Website: none

TCDD RFP Intent:

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: Up to \$150,000 per year for up to five years.

Expected Results: The Expanding Community Collaborative Capacity Opportunities (ECCCO) will strengthen and grow the Gulf Coast Network of 30-50 diverse agencies/individuals collaboratively implementing the Strategic Plan, while increasing agency and community capacity to provide and multiply holistic services to people with disabilities and their families, and decreasing the need for institutionalization.

Project Goals and Accomplishments for Planning Year and Year 1:

Goal: 1) 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.

2) Identify supports, services and programs that are in the community and develop a resource list accordingly.

3) Research and partner with local and state stakeholders to determine location of individuals with DD and assess their needs. 4) Implement 5 pilot projects aimed at addressing needs identified by network partners and research. The grantee identified the following issues to address in the implementation phase: behavior supports, respite, mental healthcare, health coverage, and transportation/workforce.

In Implementation Year 1, the project planned to address these issues with 5 pilot projects* that were approved for funding:

- A. Adaptive Behavior Analysis Training: ABA training curriculum from the Center for Autism and Developmental Disabilities at the University Houston Clear Lake will be adapted into a training-of-trainers program, which will then be used to train 10 parents who will train other parents
- B. Volunteer Respite Care: A respite care training curriculum will be developed in partnership with the Gulf Coast Center MHMR, which will then be used to train 10 parents who will train other parents and develop a network of trained volunteers to offer a respite exchange service.
- C. Mental Health: NAMI Gulf Coast curriculum will be used to train 10 people on NAMI services and topics such as mental health first aid and suicide prevention. Training will also be offered over 5-8 events for teachers, counselors, and other community members.
- D. Access to Health Coverage: Texas Children's Hospital will provide orientation and outreach events to make families aware of and know how to sign up for services such as CHIPS, Medicaid, and STAR+
- E. The project also requests funds to provide 3-day trainings on capacity building, grant-writing and sustainability for each of the partners involved in the above activities.

A 5th pilot project was proposed but not approved for funding:

- **Transportation and Workforce:** Through partnerships with Quality Education Institute and 1900 Transport Now, the project will recruit and train 10-12 people for jobs in transport-related employment opportunities

Accomplishments per goal:

- 1) In the Planning Year, a strategic plan was developed and submitted for TCDD review, but staff noted several concerns. These concerns included focus on intent of the RFP (to reduce admissions to SSLCs), specific activities to be conducted, inclusion of complex medical needs, and monitoring and reporting outcomes on each pilot program. At the April 2014 Interim meeting, the Executive Committee granted a Phase I extension to address strategic planning issues for \$35,000. This amount was not additional funding, but rather an advance on possible future funding. If continuation funding is approved, the award must be reduced over a period of one or more years by this amount, \$35,000. The proposed continuation budget includes \$8,750 (1/4 of \$35,000) reduction from the maximum award of \$114,000.
- 2) A resource list of 15 support services and programs in the community was created. Resources included organizations that provided community based services and advocacy.
- 3) Partnership with 30 local stakeholders was reported. 15 partners submitted letters of intent. A total of 88 leaders received grant writing and capacity-building training.

Year 1 Pilot Accomplishments:

4-A Adaptive Behavior Analysis Training: The grantee reported that a total of 13 families have been trained and remain involved in the pilot project. The grantee reported that *“TCDD funds were not used to provide Impact: CADD [Center for Autism and Developmental Disabilities] served/is serving a total of 13 families with funds from a \$30,000 grant to CADD.”* The relationship between this training and the TCDD grant was not clear. The grantee was asked several times to provide evidence of a collaboration; none was received. TCDD Grants staff made contact to CADD to clarify their collaboration and involvement with Circle of Ten as reported to TCDD. Per contact with CADD, there is no existing relationship, partnership and collaboration with Circle of Ten. No deliverables, no major milestones met in this area.

4-B Volunteer Respite Care: This project was not implemented. The grantee indicated that network partner changes/losses slowed progress in this area. The second quarter report noted a concern that no progress was being made toward this major milestone. Upon review of the third quarter report, Grant Specialist asked how many of the 10 trainers had been trained and how many of the 30-40 volunteers they had trained. None were reported. No deliverables, no major milestones met in this area.

4-C Mental Health: This project was not implemented. The grantee indicated that network partner changes/losses slowed progress in this area. The second quarter report noted a concern that no progress was being made toward this major milestone. Upon review of the third quarter report, Grant Specialist asked for a report of activities to address this area. None were reported. No deliverables, no major milestones met in this area.

4-D Access to Health Coverage: The grantee reports that a formal relationship has been established between C10 and the Texas Children’s Hospital (TCH). Throughout year 1, TCH provided more than 100 opportunities for families to learn about health care options were provided via seminars, resource fairs, and monthly lectures. TCDD funds were not used to support these activities. The grantee has been asked to provide clarification on what specific role and impact the TCDD grant had on this activity. To date, no evidence of such a role has been provided. No deliverables, no major milestones met in this area.

4-E – The Grantee has reported 10 3-day trainings on capacity building, grant-writing and sustainability for 12 partners involved in the above activities. The report did not indicate which of the above pilot areas were addressed by these 12 partners.

Proposed Goals and Objectives for Year 2:

Goal: Strengthen and grow the Gulf Coast Network of 30-50 diverse agencies/individuals collaboratively implementing the Strategic Plan, while increasing agency and community capacity to provide and multiply holistic services to people with intellectual and developmental disabilities. 1) Adaptive Behavior Analysis pilot project: continue with 13 families from year 1 and measure families’ mastery of criteria; 2) Volunteer Respite Care pilot project: adapt volunteer respite curriculum and train a cadre of 10 parents to offer free/reduced rate respite; 3) Mental Health for Youth and Families pilot project: address mental health issues of people with IDD and families through 5-8 educational programs at network partner sites and; 4) Expand Access to Health Coverage pilot project: expand access to health coverage to ensure families of children with disabilities are made aware, know how, and are assisted in signing up for services to meet physical/health needs.

Council Considerations:

Public Policy Considerations: If the grantee plans to continue health coverage awareness, it should include information on the Health Insurance Premium Payment program (HIPP) and information regarding how a child with disabilities can stay on a parents insurance into adulthood.

Grant Management Considerations: Grant staff have major concerns about the lack of adherence to the workplan and intent of the RFP (to reduce admissions to SSLCs); what activities are linked to these goals; and the reported outcomes for each. At least 2 of the proposed 4 pilot projects were not implemented and it is questionable whether the grantee had any involvement in implementing at least one of the remaining pilots. At least one or possibly both of the “implemented” pilot projects were activities the partner organizations (CADD and Texas Children’s Hospital) conducted independently.

One subcontract with Family to Family of the Gulf Coast has been signed, two more are pending. In September 2015 the Grantee requested \$7,756 to pay Family to Family of the Gulf Coast to “provide liaison services between ECCCO network partners, grant teams, PAC and C10 and will serve as project face for communications, invitations, media efforts, and meetings. Provides follow-up calls to C10 and other partner referrals to ensure a range of agencies understand and participate in meeting the project outcome”. Grant Specialist received a copy of the signed contract. The Year 1 approved workplan also includes \$10,000 payable to the Arc of the Gulf Coast. No payments to the Arc of Gulf Coast have been made.

The grantee focused on providing capacity building and grant writing training. At the beginning of Year 1, the Executive Committee and staff noted that if the grant training activities were approved for funding, the grantee was/will be required to monitor each pilot to ensure outcomes, performance measures and evaluations are accomplished as planned. To date there has been little evidence received on the type of grants developed, submitted and/or awarded.

Staff Recommendation: TCDD staff does not recommend funding for Year 2 of this project; several Year 1 milestones, outcomes and activities were not achieved, including the implementation of 2 out of 4 approved pilot projects with no evidence of efforts or progress. No evidence has been presented to suggest that the grantee was directly involved in the other 2 ABA training or the Access to Health Coverage pilot projects. The grantee failed to conduct a first quarter Project Advisory Committee meeting, which was noted as a compliance issue. If continuation funding is approved, A Circle of 10 requests that awards for years 2-5 be reduced to account for the \$35,000 approved for the extension to allow resubmitting this strategic plan. TCDD

is not seeking another strategic plan since it has previously been submitted and the project should be at the stage of securing committed organizations actively involved in the implementation of the projects to contribute resources and capacity building of the community.

Continuation Budget Detail Summary			
	Federal	Match	Totals
Expended Planning Year: (8 months) (Consultant: \$8,860)	\$75,000 / \$75,000	\$32,100/\$32,779	\$107,100/\$107,779
Expended Extension: (4 months)(Consultant: \$0)	\$35,000 / \$35,000	\$12,239/\$12,533	\$47,239/\$47,533
Expended Year 1: (9 months)(Consultant: \$30,160)	\$68,097/\$114,000	\$28,392/\$47,173	\$97,299/\$161,173
Amount Requested for Year 2 budget:			
I. Personnel services	64,796	0	64,796
II. Travel	5,168	4,272	9,440
III. Purchased Services (\$31,500 consultants)	31,750	27,022	58,772
IV. Property/Materials	1,616	0	1,616
V. Rental/Leasing	0	5,000	5,000
VI. Utilities	1,920	0	1,920
VII. Other (Indirect Costs)	0	0	0
Budget period totals	\$105,250	\$36,294	\$141,544

**Texas Council for Developmental Disabilities
Executive Committee**

Date: 11/4/15

Review of Proposed Activities & Budget

Item: B

Grantee: Community Healthcore

Year: 2 of 5

Project Title: Building Community Capacity through Collaboration

Project Location: Longview (Gregg, Harrison, Marion, Panola, Upshur)

Website: www.communityhealthcore.org

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 (IDD) to be served in an institution.

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

Expected Results: The East Texas Community Living Network (ETCLN) will enhance and expand community supports for people with disabilities in order to prevent and reduce admissions of people with developmental disabilities to institutions.

Project Goals and Accomplishments for Year 1:

Goal 1: To prevent and reduce admissions of people with developmental disabilities to State Supported Living Centers or other institutionalized settings by strengthening the capacity of community supports and developing additional resources through Asset Based Community Development (ABCD).

Goal 2: To increase awareness about the ETCLN and effectively communicate what new resources exist
Accomplishments per goal:

Planning Phase: The grantee established the ETCLN. The Community Organizer engaged in “learning conversations” with members of the community as part of the Asset-Based Community Development (ABCD) process. This process informed the development of the ETCLN’s strategic plan.

Implementation phase:

- 18 people trained to facilitate Planning Alternative Tomorrows with Hope (PATH)
- 54 individuals attended two separate Person-Centered Thinking trainings
- 2 Leadership Academy groups were formed with rough8 participants in each group but neither has been active since May 2015
- 2 community projects were started by members of the Leadership Academy but dissolved because the activities did not adhere to the ABCD model

1) **PATH TRAINING:** The network intended to provide Board Certified Behavior Analyst (BCBA) assessments, plans, and supports to at-risk members of their community, but the provider they chose to work with was out on maternity leave for most of the year; therefore, no BCBA supports were provided in year one. To date, no PATH planning sessions were conducted with individuals in Integrated Care Facilities (ICF); one prospective ICF provider has been identified as a potential partner.

2) **LEADERSHIP ACADEMY:** Two Leadership Academy groups were formed in Gregg and Harrison Counties with roughly eight participants in each group, but neither of these groups has been active since the departure of key project staff in May 2015. The ABCD consultant worked with participants in the Leadership Academies to apply for mini grants to start new community projects based on the ABCD model. Two community projects were started by members of the Leadership Academies, but they were soon dissolved because the activities did not adhere to the ABCD model.

3) **RESPITE:** Two types of respite services were planned for year one: site-based and faith-based. The network partner that had agreed to provide site-based respite withdrew their commitment at the beginning of the grant year. The network hosted a faith-based respite workshop to help community members learn more about how to provide respite in their faith community. The workshop was led by a local respite provider and attendees represented four different religious groups. No new faith-based respite services have been established as a result of this project to date. In the planning phase, a healthcare survey was distributed to people with IDD and their family members.

4) The grantee has developed a short survey for healthcare providers to gauge their understanding of issues that impact people with IDD, but the survey has not yet been distributed. The network had intended to create a short video based on the findings of this survey, but this activity has not been completed. Project staff have postponed the development of several videos that were scheduled to be created during the budget period. The videos are intended to promote faith-based respite, person-centered planning, and person-centered healthcare. Due to a lack of community involvement with the network, not enough footage is available to create the videos at this time.

Proposed Goals and Objectives for Year 2 (9 months)

Goal(s): Same as above

Objectives: Provide universal positive supports including Person Centered Thinking, BCBA assessment, and PATH planning; Support community leadership teams (formerly Strong 8) to develop projects that will benefit their community; Assist in the expansion of respite through faith-based and other associational groups providing short-term respite programs; Effectively communicate what new resources exist and promote the ETCLN.

Staff Recommendations:

Public Policy Considerations: While the grantee has provided PATH training to 18 people, a disappointing 1/3 haven't had the opportunity to facilitate PATH plans with persons in the community. PP staff look forward to supporting the grantee to find people interested in a facilitated PATH plan.

Grant Management Considerations: Considerable risk monitoring (awards within awards; award amount); Several activities and objectives not completed or started. The grantee would like nine months to implement the proposed initiatives.

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

Continuation Budget Detail Summary			
	Federal	Match	Totals
Expended Year 1 (13 months) (Consultant: \$46,523)	\$138,046/\$93,084	\$41,264/\$21,944	\$179,310/\$115,028
Amount requested for 7 month budget:			
I. Personnel Services	44,072	8,889	52,961
II. Travel	1,386	0	1,386
III. Purchased Services (\$13,424 consultants)	22,187	10,477	32,664
IV. Property/Materials	165	0	165
V. Rental/Leasing	2,025	3,500	5,525
VI. Utilities	1,373	0	1,373
VII. Other (Indirect Costs)	7,121	0	7,121
Budget period totals	\$78,329	\$22,866	\$101,195

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

Date: 11/04/15

Review of Proposed Activities & Budget

Item: C

Grantee: Texas A&M University

Year: 5 of 5

Project Title: Bridge to Career in Human Services

Project Location: Statewide

Website: b2c.tamu.edu

TCDD RFP Intent: 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 vocational/technical programs that were originally designed for students without disabilities.

Authorized Funding: Up to \$225,000 for up to 5 years.

Expected Results: The Bridge to Career in Human Service program will train 50 students in the human service area leading to a certificate and job placement by the end of year 5.

Project Goal Years 1- 4: To recruit, admit, and support students with developmental disabilities in the Bridge to Career in Human Services postsecondary program.

Project Accomplishments Years 1- 4:

- **Admitted** 42 students to 5-week summer program for summer 2014.
- 26 students continued in fall program consisting of independent living skills, self-determination, familiarity with online College of Direct Support curriculum, disability and development, professionalism, practicum placement and job placement assistance.
- 74 applications submitted for 2015 academic year; 31 students admitted for 2015 academic year.
- **DARS Funding** approved from DRS and DBS for individuals to attend the summer and/or fall programs.
- **Graduated** 18 students in 2014 program graduated in May 2015.
- **Current Status of Graduates:** Of the 18 students that graduated, all students are either competitively employed, enrolled in additional postsecondary education programs, in the process of being interviewed for employment, was employed, and/or were volunteering.
- **Evaluation Results:** As a result of evaluation feedback, a Child-Care track has been added for the fall 2015 academic year and 12 students are enrolled.

Proposed Goals and Objectives for Year 5:

Goal: Same as above

Objectives: Recruit, admit and support students with developmental disabilities to attend the Bridge to Career in Human Services postsecondary program; and, teach and support students to help them complete the program.

Council Considerations:

Public Policy Considerations: Securing Comprehensive Transition Program (CTP) status so that students can access federal financial aid is a promising practice that should be publicized and expanded to programs at other higher education institutions. Likewise, Bridge's responsiveness to its students, e.g., the addition of child care training, is important information that should be shared with other programs.

Grant Management Considerations: No concerns; high risk monitoring (awards within awards, grantee required to submit RAR's monthly).

Staff recommendations: TCDD staff recommends the Council to consider continued funding.

Continuation Budget Detail Summary

	Federal	Match	Totals
Expended Year 1	\$225,000/\$225,000	\$80,476/\$89,284	\$305,476/\$314,284
Expended Year 2 (Consultant: \$4531)	\$225,000/\$225,000	\$69,104/\$72,779	\$294,104/\$297,779
Expended Year 3 (Consultant: \$9435)	\$225,000/\$224,981	\$74,998/\$86,702	\$299,998/\$311,683
Expended Year 4 (5 months) (Consultant: \$10,302)	\$225,000/\$87,594	\$75,000/\$27,721	\$300,000/\$115,315
Amount requested for Year 2 budget:			
I. Personnel Services	130,192	2996	133,188
II. Travel	2277	0	2277
III. Purchased Services (Consultants: \$8862)	56,005	0	56,005
IV. Property/Materials	1500	0	1500
V. Rental/Leasing	0	0	0
VI. Utilities	0	0	0
VII. Graduate Student Tuition	9480	0	9480
VIII. Other (Indirect Costs)	18,111	68,327	86,438
Budget period totals	\$217,565	\$71,323	\$288,888

**Texas Council for Developmental Disabilities
Executive Committee**

Date: 11/4/2015

Review of Proposed Activities & Budget

Item: D

Grantee: Texas Tech University

Year: 5 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 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, TTU, SPC, 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 1-4:

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:

As of September 2015, 25 students were actively enrolled in Project CASE and 100% of Cohorts 1 and 2 have participated in one or more internships. Students in Cohort 3 are beginning the process of identifying internships that fit with their area of study. There are 9 students in Cohort 4. Project CASE has graduated 12 students with academic degrees or vocational certifications. Of those, 5 are competitively employed; 2 have transferred from South Plains College to Texas Tech with Associate Degrees to work on their 4 year academic degrees; 2 are pursuing Masters Degrees (both of these are working in their departments as graduate assistants or research assistants); 2 have been accepted into graduate school; and 1 is working with DARS to obtain employment and manage behavioral skills. In Year 4, 11 students are in paid employment/internships and 5 are in non-paying volunteer internships.

Proposed Goals and Objectives for Year 5:

Goal: To create a replicable, sustainable higher education model project that will build a collaborative partnership with the Burkhart Center, Texas Tech University, South Plains College, the Byron Martin Advanced Technology Center, the Department of Assistive and Rehabilitative Services (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 a field of their choice.

Objectives: 1) Develop infrastructure and leadership team to develop a strategic plan 2) Recruit, and retain individuals with DD across Texas, ages 18-25, seeking to further their education beyond high school and securing meaningful paid employment 3) Expand the number of business partners who will mentor, provide internships and hire students 4) Implement evaluation to provide ongoing guidance and collect information for a "how-to manual"

Council Considerations:

Public Policy Considerations: The absence of consideration of students with disabilities in the Higher Education Coordinating Board's Closing the Gap initiative is emblematic of the need to expand the network of

universities with the capacity to provide meaningful postsecondary instruction, support, and opportunities to students with disabilities. TCDD staff recommend that the “how to” manual include specific techniques and approaches used to meet Objective #3. This remains a significant barrier identified by community partners and would be used by TCDD in other employment efforts.

Grant Management Considerations: The 60-month project was slated to end 9/30/2016. Therefore, the Year 5 budget period will be for 7 months: March 1, 2016 – September 30, 2016.

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

Continuation Budget Detail Summary			
	Federal	Match	Totals
Expended Year 1	\$209,054/\$209,384	\$98,256/\$79,725	\$307,310/\$289,109
Expended Year 2	\$216,946/\$217,079	\$92,549/\$72,377	\$309,495/\$289,456
Expended Year 3	\$220,089/\$220,098	\$103,442/\$73,363	\$323,531/\$229,652
Expended Year 4 (4 months)(Consultant: \$1,393)	\$76,232/\$220,998	\$25,411/\$73,666	\$101,643/\$294,664
Amount requested for Year 5 budget:			
I. Personnel services	117,466	0	117,466
II. Travel	10,353	0	10,353
III. Purchased services (\$1,950 consultants)	6,200	0	6,200
IV. Property/Materials	2,569	0	2,569
V. Rental/Leasing	0	0	0
VI. Utilities	0	0	0
VII. Other (Indirect Costs)	0	45,529	45,529
Budget period totals	\$136,588	\$45,529	\$182,117

**Texas Council for Developmental Disabilities
Executive Committee**

Date: 11/4/2015

Review of Proposed Activities & Budget

Item: D

Grantee: Texas Tech University

Year: 5 of 5

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

Project Location: Statewide

Website: none

TCDD RFP Intent:

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Proposed Goals and Objectives for Year 5:

Goal: To create a replicable, sustainable higher education model project that will build a collaborative partnership with the Burkhardt Center, Texas Tech University, South Plains College, the Byron Martin Advanced Technology Center, the Department of Assistive of Rehabilitative Services (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 a field of their choice.

Objectives: 1) Develop infrastructure and leadership team to develop a strategic plan 2) Recruit and retain individuals with DD across Texas, ages 18-25, seeking to further their education beyond high school and securing meaningful paid employment 3) Expand the number of business partners who will mentor, provide internships and hire students 4) Implement evaluation to provide ongoing guidance and collect information for a "how-to manual."

Additional Grantee Request: Texas Tech requests a 5-month extension on the project period to make Year 5 a total of 12 months. Students in Project CASE generally take longer to complete their academic program because it takes time for our students to acclimate to college life and being more independent than they were

in high school. For example, students with developmental disabilities who are going for a bachelor's degree take a minimum of 5 to 5½ years to complete their degree program at Texas Tech due to their need to take only 9-12 hours during the fall and spring semesters. There are still students who started with Project CASE as freshman the first year of Project CASE who will graduate in December 2016 and Texas Tech does not want to cut off services as they are trying to graduate in their final year with their hardest upper division coursework. The additional five months will also allow the Project Director and the Evaluation Team the time they need to fully analyze the data we have collected and develop the "how to" manual of documenting progress and lessons learned from the Project CASE program and its students. This document will include successes and challenges in internship sites for the "lessons learned" for other postsecondary educational settings. The Project Director indicated that the additional 5 months are needed not only to graduate more students, but to write up the results of our data collection regarding the progress of the program.

Council Considerations:

Public Policy Considerations: The absence of the consideration of students with disabilities in the Higher Education Coordinating Board's Closing the Gap Initiative is emblematic of the need to expand the network of universities with the capacity to provide meaningful postsecondary instruction, support, and opportunities to students with disabilities. TCDD staff recommend that the "how to" manual include specific techniques and approaches used to meet Objective #3. This remains a significant barrier identified by community partners and would be used by TCDD in other employment efforts.

Grant Management Considerations: The 60-month project was slated to end 9/30/2016. Therefore, the Year 5 budget period will be for 7 months: March 1, 2016 – September 30, 2016. The grantee has requested the Council consider extended the project period through February 28, 2017.

Staff Recommendation: TCDD staff recommends continued funding for this project. Executive Committee members may consider whether or not to extend the project period by 5 months, for a total of 65 months.

Continuation Budget Detail Summary			
	Federal	Match	Totals
Expended Year 1	\$209,384/\$209,054	\$98,256/\$79,725	\$289,109/\$307,310
Expended Year 2	\$217,079/\$216,946	\$92,549/\$72,377	\$289,456/\$309,495
Expended Year 3	\$220,089/\$220,098	\$103,442/\$73,363	\$293,452/\$229,652
Expended Year 4 (4 months)(Consultant: \$1,393)	\$57,552/\$220,998	\$19,184/\$73,666	\$76,736/\$294,664
Amount requested for Year 5 budget:			
I. Personnel services	200,477	0	200,477
II. Travel	11,892	0	11,892
III. Purchased services (\$1,950 consultants)	7,986	0	7,986
IV. Property/Materials	2,569	0	2,569
V. Rental/Leasing	0	0	0
VI. Utilities	0	0	0
VII. Other (Indirect Costs)	0	74,308	74,308
Budget period totals	\$222,924	\$74,308	\$297,232

Appeal of Funding Decisions

Tab 5

Background:

TCDD received an appeal concerning decisions of the Executive Committee in August to not award funding for proposals. **Helpful Interventions** appealed TCDD's decision to not approve funding to this organization for the Culturally Appropriate Family Supports project. Per TCDD Policy, the Executive Director prepared a Summary Report and sent to the Executive Committee for review. A copy of the Helpful Interventions Appeal, the Summary Report, and the TCDD Appeal Procedure are included.

The purpose of TCDD's appeal process is to ensure that TCDD procedures were followed, and that information provided in the original proposal was reviewed fairly and objectively. The Process to Appeal a funding decision is not designed as an opportunity for an applicant to provide additional information for consideration that could have been included in the original proposal. To do so would in essence create a two-stage review process that is not part of TCDD's current procedures.

The Executive Committee will be asked to make a final decision on this appeal.

Executive Committee

Agenda Item 8.

Expected Action:

The Executive Committee will consider this information and make a final decision on the appeal.

Council

Agenda Item 12. B.

Expected Action:

The Council will receive a report of Executive Committee decisions.

Appeals Request for the Gulf Coast of Texas African American Family Support Conference

August 26, 2015

Texas Council for Developmental Disabilities
Beth Stalvey
6201 E. Oltorf, Suite 600
Austin, TX 78741-7509

Dear Ms. Stalvey:

We would like to request a review and appeal of our proposal submitted for the Culturally Appropriate Family Supports project. We have responded to the concerns noted by the Review Panel and the TCDD Staff. We would like to offer information and clarifications. The clarifications are noted for each concern.

- 1. It appears there will be some involvement of individuals with IDD. However, the project activities do not appear to be sufficiently focused on, or fully include, individuals with IDD.**

The conference will provide a unique opportunity for individuals and families to convey the mission to strengthen and enlighten about current health and social service information and resources in a culturally sensitive environment. Our goal is to promote ongoing education and partnership among various community stakeholders such as individuals, families, faith-based, health, and social service providers. *Since 2011, the conference remains inclusive of all persons, ethnicities and disabilities to participate at all levels.*

Clarification: *The GCTAAFSC project includes individuals with Intellectual and Developmental Disabilities (IDD) and their family members. Individuals, family members and caregivers participate in the planning and development of the educational events and are engaged to participate in educational opportunities offered by the conference. The conference topics and activities are inclusive for persons with disabilities, including individuals with intellectual disabilities. The conference provides education on disability awareness, health and wellness in a culturally sensitive environment. Conference topics includes understanding health diagnosis, navigating health, educational, service systems, individual and caregiver's self-care. Additionally, the conference recognizes individuals with IDD and their family members for their outstanding work in disability awareness and advocacy to receive the conference Flame of Inspiration Award. In 2016, the conference will continue to offer the same involvement and focus for individuals with IDD.*

In 2016, the conference planning work will have activities to be representative of individuals with co-occurring disabilities related to mental, physical and developmental disabilities. The project's

Appeals Request for the Gulf Coast of Texas African American Family Support Conference

logic model includes a methodical inclusion approach to ensure individuals with developmental disabilities are included.

- 2. Although policy issues were addressed, it is unclear if the plan to address policy issues will include individuals with IDD (including the many who may also have mental/physical issues) and/or their family members.**

Clarification: *Mental health is inclusive of co-occurring, intellectual and developmental disabilities. Individuals and their family members with mental and co-occurring disabilities are often times exposed to stigma due to the lack of education and awareness. The community may lack the appropriate education to respond to a presenting mental health and/or co-occurring disability that prevents stigma and discrimination.*

We would like to highlight how this legislative policy has limitations. We will extend an opportunity for the community to become aware that the language in this particular legislation only providing educational opportunities in a public education sector only. We propose to receive feedback from stakeholders (inclusive of persons with disabilities) feedback from a pre and post-test analysis. We would like to share the responses in a format much like a policy brief to include issues related to disabilities and co-occurring health conditions. The follow up or brief will highlight limitations and/or recommendation to ensure appropriate inclusion for future policies and legislative actions.

In 2016, we are proposing to outreach and provide educational outreach to the faith-based community. In the African American community, the faith-based community is often viewed as first responders for information, resources and support. The outreach will include education on disability awareness and advocacy.

In 2013, Helpful Interventions hosted a Mental Health First Aid Training as a pre-conference educational opportunity. We used this platform to educate on the conference mission and purpose to expand the knowledge and skills including individuals with developmental disabilities, their families and their allies. Fifteen persons became knowledgeable about the content related to disabilities. Additionally, the community made a special request to have this opportunity be extended through conference. In 2016, we plan to offer the same educational opportunity.

- 3. It is not clear how the project activities will be sustained after TCDD funding ends.**

Clarification: *The project to date utilize the logic model to support sustainable activities. The project has utilize fiduciary supports from having registration fees and sponsorships. To date, we have leverage and expanded funding support for the conference project. For example, the 2015 conference expenditures were funded by a fiduciary plan outline in the logic model. Hence, we were able to plan and execute two conferences in the same funding period of 2014-2015. The fiduciary outcomes was noted as successful and this same methodology will be utilized in 2016.*

- 4. It is not clear who within the agency staff will work in the project and the overall infrastructure appears weak**

Clarification: *Helpful Interventions is a volunteer organization and utilize contractors to staff and support the project. To date, we have been successful in providing a streamline*

Appeals Request for the Gulf Coast of Texas African American Family Support Conference

organizational infrastructure that supports the sustainability for the conference. Additionally, to date, the conference staff is inclusive of project director, coordinator, financial manager, contracted vendors, volunteers (interns and committee members) has been able to oversee the development, planning and execution of all phases of the conference. The project staff roles and duties are outlined in a scope of work per a contractual agreement. Additionally, we utilize the logic model to support a definitive a 12 month outline to plan and execute the project endeavors. This approach has yield the highest measurable outcomes and will be utilize in planning the 2016 conference.

More specifically, the project has utilize a coordinator to coordinate planning meetings, activities and be a support to the execution of the project. We have found this position to be supportive of the planning of the conference. In 2016, we will utilize this position to be a continued support to the project. The coordinator will be Ms. Shondra Rogers-McGary. Ms. McGary brings to the project a wealth of experience from the Texas Health and Human Services Commission- the Center for Elimination of Disproportionality and Disparities (CEDD). CEDD is a supportive partner of the conference and addresses equity and health disparities in accessing appropriate healthcare and services for the African American community. CEDD has committed to providing fiduciary support and will work alongside us with other conference partners to bring the 2016 conference to fruition. Shondra will work with the CEDD to leverage additional resources from agencies such as the Department of Assistive and Rehabilitative Services (DARS) and other Health Human Services Commission (HHSC) to support the conference mission by providing valuable information about mental health and intellectual and developmental disabilities through culturally sensitive education, supports and partnerships.

Additional Concerns Noted by TCDD Staff

- 5. The federal legislation from 2013 cited by the applicant did not pass, and similar federal legislation introduced in 2015 is still pending. Federal funding for mental health first aid has been available through the Substance Abuse and Mental health Services Administration's Project AWARE.**

***Clarification:** We selected this legislation as it relates to the topics associated with the conference. The legislation in Texas does not include other community sectors and has not been funded. We are proposing to highlight how this particular legislation excludes important key first responders such as members of the faith-based leaders. We would like to highlight how the language in this legislation should be more inclusive. We are planning to host a Mental Health First Aid Training that includes members of the community to participate in discussions that are culturally sensitive to faith-based leaders, community stakeholders inclusive of members, consumers and their family members. We utilize the similar format from the 2013 Mental Health First Aid Training hosted by the conference project.*

The expectations of Project AWARE-Now is Time (Project AWARE-NITT) is to increase health literacy and help-seeking behaviors related to mental health. The project has a youth education

Appeals Request for the Gulf Coast of Texas African American Family Support Conference

focus. We located the Request for Proposal (RFP) for Project AWARE-NITT during the time of preparing for the Culturally Appropriate Family Supports Project application and the deadline to respond had past. We are following this and other funding endeavors related to the project goals and mission. We will continue to defer to the project's logic and sustainability plan to support the ongoing efforts of the conference planning.

6. There are many budget issues that need to be addressed. Some costs might not be allowable depending on the explanation. More information is needed and liability insurance, CPA review, travel stipends, and other items. Some numbers were miscalculated.

Clarification: *Budget Detail Summary highlights our budget for the planning and execution of the project. We utilize the previous approved budget as a format to develop the budget for the 2016 conference expenditures such as:*

1) Liability insurance- the liability insurance was indicated to secure and protect the participants materials and equipment at the conference. Some rental venues require that liability or event insurance is secured;

2) CPA Review- the CPA Review was indicated to ensure a comprehensive review of the fiduciary evaluation of the expenditures to match the sustainability and evaluation plan per the logic model;

3) Travel stipends- the travel stipends was indicated as opportunities for the members of the committee members (consumers and family members) to have financial aid to assist with travel needs to attend the planning, development and capacity-building meetings. Capacity-building meetings also includes attendance to the Central Texas African American Family Support Conference (CTAAFSC). Committee members will be afforded to engage and see fidelity to the conference work model with CTAAFSC.

6a. It appears typos were observed in the budget narrative.

Clarifications: *The Project Director will be available up to 692 + hours over a 12 month period at an hourly rate of \$22. TCDD will cover 454.50 hours at \$22/hour at \$10,000. The match will cover 238 hours at \$22/hour at \$5,000.*

Web Presence/Development and Maintenance: TCDD funds will cover at \$1500 the expense of web presence and development (\$1000), internet maintenance at (\$300) technical management(\$200).

Telephone: Match funds will cover the expense for landline, internet and office cell services at \$1920 per year. Phone services(540/year at 45 per month); internet services(705/ year at 58 per/month); mobile hotspot services (250/ year at 20 per month); internet services (120/year at 10.00 per month) and office cell office support (305/year at 25 per month).

Additionally, we are prepared to further modify the budget item lines to align with the criteria per the request for the proposal.

Appeals Request for the Gulf Coast of Texas African American Family Support Conference

7. There does not appear to be a plan to add a focus on IDD, although there are a great number of individuals with IDD who have co-occurring physical or mental health concerns

***Clarifications:** To date, the conference has had educational tracks to include topics related to consumers, family members and professionals working with persons with disabilities, including persons with intellectual and developmental disabilities. The committee selects conference format, theme, educational sessions and activities. The committee specifically select topics to highlight needs and concerns related mental health, co-occurring disabilities, including IDD.*

Each conference, we survey the participants and request feedback from the community to ensure the development of topics and activities conveys the interest of the participants and the mission of the conference. The results of the survey includes the community's request on topics related to health and social service navigation, understanding co-occurring diagnosis and caregivers support.

The selection of the conference speakers includes pairing a professional and a consumer and/or family member to present as a panel or co-presenters. GCTAAFSC follows the fidelity of the model from the Central Texas African American Family Support Conference in selecting speakers/presenters and topics. This process is closely adhered to, to ensure the focus of conference remains consumer and family member driven. The ultimate goal is to support education and awareness from a perspective inclusive of IDD.

8. The proposal neither addresses identification and development of new advocates and leaders nor indicates how information will be provided to TCDD about how to develop and share culturally-sensitive information. Both are required by the RFP

***Clarification:** In 2016, the project will host a Mental Health First Aid Training. This training will be extended to faith-based leaders including consumers and family members to become new advocates and leaders in their perspective communities. Individuals will become certified as mental health first aiders. Typically, the African American faith-based community is considered like the nuclei for information, resources and support. By offering a Mental Health First Aid Training to the faith-based community, the outreach can extend disability awareness and education to further decrease stigma and discrimination. This educational opportunity will engage persons to lead, advocate and support help seeking behaviors.*

Additionally, we developed a conference planning guide for interested persons to serve as committee planning members. This guide also supports the committee members being sub-committee chairs and co-chairs. We engage the committee members to lead and co-lead in discussion and planning activities to support the conference planning efforts.

TCDD will be afforded the opportunity to attend the conference, trainings, participate in meetings and discussion on how the project engages and support the dissemination of culturally sensitive information. To date, TCDD has participated in the conference planning efforts and attended the conference. TCDD participates in discussions and perspectives about the

Appeals Request for the Gulf Coast of Texas African American Family Support Conference

conference mission, goals and culturally sensitive topics related to the African Americans perspectives on disability awareness and help-seeking behaviors.

In 2016, TCDD will be afforded the opportunity to receive our comprehensive evaluation report conveying outcomes of the project endeavors. The report will outline the outcomes from the logic model and evaluation plan on how TCDD can work with and outreach and utilized culturally sensitive methodologies with similar communities and ethnicity groups. To date, we have included the TCDD's grants officer in the planning meetings and discussions. We have openly shared our developmental processes with TCDD to support educational dissemination. For example, we educated on our inter-developmental and infrastructure process titled "the conference playbook" with TCDD's grants officer. The conference playbook is an engagement tool for the committee members and volunteers to be fully engaged about the inter operations of the conference.

This developmental process was shared and replicated for use with the Central Texas African American Family Support Conference (CTAAFSC). The CTAAFSC adopted the use of the conference playbook for the same purposes.

The GCTAAFSC project have used this educational platform to convey the sincere mission to strengthen families and increase awareness of health and social service information and resources available through culturally sensitive education, supports, and partnerships for African Americans. We look forward to being a support to the community.

Thank you for considering our request. Respectfully submitting,



Jerrilyn Hayes



TEXAS COUNCIL *for*
DEVELOPMENTAL
DISABILITIES

Mary Durham, Chair
Kristen L. Cox, Vice Chair
Beth Stalvey, Executive Director

6201 E. Oltorf, Suite 600, Austin, TX 78741-7509
E-Mail: TCDD@tcdd.texas.gov
Internet: <http://www.tcdd.texas.gov>

(512) 437-5432
(800) 262-0334
Fax (512) 437-5434

September 8, 2015

Jerrilyn Hayes
Project Director
Helpful Interventions
Gulf Coast of Texas African American Family Support Conference
P.O. Box 671526
Houston, TX 77267-1526

Subject: Acknowledgment of Appeal Received

Dear Ms. Hayes:

Please accept this notice as written receipt of your letter dated August 26, 2015, appealing the TCDD decision not to fund your proposal for the Culturally Appropriate Family Supports project. Consistent with Council Policies concerning an Appeal of Funding Decisions, TCDD staff will review this appeal with the Council's Executive Committee that will make the final decision. At that time, TCDD staff will notify you regarding the outcome of this appeal.

Thank you for your interest in advancing the mission of the Texas Council for Developmental Disabilities.

Sincerely,

Beth Stalvey
Executive Director

Copy: TCDD Executive Committee

BS/fr

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TO: Executive Committee Members

FROM: Beth Stalvey, Executive Director

SUBJECT: Review of Appeal: Helpful Interventions

DATE: October 16, 2015

Helpful Interventions submitted an application to receive grant funding under the Culturally Appropriate Family Supports Project Request for Proposals. The applicant submitted a proposal on June 17, 2015. The proposal was reviewed by an independent review panel on July 17, 2015. The reviewer comments and recommendations were presented to the Executive Committee during the August 2015 quarterly meetings.

The Executive Committee reviewed the Executive Summary that summarized comments from the panel and discussed comments and considerations. Following discussion, the Executive Committee did not approve funding for this proposal.

TCDD provided notice to Helpful Interventions about the funding decision on August 13, 2015, and included the Council's Process to Appeal a funding decision and a summary of the review panel comments. TCDD received an appeal of the Council's funding decision from Jerrilyn Hayes on August 26, 2015, within the 15 workdays allowed by the Council's Policy for an appeal of a funding decision. The Appeal Letter provided by Jerrilyn Hayes is attached.

The appeal from Helpful Interventions asks TCDD to reconsider the decision to not approve funds for Culturally Appropriate Family Supports Project. In the Appeal letter, Helpful Interventions addresses each of the review panel concerns with the original grant proposal and provides information to clarify or respond to comments included in TCDD summary of review comments. Much of this information was not provided in the original application. We note that the purpose of the Council's Process to Appeal a funding decision is to ensure that TCDD procedures were followed, and that information provided in the proposal was reviewed fairly and objectively. The Process to Appeal is not designed as an opportunity to provide additional information for consideration when such information could have been included in the original proposal. To do so would in essence create a two-stage review process that is not part of TCDD's current procedures. A copy of the TCDD Appeals Procedure is attached.

TCDD staff have reviewed the process used to review the Helpful Interventions proposal for Culturally Appropriate Family Supports Project and find no concerns regarding any procedural matters. The information provided to the Executive Committee on the Executive Summary for the August discussion appears to be fair and objective. Based on our review of this matter, we do not see any indication of procedural concerns during the review process. And as noted earlier, much of the information provided by Helpful Interventions in the appeal was not provided in the original proposal. Considering that information at this time creates a 2-step review process that is not intended by current Council approved procedures.

Attachments:

- Written Appeal from Helpful Interventions
- TCDD Acknowledgement Letter
- TCDD Appeal Procedure

Texas Council for Developmental Disabilities

Council Policies

Section X. TCDD Grant Projects

I. Appeal of Funding Decisions

1. Appeals may be submitted from applicants for grants who did not receive funding or from grantees whose grants have not been awarded continuation funding. The person or entity appealing shall be known as the appellant.
2. Appeals of funding decisions shall be received, processed, and resolved with fairness and promptness.
3. The appellant shall file an appeal in writing addressed to the Executive Director. The written appeal must be postmarked within 10 workdays of the date of the written notice of suspension or within 15 workdays of the date of written notice of denial of new or continuation funding. The written appeal shall include all relevant facts and information that the appellant wishes to have considered as well as the proposed remedy being sought. The Executive Director will acknowledge receipt of the letter with a copy to the Executive Committee.
4. The Executive Director will investigate, compile, and study all relevant information about the appeal and, within 30 workdays of the receipt of the appellant's letter and submit a written report to the Executive Committee. The report will contain recommended action and the evidence supporting the recommended action.
5. The Executive Committee may approve the recommendations of the executive director, make such modifications as deemed appropriate, order further investigation, or take other appropriate action.
6. The decision of the Executive Committee is final.
7. Council staff shall notify the appellant of the final determination of the appeal.

Background:

Staff coordinated independent review panels to evaluate proposals received this quarter for three (3) Request for Proposals:

- TCDD Public Policy Fellows
- Understanding Employment Options and Supports
- Stakeholder Training for Guardianship Alternatives

Summaries of the recommendations from the panels and staff comments **will be emailed** to Executive Committee members prior to the meeting and included in the handout folder.

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

<p><u>Executive Committee</u> <u>Agenda Item 9.</u></p>	<p><u>Expected Action:</u> The Executive Committee will consider this information and make final decisions on the project proposals.</p>
<p><u>Council</u> <u>Agenda Item 12. B.</u></p>	<p><u>Expected Action:</u> The Council will receive a report of Executive Committee decisions.</p>

TCDD Administrative Rules Review

Tab 7

Background:

State agencies are responsible to review administrative rules adopted by the agency at least once every four years and to readopt rules when there is a continuing need, with revisions as appropriate. TCDD last reviewed and readopted rules in 2012.

Staff recommendations for amendments to TCDD Rules are behind this Tab. The Executive Committee is asked to review and recommend proposed amendments to the Council for consideration. Once approved, proposed amendments will be posted in the Texas Register for a 30-day public comment period. The Council will review any public comments received during the August meetings and approve final adoption of the amendments to TCDD rules.

Documents Include:

- **Texas Administrative Code (TAC)** – proposed revisions. The Committee will consider approval to post in the Texas Register for public comment.
- **Council Policies** – detailed language to support the revisions to the TAC. The Committee will consider approval of these policy revisions during the February 2016 meeting.

Executive Committee

Agenda Item 10.

Expected Action:

The Executive Committee will review the information provided and may recommend Council approval.

Council

Agenda Item 10.

Expected Action:

The Council will consider Executive Committee recommendations on this subject.

TEXAS COUNCIL FOR DEVELOPMENTAL DISABILITIES
ADMINISTRATIVE RULES
TEXAS ADMINISTRATIVE CODE TITLE 40, PART 21

SUMMARY OF PROPOSED AMENDMENTS

TITLE 40. SOCIAL SERVICES AND ASSISTANCE
PART 21. TEXAS COUNCIL FOR DEVELOPMENTAL DISABILITIES
CHAPTER 877. GRANT AWARDS
40 TAC §877.1 AND §877.3

The Texas Council for Developmental Disabilities (Council) proposes an amendment to §877.1 concerning General Provisions.

Elsewhere in this issue of the Texas Register, the Council proposes amendment to §877.3 to add Payment Withhold to Grant Awards.

The purpose of this amendment to this section is to apply consistent equitable consequences to Council award recipients in the event they are found to be non-compliance with reporting requirements. To provide uniform guidance to apply consistent procedures that may result in withholding payment or reduction of payments. This amendment will add Payment Withhold, which may grant a payment withhold pending the result of corrective action, partially restoring funds or grant funds are suspended.

There may be fiscal implication as a result of enforcing these sections as proposed.

Comments on the proposal may be submitted to Martha Cantu, 6201 E. Oltorf, Suite 600, Austin, Texas 78741-7509, or e-mail comments to: martha.cantu@tcdd.texas.gov.

The proposed amendments are authorized under the Texas Human Resources Code, §112.020, which provides authority for the Council to adopt rules as necessary to implement the Council's duties and responsibilities.

The amendments will effect Texas Human Resources Code, Title 7, Chapter 112, Developmental Disabilities.

TEXAS COUNCIL FOR DEVELOPMENTAL DISABILITIES

ADMINISTRATIVE RULES

TEXAS ADMINISTRATIVE CODE TITLE 40, PART 21

Chapter §876 General Provisions

Chapter §877 Grant Awards

**Proposed Amendments
August 2016**

Texas Administrative Code

Title 40 Part 21

Social Services Texas Council for Developmental Disabilities

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

TITLE 40. SOCIAL SERVICES AND ASSISTANCE

PART 21. TEXAS COUNCIL FOR DEVELOPMENTAL DISABILITIES

Chapter 876. GENERAL PROVISIONS

§876.1 Definitions

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

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

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

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

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

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

§876.2 Legal Authority

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

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

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

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

§876.3 Administration

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

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

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

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

§876.4 Responsibilities of the Council

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

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

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

§876.5 TCDD State Plan

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

§876.6 Powers and Duties of the Executive Director

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

§876.7 Committees of the Council

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

§876.8 Standards of Conduct

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

§876.9 Charges of Access to Public Records

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

§876.10 Petition for Rules or Changes to Rules

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

§876.11 Applicability of Open Meetings Act

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

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

§876.12 Alternative Dispute Resolution

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

Chapter 877 GRANT AWARDS

§877.1 General

(a) As authorized by Human Resources Code Title 7, Chapter 112.020 (a)(3), the Council may contract or provide grants to public or private organizations to implement the TCDD State Plan for Texans with Developmental Disabilities, if funds are available.

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

(c) The Council may accept unsolicited proposals or unsolicited ideas for future projects consistent with Council policies and procedures.

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

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

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

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

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

- (i) The Council may by policy reduce reimbursements to grantees when required reports or final expenditure reports are not submitted within at least 60 days following the established due date.**

- (j) Donated time and services may be included as a financial match contribution unless otherwise restricted by a specific request for proposals or by state or federal requirements.
- (k) No organization shall receive more than three (3) direct grants from the Council at any time.

§877.2 Application and Review Process

- (a) All requests for proposals will be published in the Texas Register and posted on the Council's website, and a notice will be provided to interested parties.
- (b) Proposal information for each request for proposal shall be available upon request from Council offices and will be made available at the Council's website.
- (c) Proposals received after the closing date will not be considered unless an exception is approved in a manner consistent with Council policies.
- (d) Projects seeking continuation funding may have separate application forms, instructions, and procedures, as determined by Council staff.
- (e) Grants shall be awarded based on guidelines that reflect state and federal mandates. Selection criteria shall be designed to select applications that provide best overall value to the state and to the Council and meet the requirements and intent of the Council as provided in the request for proposals.
- (f) Final approval of organizations to receive grant funding shall be determined by the Council consistent with Council policies.
- (g) Council staff may negotiate with selected applicants to determine the final terms of the award.

§877.3 Payment Withhold, Suspension or Termination of Funding

- (a) If a grantee fails to comply with the terms of the grant, the Council may **withhold payment**, suspend authority to obligate or receive grant funding pending the result of corrective measures.
- (b) The Council, in its complete discretion, may terminate authority to obligate or receive grant funding prior to the end of the funding period if corrective actions are not taken during the suspension period, or if the deficiency is serious enough to warrant immediate termination.
- (c) A grant, or portion thereof, may also be terminated at the grantee's request by approval of the Council executive director.
- (d) The procedure to request reconsideration of a suspension or termination of funding shall be included in grant award materials.

§877.4 Appeal of Funding Decisions

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

§877.6 Confidentiality of Records

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

Texas Council for Developmental Disabilities

Council Policies

Draft Amendments: Sections I and J

IX. TCDD GRANTS PROJECTS

(Last Revised 05/06/11)

A. Scope

1. As authorized by 40 TAC 112.020 (a)(3), the Council may contract or provide grants to public or private organizations to implement the TCDD State Plan for Texans with Developmental Disabilities, if funds are available.
2. These sections govern the submission and review of project proposals and the award, amendment, and termination of project contracts.

B. Overview of TCDD Grants

1. The Council will identify priorities for funding projects based on the approved TCDD State Plan for Texans with Developmental Disabilities.
2. Sources.
 - (a) The Council may solicit proposals from state agencies, non-profit organizations, or private for profit organizations that have organizational expertise related to the requirements of the proposal.
 - (b) Unsolicited proposals may be submitted by organizations consistent with procedures approved for such submissions by the Project Development Committee.
 - (c) The Council may develop projects with organizations without competitive proposals when only one known best expert is available, for business necessity, or when otherwise allowed by Council determination.
 - (d) Nothing herein shall be construed to prohibit any firm, agency, or organization with which any member of the Council is associated from receiving a grant from the Council providing the Council member does not receive compensation or financial gain from the grant.
3. Requests for Proposals will be published in the Texas Register and a notice will be provided to organizations on the Council's Web site and mailing list.
4. TCDD may reject all applications submitted in response to a request for proposals and may cancel a grant solicitation at any point before a grant award is finalized.
5. Council staff provides technical assistance and support to grant projects including training for new grantees. Council staff also monitor grantee accomplishments and compliance with TCDD Grants procedures by conducting one or more on-site monitoring visit(s) to each grant project annually unless otherwise provided by a risk assessment methodology approved by the Audit Committee. Summary reports of on-site visits are provided to the Executive Committee.
6. TCDD funds shall not be used to conduct clinical research.

C. General Selection Criteria

1. Grants shall be awarded based on guidelines that reflect state and federal mandates. Selection criteria shall be designed to select applications that provide best overall value to the state and to the Council.
2. Evaluation Criteria shall include but not be limited to:
 - (a) program quality as determined by a peer review process; and
 - (b) the cost of the proposed project.

3. The Council may consider additional factors in determining best value, including:
 - (a) financial ability to perform services;
 - (b) state and regional needs and priorities;
 - (c) improved access for unserved or underserved areas and or groups of individuals;
 - (d) ability to continue services after conclusion of grant funding, if applicable; and
 - (e) past performance and compliance.

D. Application Requirements

1. Council staff shall develop a "Grant Application Packet" for each Request for Proposal. Grant Application Packets shall be available upon request from the Texas Council for Developmental Disabilities with each Request for Proposal and will be made available at the Council's Web Site.
2. The Grant Application Packet will include at a minimum:
 - (a) goals describing the purpose for the grant program;
 - (b) eligibility requirements;
 - (c) description of the project activities and outcomes;
 - (d) application forms and instructions;
 - (e) application requirements and restrictions; and
 - (f) selection criteria and the process to evaluate grant proposals and select proposals for awards.
3. The Applicant shall use the format included in the Grant Application Packet. A proposal which is submitted in a format that is substantially different from the Council's format will not be considered.
4. Proposals received after the closing date will not be considered, unless an exception is approved. The Executive Director is authorized to approve requests for exceptions for good cause received prior to the closing date. Exceptions requested after the closing date may be approved only by the Executive Committee. Any exceptions shall be documented in writing and retained as part of the grant application file.
5. Projects seeking continuation funding may have separate application forms, instructions, and procedures, as determined by Council staff.

E. Screening of Proposals

1. Council staff will screen applications to determine if all information has been provided in a timely fashion, on prescribed forms.
2. An application must be complete for consideration and shall include a signature by the proper authorizing official.
3. Council staff will provide written notification to applicants eliminated through the screening process.

F. Peer Review Process

1. The Council shall use peer reviewers to evaluate proposals submitted in competitive requests for proposals, exclusive of stipends grant proposals when the award is greater than \$15,000.
2. Council staff shall serve as the review panel for stipends grant proposals and for other grants when authorized funding \$15,000 or less yearly.
3. All reviewers shall disclose any conflicts of interest with individuals associated with applications to be reviewed.
4. The Executive Director shall submit recommendations for Review Panel members to the Executive Committee for approval. Council members and staff will be asked for suggestions of professionals and public citizens to evaluate proposals. Reviewers may not evaluate proposals in which there is, or is an appearance of, a conflict of interest.

5. Council staff shall provide written instructions and training for all Review Panel members.
6. Council staff shall convene a meeting with each Review Panel and shall record the summary evaluation of the review of each proposal.

G. Funding Decisions

1. Council staff shall submit a recommended priority ranked list of applicants for possible funding. Final approval of organizations to receive grant funding exclusive of stipends grant awards, shall be determined by the Executive Committee.
2. Final approval of organizations to receive grant funding for stipends projects shall be made by the Executive Director. Notice of such actions shall be provided in a timely manner to the Executive Committee and Council.
3. Council staff may negotiate with selected applicants to determine the final terms of the award. To receive an award, the applicant must agree to perform the activities as presented in the request for proposals and accept any additional or special terms or conditions listed in the grant award and any changes in the grant application. Any revisions to the project proposal shall become part of the grant award and shall be documented in writing.
4. Grant awards shall contain appropriate provisions for program and fiscal monitoring and for collection and submission of evaluation data and related reports.
5. Applicants must give assurances that the grantee will abide by the terms of the grant award; the Uniform Grant Management Standards (UGMS) adopted by the Governor's Office of Budget and Planning, and federal Rules related to these funds promulgated by the Office of Management and Budget (OMB) where applicable, as determined by Council staff; and these policies.
6. The Council Executive Director may negotiate and approve changes in the project proposal that address concerns and weaknesses noted from the review process, and/or which assure consistency with the intent of the RFP. Any revisions to the project proposal shall become part of the grant award and shall be documented in writing.
7. Council staff shall notify unsuccessful applicants in writing.

H. Continuation Funding

1. Projects may be eligible for continuation funding as specified in the original request for proposals. Continuation funding will not be automatic. Consideration for continuation funding will include a review of the project's accomplishments, progress toward stated goals and objectives, financial management of grant funds, compliance with reporting requirements, review of the most recent project audit, review of findings from TCDD onsite reviews, and development of alternative funding. The grantee shall submit a proposal for continuation funding as requested by TCDD staff.
2. The Executive Committee may approve continuation grants after a review in accordance with the provisions of these policies. A summary of past accomplishments and future activities of each project awarded continuation funding shall be provided to the Council.

I. Appeal of Funding Decisions

1. Appeals may be submitted from applicants for grants who did not receive funding or from grantees whose grants have not been awarded continuation funding. The person or entity appealing shall be known as the appellant. **An appeal is not an opportunity for an applicant to provide additional information that could have been included in the original proposal. To do so would create a two-stage review process that is not part of the Council's current policies.**
2. Appeals of funding decisions shall be received, processed, and resolved with fairness and promptness.

3. The appellant shall file an appeal in writing addressed to the Executive Director. The written appeal must be postmarked within 10 workdays of the date of the written notice of suspension or within 15 workdays of the date of written notice of denial or of continuation funding. The written appeal shall include all relevant facts and information that the appellant wishes to have considered as well as the proposed remedy being sought. The Executive Director will acknowledge receipt of the letter with a copy to the Executive Committee.
4. The Executive Director will investigate, compile, and study all relevant information about the appeal and, within 30 workdays of the receipt of the appellant's letter and submit a written report to the Executive Committee. The report will contain an evaluation of whether TCDD procedures were followed and whether information provided was reviewed fairly and objectively; recommended action; and the evidence supporting the recommended action. **The report may not include an evaluation of additional information provided by the appellant when such information could have been included in the original proposal.**
5. The Executive Committee may approve the recommendations of the Executive Director, make such modifications as deemed appropriate, order further investigation, or take other appropriate action.
6. The decision of the Executive Committee is final.
7. Council staff shall notify the appellant of the final determination of the appeal.

J. Payment Withhold of Grant Funding

1. **The Executive Director may grant a payment withhold of grant funding for a grant project prior to the end of the grant budget period pending the result of corrective measures if a grantee fails to comply with the terms of the grant, after consulting with the Council Chair. The Executive Committee shall be notified of any payment withhold.**
2. **TCDD shall provide written notice to the grantee of the proposed payment withhold of grant funding at least 10 workdays (2nd revised deadline) prior to any withheld payments.**
3. **That notice shall state the reasons for the payment withhold of funding and the procedure for requesting reconsideration.**
4. **If report(s) are not received by the 2nd revised deadline (10 business days from the initial request), TCDD will implement an immediate hold on all payments to the grantee pending receipt of any late report(s).**
5. **When late reports are received from a project after a payment hold has been initiated, TCDD will restore payment for requests pending for not more than 60 days but may partially restore payments for the any period beyond 60 days in arrears as outlined.**
6. **The payment withheld will be rescinded and any outstanding payment requests processed, except that:**
 - (a) **Payments will be restored for only the past 60 days. Reimbursements for any period of a payment withheld for more than 60 calendar days may be partially restored in the following manner:**
 - (b) **Payments for the period from 60 – 90 days will be restored at 90% of the requested amount.**
 - (c) **Payments for the period from 90 – 120 days will be restored at 50% of the requested amount.**
 - (d) **Payments for the period longer than 120 days past will not be restored.**
7. **A Notice of Grant Award for any project that is more than 60 days late in submitting required reports will be prepared with a payment hold in place until all reports are**

received. The same schedule for reducing the amount of payments restored as noted above will apply.

8. Any reports required from the prior grant award period will cause the subsequent award to be subject to the same payment withhold process and schedule for partially restoring payments.
9. In the event that withheld payments are not fully restored, the grantee may appeal to the Executive Director. Any appeal will be considered by the Executive Committee at its next regularly scheduled meeting. Actions of the Executive Committee on such appeals are final.(Item I – Appeals)
10. Payment withhold will remain in effect until the grantee has taken corrective action, given an assurance approved by the Executive Director that the corrective action will be taken, or the grant is suspended (Item K).

K. Suspension of Grant Funding

The Executive Director may suspend grant funding for a grant project prior to the end of the grant budget period pending the result of corrective measures if a grantee fails to comply with the terms of the grant, if anticipated outcomes or deliverables are no longer viable, or if the original purposes for which funding was approved are no longer evidenced. The Executive Committee shall be notified of any suspensions.

1. TCDD staff shall provide written notice to the grantee of the proposed suspension of grant funding at least 10 workdays prior to any suspension except as provided by Section L, Subsection 3. That notice shall state the reasons for the suspension of funding and the procedure for requesting reconsideration.
2. A suspension may be effective immediately if, after consulting with the Council Chair, the Executive Director determines that delayed action does not protect the interests of the Council.
3. A grantee shall have the opportunity to request reconsideration of the suspension of grant funding. The grantee must provide a written request for reconsideration to the Executive Director no later than 10 workdays after receiving notice of suspension of funding. A request for reconsideration must include all facts and information the grantee considers to be relevant to the situation and a proposed plan of correction. If a grantee does not request reconsideration in writing within the specified time period the grantee will be deemed to have waived any further review and grant funding will be suspended.
4. If the Executive Director determines that the responses of the grantee are not satisfactory, the grantee's authority to obligate funds may be suspended. TCDD staff shall provide the grantee a written notice of suspension that will set the effective date for suspension and identify any allowable costs that the grantee may incur during the period of suspension.
5. Suspensions remain in effect until the grantee has taken corrective action, given an assurance approved by the Executive Director that the corrective action will be taken, or the grant is terminated.

L. Termination of Grant Funding

1. The Council or the Executive Committee may terminate grant funding prior to the end of the grant budget period if a grantee fails to comply with the terms of the grant, if anticipated outcomes or deliverables are no longer viable, or the original purposes for which funding was approved are no longer evidenced.
2. The Executive Director may recommend to the Executive Committee termination of grant funding if corrective actions are not taken during a suspension period or if the corrective actions are not sufficient to remedy the concerns. In such instances, the Executive Director shall provide a summary report to the Executive Committee including the reasons

for which a termination of funding is recommended, additional information provided by the grantee pursuant to a request for reconsideration, if any, corrective actions proposed by the grantee, and the proposed date for termination of funding.

3. The grantee shall be provided written notice of the recommendation to terminate funding at least 10 workdays prior to the meeting of the Executive Committee to consider that recommendation. Such notice shall include the date and location of the Executive Committee meeting where the recommendation to terminate funding will be considered.
4. The decision of the Executive Committee is final.
5. The Executive Director may also recommend to the Executive Committee that grant funding be terminated without an initial suspension of funds. In such instances, the grantee will be provided written notice of the recommendation to terminate funding at least 45 calendar days prior to the proposed termination. That notice shall state the reasons for the termination of funding, the proposed date of termination, and the procedure for requesting reconsideration.
6. The grantee shall have the opportunity to request reconsideration of the proposed termination—by filing a written request for reconsideration with the Executive Director not later than 10 workdays after receiving notice of the proposed termination.
7. If circumstances warrant, grant funding may be terminated by the Executive Committee or Council for cause without notice of suspension when delayed action does not protect the interests of the Council. In such instances, TCDD staff shall provide written notification of the termination which shall include the reason(s) for such action and instructions for termination or closeout of the grant.
8. Grant funding may also be terminated may by mutual agreement or by the grantee when the grantee's authorizing official gives written notification to the Executive Director. TCDD staff shall provide written notification of termination by joint agreement, or written acknowledgement of the termination notice if by the grantee. Such notice or acknowledgement shall include written instructions for termination or closeout of the grant.
9. The TCDD Executive Director may approve TCDD assuming the federal share of any obligations that cannot be cancelled.
10. A grant, or portion thereof, may also be terminated at the grantee's request by approval of the TCDD Executive Director.
11. Between the time of the proposed termination and the final decision of the Executive Committee, TCDD may withhold further funding. In the event the Executive Committee's decision is favorable to the grantee, the funds shall be promptly distributed to the grantee.

M. Financial Monitoring and Independent Audits

1. Independent audits of grantees are required for each year of funding in accordance with the requirements of OMB Circulars and Texas Uniform Grant Management Standards.
2. Project specific independent audits, annual independent review by a qualified CPA, agreed upon procedures of engagement for review by a qualified CPA, and/or other monitoring strategies shall be required of grantees not subject to annual independent audit requirements by OMB or UGMS. Appropriate monitoring strategies shall be based on an assessment of risk of each grantee and procedures approved by the Audit Committee.
3. The Council shall reimburse the grantee for the reasonable cost of the required audit or other required monitoring activity. TCDD staff shall determine the need for independent audits of grantees receiving less than \$100,000 annually of DD funds based on an assessment of risk of each grantee.
4. Staff shall provide to the Audit Committee a summary of the findings of each independent audit or required monitoring activity and the status of corrective actions required.

N. Funding Restrictions

Grantees will be subject to the following funding restrictions, unless statute or Council rules require otherwise:

1. TCDD shall provide not more than 75% of the total project costs from federal DD funds except for activities in designated poverty areas in which case federal funds provided by the Council shall be not more than 90% of total costs.
2. The Executive Director may reduce or waive the matching requirement of individual grant projects when deemed appropriate and shall report any such waiver to the Executive Committee.
3. Grantees are responsible to provide funds for the additional costs of project activities from non-federal sources.
4. DD funds are allowed for indirect administrative costs up to 10% of total project expenses. Any portion of indirect costs above 10% may be allowed as part of the required non-federal participant share.
5. Donated time and services may be included as a match contribution unless otherwise restricted by a specific request for proposals.
6. Council staff shall provide information about allowable non-federal sources of funds upon request.
7. No organization shall receive more than three (3) grants from the Council at any time.
8. Unallowable costs.

Information is available from Council staff concerning unallowable costs. Such costs will include but are not limited to the following:

- a. bad debts;
 - b. entertainment;
 - c. legislative expenses;
 - d. expenses required to be reported as lobbying by state statute; and
 - e. merit salary increases that total more than 5% of an individual's salary during a 12 month period.
9. Any revenues received from projects funded by the Council must be reported quarterly on forms provided by the Council. Council staff must approve use of such funds.

O. TCDD Grants Policies and Procedures

1. All grantees shall receive a TCDD Grants Manual that contains all requirements, procedures, and reporting forms for grantees.
2. The Executive Director will approve all revisions to a project work-plan, including performance measures, staffing pattern, or budget, providing the changes are within the total budget and general scope of work approved by the Council.
3. A grantee seeking to increase the authorized funding amount, length of project, or scope of work shall file a request with the Council. The request shall be submitted to the Executive Director with a justification for the change. The Executive Director shall review the request and make a recommendation to the Council. The Council's decision to approve or deny the request is final.

Background:

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

- **Summary of Funds FY 2013-2016** – 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.
- **FY 2015 Expense Budgets** – This report compares the approved budget for fiscal year 2015 (Oct. 1, 2014, thru Sept. 30, 2015) with expenses year-to-date for each category as 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 or exceeded the amount approved by Council for the year.
- **2013, 2014 and 2015 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. All funds on the FY13 and FY14 report have been fully expended and/or obligated by the federal cut off date.
- **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 Executive Committee will review the information provided and may provide guidance to staff.

Council

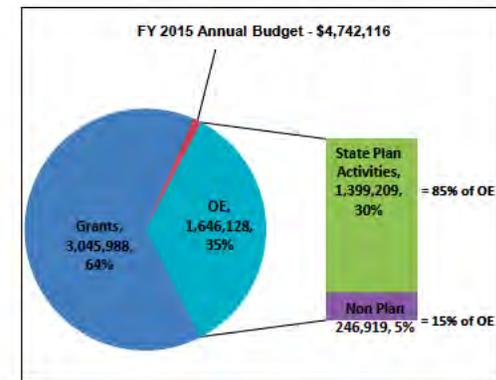
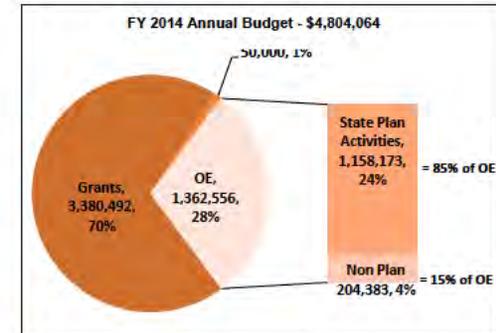
Agenda Item 12. C.

Expected Action:

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

**Texas Council for Developmental Disabilities
Summary of Funds FY 2013 - 2016
October 2015**

Model Key				
Numbers in black represent budget numbers or actuals for the current or prior years.				
Numbers in blue represent forecast numbers.				
	10/1/2011-9/30/2014	10/1/2012-9/30/2015	10/1/2013-9/30/2016	10/1/2014-9/30/2017
Line Item	FY 2013	FY 2014	FY 2015	FY 2016
REVENUES				
<i>Federal Funds</i>				
Estimate of Federal Award	\$4,794,740	\$4,804,064	\$4,742,116	\$4,745,717
Actual Award ¹	\$4,794,740	\$4,804,064	\$4,742,116	\$4,745,717
Prior year difference (Current FY Award - Prior FY Award)	(\$289,278)	\$9,324	(\$61,948)	\$3,601
EXPENDITURES				
<i>Operating Expenses</i>				
Approved by Council	\$1,782,379	\$1,678,208	\$1,696,128	\$1,853,464
Expenses	\$1,280,287	\$1,473,572	\$1,696,128	\$1,853,464
Balance of Operating Expense funds	\$502,092	\$204,636	\$0	\$0
<i>Grants and Projects Expenses</i>				
Available from Current Fiscal Year	\$3,514,453	\$3,330,492	\$3,045,988	\$2,892,253
Actual/Estimated Grant Awards ^{2 & 3}	\$3,512,728	\$3,330,492	\$2,280,510	\$1,783,165
Current Projects Difference (Available - Actual)	\$1,725	\$0	\$765,478	\$1,109,088
Prior Year Funds Available	\$0	\$0	\$0	\$510,478
BALANCE OF FUNDS AVAILABLE	\$0	\$0	\$765,478	\$1,619,566
Planned Projects ⁴	\$0	\$0	\$255,000	\$870,000
BALANCE AFTER PLANNED PROJECTS ⁵	\$1,725	\$0	\$510,478	\$749,566



NOTES:

- ¹ FY16 NOGA is an estimate. We expect to receive the final award in February.
- ² Funds awarded or anticipated to be awarded for authorized projects are included in projections of Grants and Project Expenses.
- ³ Funds awarded each Fiscal Year (FY) can be expended within 3 FY periods.
- ⁴ Planned Grants & Projects Expenses include projects planned and approved but not initiated. Total amounts authorized are reflected although actual awards approved may be less.
- ⁵ 2014 Balance was fully obligated by the end of Sept. 2015.

Texas Council for Developmental Disabilities

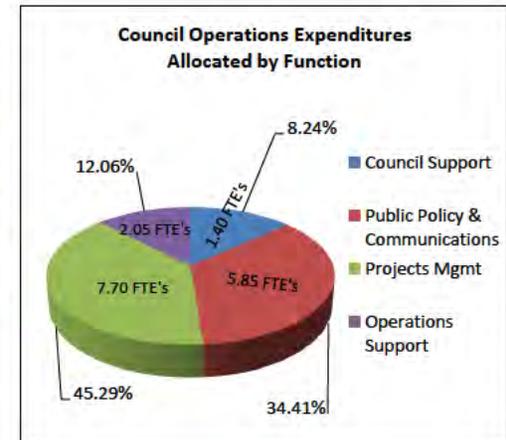
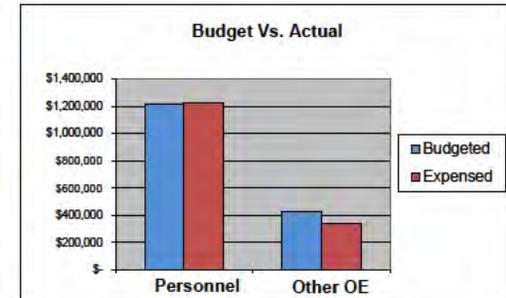
FY 15 Admin & Expense Budget

Oct. 1, 2014 thru
Sep. 30, 2015

Expenses (Council Operations)	Budget	Year to Date Projected	Expended	Variance
Personnel (17 FTEs)				
Salaries	981,511	981,511.00	941,397	40,114
Benefits	234,933	234,933.00	287,207	(52,274)
Total Personnel	\$ 1,216,444	\$ 1,216,444	\$ 1,228,604	\$ (12,160)
Operating				
Professional Services ¹	96,014	96,014.00	78,130	17,884
Out-of-State Travel ²	27,000	27,000.00	9,578	17,422
In-State Travel ³	58,000	58,000.00	55,248	2,752
Supplies	12,000	12,000.00	15,766	(3,766)
Utilities	32,000	32,000.00	25,699	6,301
Rent - Building - Space	64,570	64,570.00	59,137	5,433
Rent - Computers - Equip ⁴	35,000	35,000.00	29,778	5,222
Capital Expenditures	-	-	-	-
Other OE ⁵	105,100	105,100.00	64,026	41,074
Total Operating	\$ 429,684	\$ 429,684	\$ 337,363	\$ 92,321
Total Expenses	Budget	YTD Budgeted	Actual	Variance
	1,646,128	1,646,128	1,565,966	80,162
Admin Reim to TEA	50,000	100.0%	95.1%	
TOTAL	\$ 1,696,128		\$ 1,615,966	
Expenditures by Function				
	Council Support	Public Policy & Communications	Projects Mgmt	Operations Support
\$	161,167	\$ 430,373	\$ 525,092	\$ 163,739

NOTES:

- ¹ Auditor - \$39,000/\$32,480; CPA Desk Reviews - \$8,000/\$7,050; Legal Svs - \$3,000/\$317
 Web Hosting - \$3,000/\$1,650; Data Center Services - \$16,014/\$3,570; DD Suite - \$0/\$3,500
 Other Professional Services - \$9,000/\$4,647; Reviewers - \$3,000/\$510; Temp Services - \$12,000/\$24,406
- ² Travel - Out-of-State Council - \$15,500 /\$4,922; Travel - Out-of-State Staff - \$11,500 /\$4,656
- ³ Travel - In-State Council - \$41,000 /\$44,136; Travel - In-State Staff - \$17,000 /\$11,112;
- ⁴ Computer lease - \$8,900/\$8,148; AV Equipment - \$21,420/\$17,791; Copier - \$4,680/\$3,780
- ⁵ Other OE - NACDD Dues - \$20,456, interpreter svs, registration fees, other training, maintenance, advertising, postage, printing, software, furniture, non-cap equip, security, and janitorial services - \$43,570.



CURRENT GRANTEES

Grantee Name	Project Period	Project Title	Annual Award Amount	Expended Amount	Remaining Annual Budget Period Balance
Texas Parent to Parent	2/1/2011 - 1/31/2016	Public Policy Collaboration Activities	50,000	32,372	17,628
Special Kids, Inc. (SKI)	6/1/2015 - 5/31/2016	Outreach & Development 15	10,000	5,436	4,564
Coalition of Texans with Disabilities	8/1/2014 - 7/31/2016	Developmental Disabilities Policy Fellows 1	67,500	0	67,500
The Arc of Texas	8/1/2014 - 7/31/2016	Developmental Disabilities Policy Fellows 2	67,500	0	67,500
Texas Tech University	10/1/2011 - 9/30/2016	Higher Education	220,998	100,988	120,010
Texas A&M University	1/1/2012 - 12/31/2016	Higher Education-1	225,000	165,008	59,992
Texas Center for Disability Studies	1/1/2014 - 12/31/2016	DADS PCT Training (Contract)	30,000	3,760	26,240
Any Baby Can of San Antonio, Inc	3/1/2012 - 2/28/2017	Health & Fitness-1	174,887	105,098	69,789
Educational Programs Inspiring Communities, Inc.	4/1/2012 - 3/31/2017	Enabling Technology-1	225,000	42,457	182,543
Epilepsy Foundation Texas	4/1/2012 - 3/31/2017	Health & Fitness-2	250,000	35,619	214,381
Strategic Education Solutions, LLC	4/1/2012 - 3/31/2017	Enabling Technology-2	224,925	36,428	188,497
Texas State Independent Living Council	4/1/2012 - 3/31/2017	Health & Fitness-3	238,000	57,804	180,196
Imagine Enterprises Inc	5/1/2013 - 4/30/2017	Self-Advocacy as Speakers-2	125,000	31,980	93,020
VSA Arts of Texas	5/1/2013 - 4/30/2017	Self-Advocacy as Speakers-1	125,000	34,419	90,581
Texas Center for Disability Studies	11/1/2003 - 8/31/2017	Support for Advisory Committee Member Travel	50,000	0	50,000
Texas Tech University	10/1/2012 - 9/30/2017	Project SEARCH	174,716	157,129	17,587
Department of Assistive and Rehabilitative Services	1/1/2012 - 12/31/2017	Higher Education-3	225,000	58,836	166,164
Texas Advocates	4/1/2015 - 3/31/2018	Self Advocate Community Organizing	100,000	16,787	83,213
Region 17 ESC	6/1/2013 - 5/31/2018	Families in Schools	300,000	17,528	282,472

Grantee Name	Project Period	Project Title	Annual Award Amount	Expended Amount	Remaining Annual Budget Period Balance
A Circle of Ten	1/1/2013 - 6/30/2019	Building Community Capacity through Collaboration Projects-1	114,000	91,100	22,900
Community Healthcore	2/1/2013 - 7/31/2019	Building Community Capacity through Collaboration Projects-2	138,046	93,084	44,962
Volar Center for Independent Living	1/1/2013 - 9/30/2019	Building Community Capacity through Collaboration Projects-5	125,000	118,839	6,161

TOTALS: 3,260,572 1,204,672 2,055,900

2013 GRANTS & CONTRACTS AWARDS REPORT

Budget Period	RFP Amount	Awarded Amount	YTD Expended Amount	Balance
A Circle of Ten		Building Community Capacity through Collaboration Projects-1		
1/1/2013 - 8/31/2014	\$75,000	\$110,000	\$110,000	\$0
A Circle of Ten		Capacity Building (Contract)		
1/2/2013 - 11/30/2013	\$37,000	\$37,000	\$36,627	\$373
Advocacy for Living in Mainstream America (ALMA)		Outreach & Development 8		
1/1/2013 - 12/31/2013	\$10,000	\$10,000	\$9,362	\$638
Any Baby Can of San Antonio, Inc		Health & Fitness 1		
3/1/2013 - 2/28/2014	\$250,000	\$228,610	\$228,610	\$0
ARCF Community Services		Outreach & Development 9		
7/1/2013 - 7/31/2014	\$10,000	\$7,367	\$7,367	\$0
Austin Travis County Integral Care		Central Texas African American Family Support Conference (Contract)		
9/1/2013 - 8/31/2014	\$6,870	\$6,870	\$2,926	\$3,944
Brighton School, Inc.		Exp of Existing Leadership Development & Advocacy Skills Trng Projects (ELDAST)		
10/1/2012 - 9/30/2013	\$20,000	\$20,000	\$20,000	\$0
Community Healthcare		Building Community Capacity through Collaboration Projects-2		
2/1/2013 - 8/31/2014	\$75,000	\$75,000	\$75,000	\$0
Data Momentum		Support for Advocacy U (Contract)		
3/1/2013 - 2/28/2014	\$15,000	\$15,000	\$6,998	\$8,002
Department of Assistive and Rehabilitative Services		Higher Education 3		
2/1/2013 - 3/31/2014	\$225,000	\$225,000	\$225,000	\$0
East Texas Center for Independent Living		Building Community Capacity through Collaboration Projects-3		
1/1/2013 - 5/31/2014	\$75,000	\$74,640	\$74,640	\$0
Educational Programs Inspiring Communities, Inc.		Enabling Technology 1		
6/1/2013 - 5/31/2014	\$225,000	\$225,000	\$225,000	\$0

Budget Period	RFP Amount	Awarded Amount	YTD Expended Amount	Balance
Epilepsy Foundation Texas		Health & Fitness 2		
6/1/2013 - 6/30/2014	\$250,000	\$249,750	\$249,750	\$0
Imagine Enterprises Inc		Self-Advocacy as Speakers 2		
5/1/2013 - 11/30/2013	\$125,000	\$124,999	\$111,493	\$13,506
Imagine Enterprises Inc		Exp of Existing Leadership Development & Advocacy Skills Trng Projects (ELDAST		
1/1/2013 - 12/31/2013	\$20,000	\$20,000	\$19,962	\$38
Jewish Family Service of Dallas		Inclusive Faith-Based Symposium 3		
5/1/2013 - 4/30/2014	\$75,000	\$75,000	\$75,000	\$0
NAMI Texas		New Leadership Development & Advocacy Skills Trng (NLDAST 3)		
4/1/2013 - 7/15/2014	\$75,000	\$74,971	\$74,971	\$0
OneStar Foundation		Inclusive Faith-Based Symposium 1		
4/16/2013 - 4/30/2014	\$75,000	\$64,833	\$64,833	\$0
Paso del Norte Children's Development Center		Exp of Existing Leadership Development & Advocacy Skills Trng Projects (ELDAST		
10/1/2012 - 9/30/2013	\$20,000	\$20,000	\$19,872	\$128
REACH Families		Outreach & Development 10		
9/1/2013 - 8/31/2014	\$10,000	\$9,903	\$9,893	\$10
Region 17 ESC		Families in Schools		
6/1/2013 - 6/30/2014	\$300,000	\$300,000	\$300,000	\$0
Region 19 ESC		Exp of Existing Leadership Development & Advocacy Skills Trng Projects (ELDAST		
10/1/2012 - 9/30/2013	\$20,000	\$20,000	\$19,716	\$284
SafePlace		Meaningful Relationships		
8/1/2013 - 8/31/2014	\$125,000	\$123,527	\$123,527	\$0
Strategic Education Solutions, LLC		Enabling Technology 2		
5/1/2013 - 5/31/2014	\$225,000	\$225,000	\$225,000	\$0
Texas A&M University		Higher Education 1		
3/1/2013 - 2/28/2014	\$225,000	\$225,000	\$225,000	\$0

Budget Period	RFP Amount	Awarded Amount	YTD Expended Amount	Balance
Texas A&M University		L&A Statewide Advanced Training		
4/1/2013 - 10/31/2013	\$150,000	\$214,742	\$213,923	\$819
Texas A&M University		New Leadership Development & Advocacy Skills Trng (NLDAST 2)		
8/1/2013 - 7/31/2014	\$75,000	\$75,000	\$74,993	\$7
Texas Advocates		New Leadership Development & Advocacy Skills Trng (NLDAST 1)		
5/1/2013 - 5/31/2014	\$75,000	\$75,000	\$75,000	\$0
Texas Center for Disability Studies		Support for Advisory Committee Member Travel		
10/1/2012 - 10/31/2012	\$46,346	\$46,346	\$44,704	\$1,642
Texas Center for Disability Studies		Support for Advisory Committee Member Travel		
11/1/2012 - 6/30/2015	\$45,747	\$45,747	\$54,020	(\$8,273)
Texas Parent to Parent		Public Policy Collaboration Activities		
3/1/2013 - 2/28/2014	\$0	\$58,700	\$58,700	\$0
Texas State Independent Living Council		New Leadership Development & Advocacy Skills Trng (NLDAST 7)		
2/1/2013 - 1/31/2014	\$75,000	\$75,000	\$75,000	\$0
Texas State Independent Living Council		Health & Fitness 3		
4/1/2013 - 4/30/2014	\$250,000	\$250,000	\$250,000	\$0
Texas Tech University		Project SEARCH		
10/1/2012 - 9/30/2013	\$175,000	\$174,854	\$174,844	\$10
Texas Tech University		Building Community Capacity through Collaboration Projects-4		
1/1/2013 - 12/31/2013	\$75,000	\$74,996	\$74,935	\$61
Texas Tech University		Higher Education		
12/1/2012 - 10/31/2013	\$225,000	\$217,079	\$216,946	\$133
The Arc of Dallas		New Leadership Development & Advocacy Skills Trng (NLDAST 4)		
4/1/2013 - 3/31/2014	\$75,000	\$75,000	\$75,000	\$0
The Arc of Greater Tarrant County		Inclusive Faith-Based Symposium 2		
7/1/2013 - 8/31/2014	\$75,000	\$75,000	\$73,755	\$1,245

Budget Period	RFP Amount	Awarded Amount	YTD Expended Amount	Balance
The Arc of San Angelo		Alternatives to Guardianship-Volunteer Advocate Pilot Program		
5/1/2013 - 4/30/2014	\$75,000	\$75,000	\$75,000	\$0
The Arc of Texas		New Leadership Development & Advocacy Skills Trng (NLDAST 5)		
5/1/2013 - 5/31/2014	\$75,000	\$75,000	\$75,000	\$0
The Arc of Texas		Texas Microboard Collaboration		
10/1/2012 - 9/30/2013	\$0	\$62,596	\$62,596	\$0
Volar Center for Independent Living		Building Community Capacity through Collaboration Projects-5		
1/1/2013 - 6/30/2014	\$75,000	\$75,000	\$75,000	\$0
VSA Arts of Texas		Self-Advocacy as Speakers 1		
5/1/2013 - 5/31/2014	\$125,000	\$125,000	\$125,000	\$0
West Central Texas Regional Foundation		Inclusive Faith-Based Symposium 4		
2/1/2013 - 2/15/2014	\$75,000	\$74,322	\$74,322	\$0
Totals:	\$4,335,963	\$4,511,852	\$4,489,285	\$22,567

2014 GRANTS & CONTRACTS AWARDS REPORT

Budget Period	RFP Amount	Awarded Amount	YTD Expended Amount	Balance
A Circle of Ten		Capacity Building (Contract)		
11/1/2013 - 12/31/2013	\$37,000	\$37,000	\$36,627	\$373
A Circle of Ten		Capacity Building (Contract)		
1/1/2014 - 12/31/2014	\$25,000	\$25,000	\$24,992	\$8
Access Empowerment		Accessible Parking Awareness (1)		
1/1/2014 - 6/30/2014	\$40,000	\$39,053	\$38,920	\$133
Any Baby Can of San Antonio, Inc		Health & Fitness 1		
3/1/2014 - 2/28/2015	\$250,000	\$205,749	\$205,749	\$0
Austin Travis County Integral Care		Video Production (Contract)		
2/1/2014 - 4/30/2014	\$10,535	\$10,535	\$4,124	\$6,411
Austin Travis County Integral Care		Central Texas African American Family Support Conference (Contract)		
11/1/2013 - 8/31/2015	\$4,225	\$4,225	\$0	\$4,225
Coalition of Texans with Disabilities		Developmental Disabilities Policy Fellows 1		
8/1/2014 - 7/31/2015	\$67,500	\$67,500	\$53,021	\$14,479
Community Healthcore		Building Community Capacity through Collaboration Projects-2		
9/1/2014 - 11/30/2015	\$150,000	\$138,046	\$48,420	\$89,626
Data Momentum		Support for Advocacy U (Contract)		
10/1/2013 - 2/28/2014	\$15,000	\$15,000	\$6,998	\$8,002
Department of Assistive and Rehabilitative Services		Higher Education 3		
4/1/2014 - 2/28/2015	\$225,000	\$225,000	\$213,404	\$11,596
Educational Programs Inspiring Communities, Inc.		Enabling Technology 1		
6/1/2014 - 5/31/2015	\$225,000	\$225,000	\$225,000	\$0
Epilepsy Foundation Texas		Health & Fitness 2		
7/1/2014 - 6/30/2015	\$250,000	\$250,000	\$236,682	\$13,318

Budget Period	RFP Amount	Awarded Amount	YTD Expended Amount	Balance
Growing Roots		Outreach & Development 14		
7/1/2014 - 6/30/2015	\$10,000	\$9,110	\$7,284	\$1,826
Helpful Interventions		Gulf Coast African American Family Support Conference		
10/1/2013 - 9/30/2014	\$75,000	\$75,000	\$75,000	\$0
Imagine Enterprises Inc		Self-Advocacy as Speakers 2		
12/1/2013 - 5/31/2014	\$125,000	\$124,999	\$111,493	\$13,506
Imagine Enterprises Inc		Self-Advocacy as Speakers 2		
6/1/2014 - 5/31/2015	\$125,000	\$125,000	\$120,031	\$4,969
Jewish Family Service of Dallas		Inclusive Faith-Based Symposium 3		
5/1/2014 - 5/15/2015	\$75,000	\$75,000	\$75,000	\$0
Moody Clinic		Outreach & Development 11		
1/1/2014 - 12/31/2014	\$10,000	\$10,000	\$9,992	\$8
Nuevos Horizontes de Starr County		Outreach & Development 13		
9/1/2014 - 8/31/2015	\$10,000	\$9,955	\$5,408	\$4,547
OneStar Foundation		Inclusive Faith-Based Symposium 1		
5/1/2014 - 3/31/2015	\$75,000	\$66,931	\$66,931	\$0
Region 17 ESC		Families in Schools		
7/1/2014 - 7/31/2015	\$300,000	\$300,000	\$219,896	\$80,104
SafePlace		Meaningful Relationships		
9/1/2014 - 8/31/2015	\$125,000	\$115,029	\$68,342	\$46,687
Strategic Education Solutions, LLC		Enabling Technology 2		
6/1/2014 - 5/31/2015	\$225,000	\$225,000	\$225,000	\$0
Texas A&M University		Higher Education 1		
3/1/2014 - 8/31/2014	\$225,000	\$225,000	\$224,981	\$19
Texas A&M University		Higher Education 1		
9/1/2014 - 2/28/2015	\$225,000	\$225,000	\$224,981	\$19

Budget Period	RFP Amount	Awarded Amount	YTD Expended Amount	Balance
Texas A&M University		New Leadership Development & Advocacy Skills Trng (NLDAST 2)		
8/1/2014 - 5/31/2015	\$75,000	\$75,000	\$55,473	\$19,527
Texas Advocates		New Leadership Development & Advocacy Skills Trng (NLDAST 1)		
6/1/2014 - 5/31/2015	\$75,000	\$75,000	\$74,903	\$97
Texas Center for Disability Studies		DADS PCT Training (Contract)		
1/1/2014 - 8/31/2014	\$30,000	\$30,000	\$365	\$29,635
Texas Center for Disability Studies		DADS PCT Training (Contract)		
9/1/2014 - 8/31/2015	\$30,000	\$30,000	\$13,474	\$16,526
Texas Parent to Parent		Public Policy Collaboration Activities		
3/1/2014 - 2/28/2015	\$0	\$55,800	\$55,800	\$0
Texas State Independent Living Council		New Leadership Development & Advocacy Skills Trng (NLDAST 7)		
2/1/2014 - 1/31/2015	\$75,000	\$75,000	\$75,000	\$0
Texas State Independent Living Council		Health & Fitness 3		
5/1/2014 - 4/30/2015	\$250,000	\$245,000	\$245,000	\$0
Texas Tech University		Higher Education		
11/1/2013 - 1/31/2014	\$225,000	\$217,079	\$216,946	\$133
Texas Tech University		Project SEARCH		
10/1/2013 - 9/30/2014	\$175,000	\$174,666	\$174,666	\$0
Texas Tech University		Building Community Capacity through Collaboration Projects-4		
1/1/2014 - 12/31/2014	\$150,000	\$150,000	\$150,000	\$0
Texas Tech University		Higher Education		
2/1/2014 - 2/28/2015	\$225,000	\$220,089	\$220,089	\$0
The Arc Del Paso		Outreach & Development 12		
1/1/2014 - 12/31/2014	\$10,000	\$10,000	\$9,999	\$1
The Arc of Dallas		New Leadership Development & Advocacy Skills Trng (NLDAST 4)		
4/1/2014 - 3/31/2015	\$75,000	\$75,000	\$75,000	\$0

Budget Period	RFP Amount	Awarded Amount	YTD Expended Amount	Balance
The Arc of Greater Tarrant County		Inclusive Faith-Based Symposium 2		
9/1/2014 - 2/28/2015	\$59,000	\$58,992	\$58,992	\$0
The Arc of Texas		Developmental Disabilities Policy Fellows 2		
8/1/2014 - 8/31/2015	\$67,500	\$67,500	\$25,285	\$42,215
The Arc of Texas		New Leadership Development & Advocacy Skills Trng (NLDAST 5)		
6/1/2014 - 5/31/2015	\$75,000	\$75,000	\$71,057	\$3,943
Travis County		Accessible Parking Awareness (2)		
1/1/2014 - 6/30/2014	\$40,000	\$37,125	\$37,125	\$0
VSA Arts of Texas		Self-Advocacy as Speakers 1		
6/1/2014 - 5/31/2015	\$125,000	\$125,000	\$125,000	\$0
West Central Texas Regional Foundation		Inclusive Faith-Based Symposium 4		
2/16/2014 - 1/31/2015	\$75,000	\$74,988	\$74,988	\$0
Totals:	\$4,740,760	\$4,699,371	\$4,287,438	\$411,933

PLANNED GRANTS/CONTRACTS

Budget Period	RFP Amount	Awarded Amount	YTD Expended Amount	Balance
7-Partnership with AA Clergy to Support Families		Partnership with AA Clergy to Support Families-		
6/1/2014 - 5/31/2015	\$25,000	\$0	\$0	\$0
PP Committee-Capacity Building		PP Committee-Capacity Building-Balance		
12/1/2013 - 11/30/2015	\$14,465	\$0	\$0	\$0
Totals:	\$39,465	\$0	\$0	\$0

2015 GRANTS & CONTRACTS AWARDS REPORT

Budget Period	RFP Amount	Awarded Amount	YTD Expended Amount	Balance
A Circle of Ten		Building Community Capacity through Collaboration Projects-1		
12/1/2014 - 11/30/2015	\$150,000	\$114,000	\$54,774	\$59,226
Any Baby Can of San Antonio, Inc		Health & Fitness 1		
3/1/2015 - 2/28/2016	\$250,000	\$174,887	\$45,295	\$129,592
Department of Assistive and Rehabilitative Services		Higher Education 3		
2/1/2015 - 3/31/2015	\$225,000	\$225,000	\$213,404	\$11,596
Department of Assistive and Rehabilitative Services		Higher Education 3		
4/1/2015 - 3/31/2016	\$225,000	\$225,000	\$0	\$225,000
Educational Programs Inspiring Communities, Inc.		Enabling Technology 1		
6/1/2015 - 5/31/2016	\$225,000	\$225,000	\$0	\$225,000
Helpful Interventions		Gulf Coast African American Family Support Conference		
10/1/2014 - 8/31/2015	\$50,000	\$49,998	\$49,988	\$10
Special Kids, Inc. (SKI)		Outreach & Development 15		
4/1/2015 - 3/31/2016	\$10,000	\$10,000	\$1,706	\$8,294
Strategic Education Solutions, LLC		Enabling Technology 2		
6/1/2015 - 5/31/2016	\$225,000	\$224,925	\$9,090	\$215,835
Texas A&M University		Higher Education 1		
3/1/2015 - 2/29/2016	\$225,000	\$225,000	\$14,714	\$210,286
Texas Advocates		Self Advocate Community Organizing		
4/1/2015 - 3/31/2016	\$100,000	\$100,000	\$1,779	\$98,221
Texas Parent to Parent		Public Policy Collaboration Activities		
3/1/2015 - 1/31/2016	\$0	\$50,000	\$0	\$50,000

Budget Period	RFP Amount	Awarded Amount	YTD Expended Amount	Balance
Texas State Independent Living Council		Health & Fitness 3		
5/1/2015 - 4/30/2016	\$250,000	\$238,000	\$18,212	\$219,788
Texas Tech University		Project SEARCH		
10/1/2014 - 9/30/2015	\$175,000	\$174,716	\$73,796	\$100,920
Texas Tech University		Building Community Capacity through Collaboration Projects-4		
1/1/2015 - 2/28/2015	\$20,000	\$19,175	\$19,175	\$0
Texas Tech University		Higher Education		
3/1/2015 - 2/29/2016	\$225,000	\$220,998	\$41,677	\$179,321
The Arc of San Angelo		Alternatives to Guardianship-Volunteer Advocate Pilot Program		
10/1/2014 - 3/31/2015	\$25,000	\$25,000	\$25,000	\$0
Volar Center for Independent Living		Building Community Capacity through Collaboration Projects-5		
10/1/2014 - 9/30/2015	\$125,000	\$125,000	\$67,906	\$57,094
VSA Arts of Texas		Self-Advocacy as Speakers 1		
6/1/2015 - 5/31/2016	\$125,000	\$125,000	\$0	\$125,000
Totals:	\$2,630,000	\$2,551,699	\$636,516	\$1,915,183

PLANNED GRANTS/CONTRACTS

Budget Period	RFP Amount	Awarded Amount	YTD Expended Amount	Balance
1-Targeted Online Training		Targeted Online Training		
6/1/2015 - 5/31/2016	\$15,000	\$0	\$0	\$0
2-Understanding Employment Options & Support Training		Understanding Employment Options & Support Training-12/1/14		
6/1/2015 - 5/31/2016	\$150,000	\$0	\$0	\$0
3-Culturally Appropriate Family Support Conferences		Culturally Appropriate Family Support Conferences (5 @ \$75k/yr)-2/1/15		
6/1/2014 - 5/31/2015	\$375,000	\$0	\$0	\$0
4-Stakeholder Trng on Guardianship Alternatives		Stakeholder Trng on Guardianship Alternatives		
6/1/2015 - 5/31/2016	\$40,000	\$0	\$0	\$0
5-Support Network for Faith-Based Inclusion		Support Network for Faith-Based Inclusion		
6/1/2015 - 5/31/2016	\$75,000	\$0	\$0	\$0
6-Leadership Development and Advocacy Trng		Leadership Development and Advocacy Trng		
6/1/2016 - 5/31/2017	\$300,000	\$0	\$0	\$0
7-Partnership with AA Clergy to Support Families		Partnership with AA Clergy to Support Families-		
12/1/2014 - 11/30/2015	\$75,000	\$0	\$0	\$0
Developmental Disability Policy Fellowships		Developmental Disability Policy		
6/1/2015 - 5/31/2016	\$135,000	\$0	\$0	\$0
PP Committee-Capacity Building		PP Committee-Capacity Building-Balance		
10/1/2014 - 9/30/2015	\$25,000	\$0	\$0	\$0
Totals:	\$1,190,000	\$0	\$0	\$0

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	
FYE 9-30-14						
Barbara Jordan Endeavors Corp	Oct-2013	4,912	94	0		✓
A Circle of Ten	Oct-2013	3,553	87	0		✓
The University of Texas at El Paso	Oct-2013	5,000			Speakers	✓
Volar Center for Independent Living	Oct-2013	6,000	75	25		✓
Area Network on Disabilities & Aging	Oct-2013	2,600	55	6		✓
DADS	Feb-2014	1,983	213		Speakers	✓
The Arc of Texas	Feb-2014	4,665	39	6		✓
Jewish Family Services of Houston	Feb-2014	6,000				✓
ADDA-SR	Feb-2014	4,872	41	0		✓
Austin Travis County Integral Care	Feb-2014	6,000	17	4	Conference	✓
Austin Travis County Integral Care	Feb-2014	6,000			Speakers	✓
Family to Family Network Inc	Mar-2014	1,174			Presenters	✓
Family to Family Network Inc	Mar-2014	4,210	172	0	Conference	✓
Texas Parent to Parent	Jun-2014	6,000	45	11		✓
American Association on Intellectual & Developmental Disabilities Texas Chapter (AAIDD-TX)	Jul-2014	1,755	6	3		✓
Texas Advocates	Aug-2014	5,930	65	18		✓
Providers Alliance for Community Services of Texas (PACSTX)	Sep-2014	6,000	281		Speakers	✓
TOTALS:		\$76,654	1,190	73		

FYE 9-30-15

Centro de Salud Familiar La Fe, Inc.	Oct-2014	4,355	67	25		✓
Volar Center for Independent Living	Oct-2014	6,000	65	29		✓
Helpful Interventions	Nov-2014	6,000	190	0	Speakers	✓
National Association for the Dually Diagnosed (NADD)	Nov-2014	910	1	0		✓
NAMI Texas	Nov-2014	3,520	16	0		✓
Helpful Interventions	Nov-2014	917	7	0	Conference	✓
Austin Travis County Integral Care	Feb-2015	6,000	500	0	Speakers	✓

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	
Austin Travis County Integral Care	Feb-2015	6,000	19	6	Conference	✓
The Arc of Texas	Feb-2015	5,730	42	7		✓
ADDA-SR	Feb-2015	5,428	35	0		✓
Children's Disabilities Information Coalition	Mar-2015	1,000	5	0		✓
Coalition of Texans with Disabilities	Mar-2015	5,528	46	7		✓
Harris County Department of Education	Jun-2015	4,714	98		Speakers	✓
Texas Parent to Parent	Jun-2015	6,000	39	6		✓
University of North Texas	Jul-2015	5,400	80	0		✓
Childhood Apraxia of Speech Association of North America	Jul-2015	6,000	273		Speakers	✓
Texas Advocates	Jul-2015	5,971	52	17		✓
American Association on Intellectual & Developmental Disabilities Texas Chapter (AAIDD-TX)	Jul-2015	2,600	5	3		✓
Providers Alliance for Community Services of Texas (PACSTX)	Sep-2015	6,000	216			✓
TOTALS:		\$88,073	1,756	100		

NOTE: Budgeted amount used if stipend is not closed.

Background:

A report of recent public information activities is included for the Committee’s review.

Discussion topics include:

- Statistics
- Social Media
- Top 20 Webpages
- Blog Posts
- Information Requests and Distribution
- Information about Guardianship Alternatives Online
- Barriers to Transportation in Texas (blog post)

<p><u>Committee of the Whole</u></p> <p><u>Agenda Item 6.</u></p>	<p><u>Expected Action:</u></p> <p>The Committee will receive an update regarding recent public information activities and provide guidance as needed. No action is anticipated.</p>
<p><u>Council Meeting</u></p> <p><u>Agenda Item 14. B.</u></p>	<p><u>Expected Action:</u></p> <p>The Council will receive a report of Committee discussions on this item. No action is anticipated.</p>

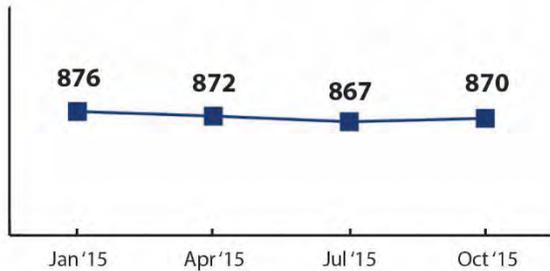
TCDD Public Information Report

November 2015

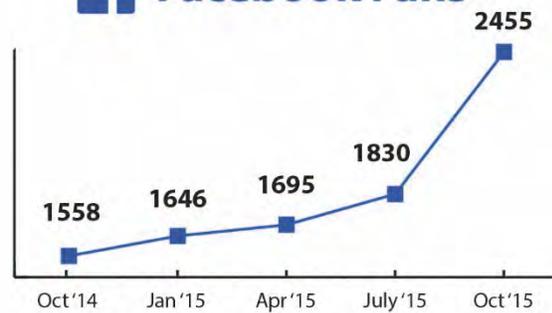
Overview



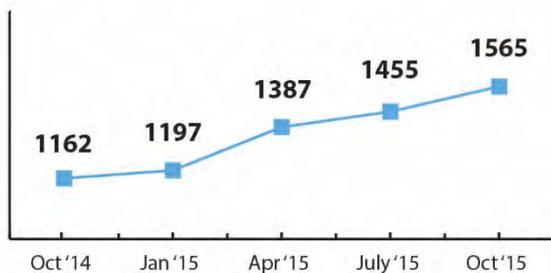
Email Subscribers



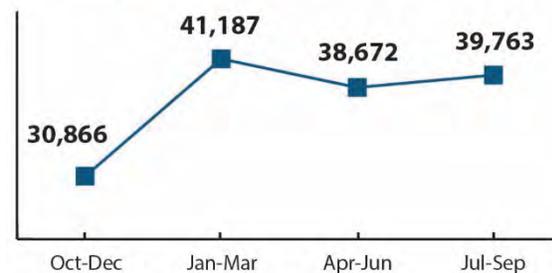
Facebook Fans



Twitter Followers



Website Visits



Social Media

Top Facebook Posts

Post Message	Total Reach
BREAKING: JUDGE HALTS THERAPY CUTS	14,914
PUBLIC HEARING ON MEDICAID THERAPY RATES (MONDAY)	14,027
HAPPY ANNIVERSARY, ADA!	7,923
MEDICAID THERAPY RATES CUT UPDATE: LAWSUIT FILED AGAINST HHSC	7,412
FIND OUT HOW AUTISM SERVICES COULD CHANGE IN TEXAS	6,979
REPORT: TEXAS MEDICAID PROGRAM RANKS 50TH	6,734
UPDATE: HHSC HEARING ON CUTS TO THERAPIES	5,764
UPDATE: HHSC WITHDRAWS PROPOSAL TO CUT MEDICAID THERAPY RATES	5,290
MEDICAID'S THERAPY RATES CUT AFFECT CHILDREN	4,913
LATEST REPORT: HHSC WILL CUT MEDICAID THERAPY RATES	4,880

Reach: the number of unique people who received impressions of Page post

Notes:

- Prior to this quarter, the highest reach for a TCDD Facebook post was about 6,000 people. This quarter, six posts have exceeded the previous record.
- TCDD's top Facebook post prior to 2015 had a reach of about 2,400. In 2015, more than 20 posts have had a reach of 2,400 or more.

- The 84th Texas Legislature instructed the Health and Human Services Commission to implement cost containment measures specific to acute therapy services. The proposed Medicaid rate reductions and policy changes primarily targeted services for children with disabilities. This issue was the topic for seven of TCDD's top 10 Facebook posts during the last quarter.
- TCDD original content – an ADA anniversary graphic and a blog post about autism services – were successful on Facebook.
- TCDD capitalized on the increase in engagement and used the profile page to invite new people to like the page.
- The friends of TCDD's profile page may be converted into likes for TCDD's page.

Website

Top 20 Webpages Visited with Average Time on Page (Oct. 1, 2014 – Sep. 30, 2015)

Pages highlighted in **bold** feature original TCDD content designed to educate the public.

Webpage	Number of Pageviews	Avg. Time on Page (min:sec)
Entire website	150,488	1:36
1. Home Page	20,330	1:12
2. Texas Legislature	13,263	2:14
3. People First Language	10,813	3:59
4. Blog post: Updated Texas Service Dog Law 14 Facts for 2014	10,486	4:02
5. Funding Available for Grants	2,800	0:50
6. What is a Developmental Disability?	2,527	1:35
7. Jobs	2,506	0:32
8. Publications and Multimedia	2,000	1:46
9. Blog post: Medicaid Waiver Foster Payments Become Tax Exempt	1,842	5:14
10. Current Grant Projects	1,518	0:43
11. Staff Directory	1,397	1:50
12. Blog post: Update: Autism Services in Texas	1,353	3:07
13. About Us	1,320	0:37
14. News & Information	1,180	0:55
15. Grants	1,172	0:24
16. Legislative Advocacy Tips	1,067	2:06
17. Materials Order Form	1,063	2:04
18. Contact Us	1,059	1:39
19. Blog post: Texas Teachers to Study Mental Health, Positive Behavioral Interventions	1,027	4:22
20. Resources	1,002	0:29

Blog Posts



Update: Autism Services in Texas

Due to action taken by the Texas Legislature and guidance from the Centers for Medicare and Medicaid Services, more people with autism spectrum disorder may have access to the services and supports they need.



RFP: Leadership and Advocacy Training Programs

TCDD issued an RFP to fund up to four organizations to provide leadership development and advocacy skills training to individuals with disabilities and their family members. The deadline to apply is October 28, 2015.



RFP: Summits Aim to Improve Transportation Systems

TCDD issued an RFP to fund one organization to coordinate and host at least three summits that will result in increased use of accessible transportation by people with DD. The deadline to submit a proposal is October 28, 2015.



RFP: Trainings to Increase Use of Alternatives to Guardianship

TCDD issued an RFP to fund one organization to develop and provide training that will increase the use of alternatives to guardianship, including supported decision-making and other services and supports. The deadline to submit a proposal is October 2, 2015.



Barriers to Transportation in Texas

An estimated 1.9 million Texans with disabilities do not leave their homes due to a lack of adequate transportation services. Learn more about the barriers to transportation and how you can get involved to develop solutions.

Information Requests & Distribution

E-newsletter: The e-newsletter, *TCDD Connection*, was distributed in August to 867 contacts.

Emails: The following single-topic email blasts were issued:

- TCDD Council & Committee Meetings: August 5-7, 2015
- RFP: Leadership & Advocacy Skills Training
- RFP: Alternatives to Guardianship Trainings
- RFP: Accessible Transportation Summits
- Transportation Barriers in Texas

I&R Requests: Staff responded to 56 requests for information and referral.

Materials Distributed

- Higher Ed Guide (English): 30
- Higher Ed Guide (Spanish): 54
- The Next Step (DVD): 192

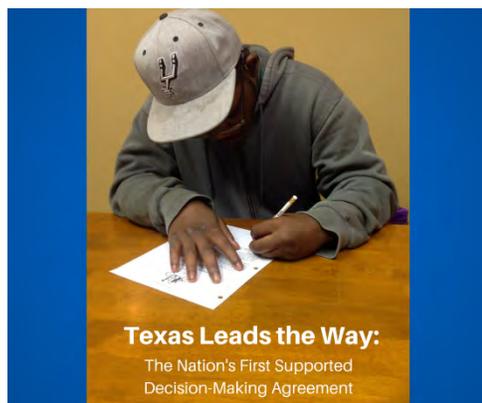
Information about Guardianship Alternatives Online

TCDD Website

The 84th Texas Legislature passed significant legislation to advance alternatives to guardianship for people with disabilities. Guardianship Alternatives Resources are featured on the TCDD website, including information about supported decision-making and the supported decision-making agreement form.



TCDD Facebook Page



The First Supported Decision-Making Agreement

Travan Carter of San Angelo was the first person in Texas to sign a supported decision-making (SDM) agreement. Travan was also the first person in the United States to sign an SDM agreement because Texas is the first state to put SDM in law.

Guardianship is a legal tool that allows a person to make decisions for another person. SDM is a new alternative to guardianship that supports people to make their own decisions and stay in charge of their lives, while receiving any help they need to do so. Travan wanted an SDM agreement so he could make his own decisions, such as choosing where to go and who to visit, just like everybody else.

Prior to signing the SDM agreement, the process had actually begun for Travan to be placed under guardianship. Guardianship would have removed Travan's rights to make his own decisions and would have assigned control of his life to someone else. Fortunately, Travan had been working with The Arc of San Angelo, and they were aware of the SDM bill that eventually passed during the 84th Texas Legislature. With assistance from The Arc of San Angelo, Travan was able to divert guardianship and execute an SDM agreement.



GRSDM Awards Banquet

The Guardianship Reform and Supported Decision-Making (GRSDM) workgroup held an awards banquet to recognize the efforts of some individuals to advance guardianship reform during the 84th Texas Legislative Session.

Speakers and Outstanding Leadership Award recipients from the event (L-R): Judge Guy Herman, Representative John Smithee, Dawn Carlton, David Slayton (OCA Director), Chief Justice Nathan Hecht, Senator Judith Zaffirini, Jessaca Bond, Dennis Borel (CTD Executive Director), and Belinda Carlton (TCDD).



Barriers to Transportation in Texas

An estimated 1.9 million Texans with disabilities do not leave their homes due to a lack of adequate transportation services. Barriers to transportation may prevent a person with a disability from getting to their job, accessing non-emergency medical care, taking care of everyday household errands, or just participating in recreational and social activities. According to a recent report from the National Council on Disability, while progress related to transportation has been made over the last 10 years, significant barriers remain.

Some barriers to transportation and mobility include:

- **Insufficient infrastructure** – A lack of adequate sidewalks, curb cutouts, and paved paths may prevent people with mobility challenges from accessing public transportation.
- **Fragmented and decentralized Medicaid transportation** – Multiple providers in an area may not coordinate scheduling.
- **Medical Transportation Program (MTP) rules and regulations** – An individual using MTP can only complete the transport for the designated medical purpose. For example, if a person needs to pick up a prescription as a result of a medical appointment, he/she would have to return home and schedule a separate ride to get the prescription. Also, MTP is only for an individual and an attendant. If the person using MTP has a child, the child is not allowed to accompany the parent even if childcare is unavailable.
- **A non-responsive transportation system** – When a person with a disability experiences an issue with a transportation system, it is difficult for them to have the issue addressed because the system lacks adequate tracking, reporting, and documenting procedures necessary for response.

- **Geographic boundaries** – Many transportation systems are limited to geographic boundaries. For example, some transportation providers in urban areas can't travel beyond certain predetermined boundaries. This rigid system can make it difficult to coordinate travel to different cities and towns and may lead to gaps in service.
- **Ride sharing services** – New and innovative transportation options that serve many people, like ride sharing services, may not be affordable or accessible, and may discriminate against individuals with disabilities.

Public transportation is a complicated but important issue for people with disabilities in Texas. Barriers to transportation need policy-driven solutions developed by stakeholders with experience and knowledge of the current system. The Texas Council for Developmental Disabilities (TCDD) is currently accepting proposals for a project that will bring together stakeholders to learn about transportation policy and to collaborate to develop solutions. To learn more about this opportunity to work with others to develop solutions to transportation issues, check out TCDD's Accessible Public Transportation Summit Request for Proposals. Proposals must be submitted by October 28, 2015.

Published date: October 2, 2015

FY 2017-2021 State Plan Goals & Objectives

Tab 10

Background:

In May of 2015, the Committee of the Whole reviewed the progress made in achieving the goals and objectives in TCDD's FY 2012 – FY 2016 State Plan. The Committee also reviewed and approved the proposed schedule and plan for developing the FY 2017 – FY 2021 State Plan.

In August, the Committee of the Whole reviewed a list of Strengths, Weaknesses, Opportunities, and Threats (SWOT) related to TCDD as an organization and also staff recommendations for "goal areas." The Committee discussed the goal areas and gave staff input and guidance which staff used to draft suggested goals and objectives for the FY2017 – FY2021. Additional information incorporated into the suggested goals and objectives included:

- Policy recommendations based on the identified needs and successful strategies.
- Input from Texans with developmental disabilities and their families.
- Current or scheduled projects that will still be active during FY2017 – FY2021.
- Current initiatives that continue to be relevant.
- Federal requirements related to plan goals, objectives, and strategies.
- The SWOT analysis completed in August.

Behind this Tab is a draft of all goals and objectives being presented (summary page and detailed list). Existing projects that relate to an objective are noted.

As you may notice, the suggested plan represents an "evolution, rather than a revolution" of the current plan. Also, rather than have goals focus on topics (such as employment or transportation), staff recommend that the first goal focus on the creation and demonstration of promising practices and the second goal on creating systems change by expanding the practices shown to be successful. This, and a goal focusing on advocacy, is consistent with the areas of focus in the Developmental Disabilities Act of 2000.

In the Committee of the Whole, Planning Coordinator Joanna Cordry will present a high level summary for Council discussion and guidance. Staff recommend that the discussion focus on the substance of rather than wordsmithing, and that members provide any detailed edits prior to the meeting or between the November and February meetings.

If you have any questions about the documents behind this tab, please contact Joanna Cordry, Planning Coordinator, at (512) 437-5410 or Joanna.Cordry@tcdd.texas.gov.

Committee of the Whole

Agenda Item 7.

Expected Action:

The Committee will discuss the recommended State Plan Goals and Objectives and may make recommendations to the Council.

Council

Agenda Item 11.

Expected Action:

The Council will consider recommendations from the Committee of the Whole.

FY 2017 – FY 2021 State Plan Summary

CREATE AND SUPPORT PROMISING PRACTICES	IMPROVE AND EXPAND EXISTING COMMUNITY BASED SYSTEMS	SELF-ADVOCATES AND ADVOCATES INFLUENCE POLICY AND PRACTICE	IDENTIFY AND ENGAGE IN EMERGING ISSUES, OPPORTUNITIES
<p>Review public/stakeholder input</p> <p>Monitor, report on existing projects (education, employment, health and fitness)</p> <p>Create/support/evaluate practices that demonstrate:</p> <ul style="list-style-type: none"> • People with developmental disabilities can have jobs of their choice and keep benefits • Full inclusion in education (include higher education) • Support for people with complex medical or behavioral health needs • Community-based non-work activities • Full inclusion in community organizations • How to address needs of diverse groups/cultures • How to address needs of people with developmental disabilities and caregivers who are aging <div style="border: 1px solid black; padding: 5px; margin-top: 10px; width: fit-content;"> <p>Create & demonstrate promising practices</p> </div>	<p>Promote sustainable ways to expand successful initiatives</p> <p>Support people with disabilities to improve transportation planning</p> <p>Expand capacity to prevent unwanted institutionalization and help people leave institutions</p> <p>Expand access to medical, behavioral health services</p> <p>Advocate for policy to :</p> <ul style="list-style-type: none"> • Remove barriers to employment • Improve education policy • Expand use of alternatives to guardianship <p>Collaborate to promote use of Person Centered Thinking</p> <p>Collaborate to reduce cultural and linguistic barriers to services</p> <div style="border: 1px solid black; padding: 5px; margin-top: 10px; width: fit-content;"> <p>Expand & promote successful practices</p> </div>	<p>Provide opportunities for people with developmental disabilities to Improve public speaking</p> <p>Provide access to leadership and advocacy training and networking:</p> <ul style="list-style-type: none"> • Provide training to self-advocates, families, allies • Provide advanced training • Self-Advocates train other self-advocates • Self-advocates provide peer supports • Peers mentor people in institutions • Self-Advocates organize communities • Support a statewide self-advocacy organization • Train youth • For siblings (a network) <p>Self-advocates serve on diverse leadership groups</p> <p>Collaborate on public policy</p> <p>Fund TCDD fellowships</p> <p>Outreach to rural, minorities</p> <p>Provide information to advocates</p>	<p>Provide public policy input on emerging issues</p> <p>Use strategic communication to increase outreach</p> <p>Review policy, new ideas, grant project outcomes to develop innovative new initiatives</p> <p>Engage in activities for continuous quality improvement</p>

FY 2017-2021 Goal/Objective Suggestions

State Plan Guiding Principles

The following principles were kept in mind in developing the draft goals and objectives:

- Evolution versus revolution of the 2012-2016 State Plan, building on strategies that further advance TCDD's work.
- Alignment with the mission of the Council and purpose of the DD Act.
- Consistency with the SWOT (strengths, weaknesses, opportunities, and threats) analysis of TCDD as an organization.
- Ease of comprehension.
- Consistency with proposed measures and reporting requirements set by AIDD.
- Consistency with input from self-advocates, family members, and allies.
- Consistency with person-centered practices.

1. Create and support promising practices that assist people with developmental disabilities or families of people with developmental disabilities to achieve goals identified as important to them by 9/30/2021.

a. Each year of the plan, collect and review input from people with disabilities, families, and their allies from around the state and with diverse backgrounds about what they say is important and amend the State Plan as needed to implement new strategies that are selected.

b. Monitor and report on TCDD's projects that support people with disabilities to have employment of their choice each year the projects receive funding by 9/31/2018.

Current employment projects not scheduled to end until 3/31/2017 - 9/30/17:

- Educational Programs Inspiring Communities "H.E.A.R.T. Inventory Tracking System"
- Strategic Education Solutions "Virtual Job Coach"
- Texas Tech University "Project Search"

c. Provide training and information to people who have developmental disabilities and their families so they can continue receiving SSI/SSDI and health benefits while increasing their income and assets through gainful employment by 1/1/2018.

Proposal considered by Executive Committee 11/4/2015:

- Understanding Employment Options and Supports (1/1/16 – 12/31/17)

d. Monitor and report on TCDD's projects that support individuals with developmental disabilities to be more fully included in educational programs each year the projects receive funding by 5/31/2019.

Current project not scheduled to end until 5/31/18:

- Region 17 Education Service Center "Families in Schools"

- e. Monitor and report on at least three new models that support individuals with disabilities to improve or maintain their health through health and wellness programs each year they receive funding by 3/31/2018.

Current health and fitness projects not scheduled to end until 2/28/17 - 3/31/17:

- Any Baby Can of San Antonio, Inc, "Any Body Can"
- Epilepsy Foundation Texas "Get F.I.T. "
- Texas State Independent Living Council "Getting Fit to Live, Work and Play!"

- f. Create at least one new promising community-based person-centered practice that ensures that people with complex medical and/or behavioral health receive appropriate, timely services that by 9/30/2021.

- g. Create and pilot at least one new model that provides community-based, person-centered non-work activities for people with developmental disabilities by 9/30/2021.

- h. Create and pilot at least one promising practice that supports organizations, agencies, groups, or individuals who provide services to the general public so that they fully include and are responsive to the needs of people with developmental disabilities by 9/30/2021.

- i. Create and evaluate at least three projects that address specific needs of individuals with DD who identify with a specific minority culture(s) by 9/30/2021.

Current "Culturally Appropriate Family Supports" Projects in negotiation:

- Light and Salt (scheduled to continue until 2019)
- Reaching Families Advocacy and Support Group (scheduled to continue until 2019)

- j. By 9/30/2021, create and pilot at least one promising practice that addresses the needs of individuals with DD who are aging and their caregivers.

2. Community-based systems make improvements and/or expand to better support people with DD or families of children with DD to achieve goals identified as important to them by 9/30/2021.

- a) Promote systems that will sustain the policies and projects that demonstrate success in helping people reach their goals by 9/30/2021.

Examples of current projects that might be sustained within current systems:

- Texas Tech University "Project Search"
- Department of Assistive and Rehabilitative Services "Project HIRE"

- b) Support people with disabilities, family members, and allies to participate in transportation planning activities to improve mobility and accessible transportation that is affordable to people with disabilities by 9/30/2021.

New proposal to be reviewed at the February 2017 Council meeting:

- Accessible Transportation Summit (expected dates 4/1/16 – 3/30/21)

- c) Each year collaborate with others to improve community capacity to support individuals with developmental disabilities who are at risk of institutionalization or who desire to leave institutions by 9/30/2021.

Current projects not scheduled to end until 6/30/2019 - 7/31/2019

- A Circle of Ten “Expanding Community Collaborative Capacity”
- Volar Center for Independent Living “Community Support Network”
- Community Healthcore “Building Community Capacity through Collaboration”

- d) Each year collaborate with others to increase access to timely, appropriate medical and/or behavioral health services that serve people with complex needs by 9/30/2021.

- e) Each year, advocate for legislative/policy change to remove barriers to full-time or part-time employment for people with developmental disabilities by 9/30/2021.

- f) Each year, advocate for legislative/policy change to improve educational outcomes for people with developmental disabilities by 9/30/2021.

- g) Collaborate with others to expand the appropriate use of alternatives to guardianship by 9/30/2021.

Proposal considered by Executive Committee 11/4/2015:

- Stakeholder Training on Guardianship Alternatives (1/1/16 – 12/31/18)

- h) Collaborate with the DD network partners and others to promote the use of person centered practices by 9/30/2021.

- i) Collaborate with others to reduce linguistic and cultural barriers that may prevent individuals from receiving services by 9/30/2021.

3. Individuals with developmental disabilities and their families have information, skills, and support to advocate for themselves and/or to collaborate with allies to impact public policy, service systems, and community supports.

- a) Provide self-advocates opportunities to develop public speaking skills by 9/30/2017.

Current projects not scheduled to end until 4/30/17:

- Imagine Enterprises “Project SPEAK - Sharing Personal Experiences And Knowledge”
- VSA Arts of Texas “Promoting Self-Advocates as Speakers: Opening Minds, Opening Doors”

- b) Ensure that people with disabilities, family members of people with disabilities, and allies have access to general leadership development and advocacy skills training each year by 9/30/2021.

New proposals (up to four) to be reviewed at the February 2017 Council meeting:

- Leadership and Advocacy Projects (expected dates 4/1/16 – 3/30/2021)

- c) Ensure that people with disabilities, family members of people with disabilities, and allies have access to advanced leadership development and advocacy skills training each year by 9/30/2021.
- d) Support people with developmental disabilities to provide leadership development and advocacy skills training programs to people with developmental disabilities each year by 9/30/2021. (as required by DD Act)
- e) Support people with developmental disabilities to provide peer supports to people with developmental disabilities each year by 9/30/2021.
- f) Support people with developmental disabilities to serve as peer mentors and/or provide leadership and advocacy training to individuals living in institutions by 9/30/2021.
- g) Support people with developmental disabilities to conduct community organizing by 9/30/2021.

Current Project not scheduled to end until 3/31/2018:

- Texas Advocates “Self-Advocates Grass Roots Community Organizing”

- h) Build the capacity of and support at least one statewide self-advocacy organization run by people with developmental disabilities by 9/30/2021. (meets a requirement in DD Act although other approaches would as well)
- i) Support self-advocates and family members to participate on cross-disability, culturally diverse leadership coalitions each year by 9/30/2021. (as required by DD Act)
- j) Develop and support at least one leadership development and advocacy skills training for youth with disabilities by 9/30/2021.
- k) Develop and support at least one sibling network by 9/30/2021.
- l) Work with DD network partners and others to support collaborative public policy advocacy activities by 9/30/2021.

- m) Increase the number of policy professionals in Texas who have the requisite skills, knowledge and experience to engage in policy activities so that people with developmental disabilities have greater control over their own lives by 9/30/2021.

Current projects not scheduled to end until 7/31/2016:

- The Arc of Texas “Developmental Disabilities Policy Fellows”
- The Coalition of Texans with Disabilities “Developmental Disabilities Policy Fellows”

Proposals (up to two) considered by Executive Committee 11/4/2015:

- TCDD Policy Fellows (expected dates 1/1/16 – 12/31/2017)

- n) Reach out to and involve diverse groups, including people living in rural areas and people who self-identify as having a racial or ethnic minority background, each year of the plan by 9/30/2021.

Current projects: Outreach and Development (ongoing)

- o) Increase access to information to support advocacy and involvement in public policy development each year of the plan by 9/30/2021.

4. TCDD identifies and engages in current and emerging issues and opportunities according to the Council's mission and priorities.

- a) Each year of the plan, provide public policy input regarding issues that are determined to impact the lives of people with developmental disabilities and their families.
- b) Each year of the plan, organize and conduct communications activities to further the Council's mission and increase outreach.
- c) Each year of the plan, support the Council to develop and monitor initiatives that will further the Council's mission and reach state plan goals.
- d) Each year of the plan, engage in continuous quality improvement activities that benefit the Council and other organizations.

Background:

The binder materials for the August meeting contained an Executive Summary for a Partners in Policymaking project. The Project Development Committee and the full Council discussed the Executive Summary and directed staff to provide additional information on specific items. The Executive Summary behind this tab provides the information gathered and response to Council requests. This revised Executive Summary will be presented during the Committee of the Whole.

As the Executive Summary notes, implementing Partners in Policymaking requires that TCDD follow the model as designed, although minor adaptations may be made. The Council will be voting on whether or not to implement the program as designed. If major changes that are not consistent with the model are made or a different curriculum is desired, the program will not be considered “Partners in Policymaking.”

Colleen Wieck, the creator of the program, has offered to work with the selected grantee to reduce costs if the project is implemented.

Please review the Executive Summary closely and, if you have any questions, please contact Joanna Cordry, Planning Coordinator, at (512) 437-5410 or Joanna.Cordry@tcdd.texas.gov.

<p><u>Committee of the Whole</u></p> <p><u>Agenda Item 8.</u></p>	<p><u>Expected Action:</u></p> <p>The Committee will consider the Executive Summary and may recommend Council approval for funding.</p>
<p><u>Council</u></p> <p><u>Agenda Item 9. A.</u></p>	<p><u>Expected Action:</u></p> <p>The Council will consider recommendations from the Committee.</p>

Executive Summary

Partners in Policymaking

Project Goal

Facilitate advanced leadership and advocacy training for adults with intellectual and developmental disabilities and family members of individuals with intellectual and developmental disabilities using the Partners in Policymaking curriculum.

Relationship to TCDD State Plan Goals

This project will help the Texas Council for Developmental Disabilities (TCDD) meet the following TCDD FY 2012 - 2016 State Plan Goal and Objective:

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.

Maximum Funding and Duration

One project, for up to five years, for the following funding amounts:

- Up to \$100,000 for the first year to prepare for the first class and develop an evaluation plan
- Up to \$225,000 for the second year to hold one class
- Up to \$250,000 for the third year to hold one class and an advanced training weekend
- Up to \$300,000 each year for the fourth and fifth years to hold two simultaneous classes and one advanced training weekend each year

These amounts represent the following approximate percentages of the TCDD grants budgets for each year, using estimates provided in August 2015 and assuming funding available for grants decreases:

- 3% for the first year
- 8% for the second year
- 9% for the third year
- 10% for the fourth and fifth year

Background

TCDD has made leadership and advocacy training a priority outlined in the five year state plan. In this goal, TCDD has identified advanced training as a priority objective. TCDD leadership and advocacy training projects have had various purposes:

- to support people to be stronger self-advocates;
- to train people to become local leaders;
- to change paradigms so people understand disability as a natural part of life and to be committed to full inclusion in all aspects of community life; and/or
- to develop advocates who will address statewide policy issues in a highly visible manner, such as advocating at the Capitol or serving on statewide councils, committees, or workgroups.

In the past, Council members have identified all four outcomes as worthwhile, and all four outcomes have been achieved through various projects. Partners in Policymaking (PIP) is one model that could be implemented to achieve these outcomes.

Partners in Policymaking (PIP), created by Colleen Wieck, Ph.D., the Executive Director of the Minnesota Developmental Disabilities Council, is a nationally recognized and branded leadership training program for people with developmental disabilities and family members. PIP provides participatory training in best practices, current issues, trends in service provision, and advocacy skills to promote citizen involvement and leadership. Graduates often assume leadership roles in a variety of community and statewide organizations following their participation in the program.

Previous TCDD Funding for Partners in Policymaking

TCDD funded PIP from 1990 to 2006 which resulted in 593 graduates. TCDD followed the original model closely which required classes attended over eight weekends, each involving at least one overnight stay; used both national and in-state presenters; and ensured that training was consistent with the Minnesota curriculum. The typical class, per the model, included approximately 33% individuals with disabilities and 66% parents of individuals with developmental disabilities.

When the program ended in 2006, the annual funding amount was \$385,000 per year. Funding covered training; participants' and presenters' travel, lodging, and meals; hotel meeting space; administrative costs; and an independent evaluation consisting of a six-month follow-up survey and a long-term follow up of graduates.

Graduate Follow-up

Response to independent surveys according to available information:

- Response rates for 6 months surveys ranged from approximately 30% to approximately 50%
- Six month survey results from 1997 showed that anywhere from 69% - 85% of respondents reported participating in advocacy activities
- Response rates for long term surveys ranged from 23% to 43%
- Most who were active were involved in local advocacy around education issues

TCDD staff also informally reviewed a list of partner graduates and identified at least 60 of 593 (10%) who are known to TCDD staff:

- Approximately 25 are known to staff to be involved in local advocacy
- Approximately 25 run or work for a disability-related organization or agency

- Approximately 27 have been actively involved in statewide advocacy
- Approximately six have been active in advocating on national issues
- Fifteen have served on the Council

TCDD funds other leadership and advocacy training programs, with other curriculum. These programs have served local or regional areas; do not require overnight stays; offer training to a greater number of people at a reduced per-person cost; and several have provided training in Spanish. The most recent projects- such as Project MOVE, implemented by the Arc of Texas; Project LEAD, implemented by Texas A&M; and Project SAVE, implemented by the Arc of Texas - each trained at least 100 people a year with funding of \$75,000 per year per project. The grantees evaluated participants' satisfaction with their training, but no long term or global external evaluation was typically done, in part due to the low funding amount. Other TCDD advocacy projects include funding for local and statewide Youth Leadership Projects and TCDD Public Policy Fellows.

There have been reports that PIP produces the largest number of advocates who are committed to testifying and serving on statewide boards, committees, and workgroups; however data from PIP cannot be compared to other leadership and advocacy training programs since similar data has not been collected across other projects. TCDD incorporated funding for long term follow-up in the PIP program which produced a list of graduate activity. TCDD has not maintained lists of graduates from other leadership and advocacy programs.

Costs of Advanced Training

Some Council members have expressed interest in funding a new PIP program at a smaller funding amount and in a way that could not only increase the number of individuals trained, but also increase the percentage of graduates who participate in statewide advocacy. TCDD staff spoke with Colleen Wieck, Ph.D., about ways to reach these goals while remaining true to the model. She provided the following observations and recommendations:

- The purpose of PIP is to change public policy, and the screening process can focus on this by selecting individuals who have demonstrated they have a commitment and willingness to engage in public advocacy and/or serving as leaders in their communities.
- TCDD may make some changes to the curriculum to support Council priorities.
- Costs may be decreased by selecting lower-cost presenters; using one presenter for most of the weekend; incorporating distance learning, Skype, or other video conferencing technologies to use a blended learning approach; holding regional classes; reducing the number of weekends; or eliminating overnight hotel stays for some or all participants. **Dr. Wieck has offered to assist the selected grantee to identify other ways to reduce costs.**
- Annual one-weekend graduate workshops provide graduates with an opportunity to re-connect, network, and get the latest information – all of which could maximize TCDD's investment.
- Charging those who can pay for participation in the program might help defray costs.

Applicant Selection

TCDD should play a strong role in the selection of participants, and participants should be selected based in part on their willingness to work with legislators and to communicate the need for policy

change to policy makers and the general public. All participants would be encouraged to maintain interaction with TCDD public policy efforts and would be included in all TCDD distribution such as emails, postings, and news.

Public Policy Impact

The TCDD Position Statements and Public Policy Priorities articulate a roadmap for system change. A TCDD PIP could educate participants about positions and priorities, and graduates would be expected to fully collaborate with other advocates in organized public policy advocacy on TCDD priorities. Graduates would also be encouraged to engage in other organizational, local government or individual public policy advocacy.

Public Awareness, Products, and Communications

TCDD benefits from individuals and organizations being aware of and providing input to TCDD. Graduates could potentially reach individuals and organizations that might not be aware of TCDD enabling more individuals to benefit from or become more active in TCDD's efforts. TCDD could also learn from PIP graduates on issues that impact individuals with developmental disabilities and their families. TCDD would reach out to PIP graduates in their public input process.

Expected Outcome, Goal, and Outputs

Outcome

People with developmental disabilities and family members will engage in advanced public policy advocacy that has a statewide impact.

Goal

At least 75% of participants who respond to follow-up contact one year after completion of PIP report they have been actively involved in public policy advocacy that impacts statewide policy.

Outputs

In the first year of this project:

- The grantee will plan the first year which will incorporate modifications to the current PIP curriculum to lower costs and include more participants. The grantee will prepare to hold a class in the second year.
- The grantee will develop objective selection criteria for use by a selection team that includes the project coordinator, TCDD representatives, and other funding source representatives.
- The grantee and TCDD will complete the outreach and selection processes.
- The grantee will develop an evaluation plan that incorporates graduates one, two, three, four, and five years after graduating.

In the second year and third years of this project:

- A diverse group of approximately 25-35 Texans who have developmental disabilities and family members of people who have developmental disabilities will complete PIP each year.
- The grantee will develop a plan to meet TCDD expectations for the fourth and fifth years.

- Beginning in the third year, one weekend of advanced training will be provided each year for graduates of the program.

In the fourth and fifth years of this project:

- The grantee will partner with another organization to hold two simultaneous classes using available technology for approximately 40-50 Texans who have developmental disabilities and family members of people who have developmental disabilities to complete PIP each year. At least one program will be held in an area of the state that has a high percentage of people who are considered underserved or unserved; this program must be culturally relevant and responsive to the needs of the people served. The regional program(s) should have local facilitators and use technology such as skype or video conferencing to connect with each other.
- The grantee will hold one weekend of advanced training each year.
- The grant will provide a final report to TCDD within 60 days of project completion (the end of the fifth year).
- TCDD will review recommendations to determine if costs can be further reduced if TCDD wishes to continue the program.

Project Description

One organization or several organizations working in collaboration will develop and implement a Texas PIP program to support individuals with developmental disabilities and family members to achieve [competencies expected of Partners in Policymaking graduates](#) (Attachment A). Graduates will develop a basic understanding of TCDD's positions and priorities; Person Centered Thinking; supported decision making and other alternatives to guardianship; disproportionality and disparities experienced by people with developmental disabilities who are of racial/ethnic minority backgrounds; and how some of the information presented may be perceived differently due to culture, background, social/political beliefs.

The grantee will develop the structure and model for their program specific to Texas using information from other state Partners in Policymaking programs.

The grantee will be responsible for meeting the goals and achieving the outputs identified above and also:

- Managing logistical issues (including, but not limited to: arrangement of hotels and meals if needed, organization of transportation and accommodations if necessary, and timely dissemination of written information).
- Assisting participants to develop solutions to barriers to attendance and/or to resolve conflicts or concerns.
- Adapting the program content as necessary and recruiting speakers.
- Ensuring inclusion and accommodations for individuals with developmental disabilities.
- Supporting networking activities.
- Evaluating each weekend and providing a report at the end of the grant project.

- Connecting graduates to TCDD; Disability Rights, TX; the University of Texas Center for Disability Studies; the Texas A&M Center on Disability and Development; other organizations or agencies that are affiliated with disability advocacy, systems change, and legislative offices.
- Encouraging and assisting graduates to apply for leadership positions on governor-appointed councils or statewide workgroups and committees.

Sustainability

TCDD set a goal for the FY 2012 – 2017 State Plan 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...” and has tried numerous approaches to encourage sustainability of leadership development and advocacy training projects. Very few grant projects have been able to continue the program itself and provide training at the same level after their grant is completed. This includes previous Partners in Policymaking projects, including those implemented by developmental disabilities councils in other states or territories. It appears unrealistic to expect the program to become sustainable without any funding from TCDD or other partners; thus the grantee will be encouraged to bring in additional partner organizations that can contribute funding or other resources.

However, sustainability of advanced leadership and advocacy training can be realized in the long-term activity and impact of its graduates. The grantee will be expected to demonstrate how they have obtained a lasting impact by developing advocates who increase their involvement in statewide advocacy and who remain active for many years following their graduation. TCDD may evaluate the degree to which the program achieved sustainability by increasing the number of advanced leaders and advocates active in our state and use this information in future grants.

Project Evaluation

Data and evaluation collection activities will include the following and may include others:

- Demographic information to include regional and cultural variables
- Feedback from participants
- Indicators of program impact such as the
 - number of organizations and policy makers educated by graduates
 - number of materials created and disseminated to policymakers by graduates
 - number of graduates who join boards, committees, workgroups, or assume other positions of leadership
 - specific policies changed, and activities or projects undertaken by graduates

TCDD staff have gathered measurement tools developed by the Oklahoma Council, a DD Council that has presented at a national conference on the positive outcomes from their PIP program, and the Oregon DD Council. These materials include a log to record activity; and pre-and post- tests to measure change experienced by participants. In addition, TCDD could choose to engage an independent evaluator again and/or to ask applicants for the grant to propose how they would measure the impact

of their program. Last, but not least, the Council may ask or require graduates to present to the Council directly.

Other Considerations

1. The Administration on Intellectual and Developmental Disabilities (AIDD) places a high priority on achieving racial and ethnic diversity in the classes. One concern with selecting participants who will be available to travel to Austin for meetings and/or to testify at the Capitol after they have completed training is that it may limit the diversity of participants. Past PIP classes did include individuals of various races and ethnicities and provided simultaneous translation to people whose first language was not English, but the class makeup was not fully representative of the racial and ethnic diversity of a state that is now a majority minority state. However, classes did include individuals from various geographic regions of the state and individuals who had a range of income levels. It may be difficult to accomplish any of these if the selection process favors those with the resources and inclination to advocate at the Capitol or serve on statewide boards. This Executive Summary proposes that the PIP program will use technology and facilitators to develop regional classes that prepare people to advocate with their legislators when they are in their home districts. Such classes, if also culturally appropriate, could increase the racial, ethnic, and economic diversity of the individuals who benefit from PIP training. Another option would be to develop additional culturally appropriate PIP projects, perhaps in other areas of the state and perhaps implemented in other languages.
2. Dr. Wieck has stated that she will gladly work with the organization to whom the grant is awarded to help them find ways to reduce costs, and that she will not offer support to one applicant over another prior to an organization being selected to receive the grant. The Request for Proposals will state that her advice is available to everyone and that applicants should not request letters of support from her.
3. The PIP program is a nationally recognized advanced leadership and advocacy training program. A portion of the cost associated with this project is due to the agreement to implement a program that is consistent with the model, including providing training over multiple weekends and using high-quality speakers. This is necessary to be able to use the Partners in Policymaking name without diluting the value of the “brand.” Providing the necessary supports to allow participation by individuals with limited income and resources is a significant portion of the cost. These supports including funding travel and lodging for multiple weekends and providing respite if needed for a parent of a child with a developmental disability.

Appendix A

Competencies Expected of Partners in Policymaking Graduates (per the original model)

- Describe the history of services for, and perceptions of, people with developmental disabilities.
- Describe significant contributions of the parents' movement.
- Describe the history of the self-advocacy and independent living movements.
- Describe the benefits and values of a quality, inclusive education for students with and without disabilities.
- Outline specific strategies to achieve a quality, inclusive education.
- Demonstrate knowledge of the service coordination system and what services may be available.
- Describe the importance of futures-planning and self-direction for people with developmental disabilities.
- Understand the principles of choice and control of resources in futures-planning.
- Understand the reasons for and the importance of proper positioning techniques for people with physical disabilities.
- Describe examples of state-of-the-art technologies for people with significant disabilities.
- Describe the importance of supported, competitive employment opportunities.
- Understand that a flexible, responsive system of supports for the families of children with disabilities is the cornerstone for a true system of community supports for people with developmental disabilities.
- Understand the need for all individuals to experience changes in lifestyle across the lifespan.
- Know/understand the importance of home ownership/control as one of the defining characteristics of adult life in our culture.
- Understand the basic principles and strategies being used to support people with developmental disabilities in their own homes across the lifespan.
- Create a vision for the year 2020 (and beyond) for people with disabilities.
- Understand how a bill becomes a law at the state and federal levels.
- Identify critical federal issues and the process by which participants can personally address their concerns.
- Demonstrate successful techniques for advocating for services to meet the needs of unserved and underserved individuals.
- Draft and deliver testimony for legislative hearings.
- Learn how to meet a public official and discuss issues.
- Identify strategies for beginning and sustaining grassroots-level organizing.
- Understand the role of when and how to use the media to effectively promote issues.
- Demonstrate proper procedures for conducting a meeting.
- Gain a basic understanding of parliamentary procedure and serving on boards.

Background:

Minutes of the August 6, 2015, 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 6, 2015
FINAL DRAFT MINUTES**

COMMITTEE MEMBERS PRESENT

Gladys Cortez, Chair	Ivy Goldstein, DSHS	John Thomas
Kimberly Blackmon	Sara Kendall, DARS	Rick Tisch
Mateo Delgado	Scott McAvoy	
Mary Durham, Council Chair	David Taylor	

COMMITTEE MEMBERS ABSENT

Andrew Crim	Dana Perry
Diana Kern	Cindy Swain, TEA

STAFF PRESENT

Martha Cantu	Danny Fikac	Beth Stalvey, Executive Director
Joanna Cordry	Fernando Rodriguez	
Cynthia Ellison		

STAFF ABSENT

Sonya Hosey	Wendy Jones	Susan Mihalik
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GUEST PRESENT

Carrie Warner

CALL TO ORDER

The Project Development Committee met on Thursday, August 6, 2015, at the Embassy Suites San Marcos Hotel at 1001 East McCarty Lane, San Marcos, Texas 78666. Chair Gladys Cortez called the meeting to order at 2:05 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 7, 2015, Project Development Committee meeting.

MOTION: To approve the minutes of the May 7, 2015, Project Development Committee.

MADE BY: Richard Tisch

SECOND: Scott McAvoy

ABSTENTION: John Thomas

The motion **passed** with one abstention.

4. CHAIR’S REMARKS

No comments were offered.

5. MEMBER UPDATES

Richard Tisch has been selected as a board member to The Center in Houston.

The Committee had a brief discussion about why representatives from state agencies that were not on the Project Development Committee are now on it and how this might appear to be a conflict of interest if the agency wishes to apply for a TCDD grant.

6. STAFF REPORTS

A. Status of New/Approved Projects

Cynthia Ellison, Senior Grant Specialist, reported that no new grants were started since the last quarter.

The following continuation awards were approved by the Executive Committee:

- A. The Arc of Texas
- B. Volar Center for Independent Living
- C. Texas Tech University

B. Projected Available Funds

Martha Cantu, Operations Director, reported that TCDD has budgeted \$645,000 for planned projects. From FY 2014 there is money that will be rolled over into FY 2015. In FY 2015 the TCDD is \$416,000 in positive. A positive balance is projected for FY 2016. There were no questions for Cantu.

C. Other Updates

The Executive Committee approved funding for “Culturally Appropriate Family Supports” for two of the six organizations that submitted applications:

- Light and Salt Association, an organization that supports Asian-American families
- Reaching Families Advocacy and Support Group (REACH), supporting and advocating for East African immigrant families

Joanna Cordry, Planning Coordinator, informed the Committee that no applications were received in response to the “Texas Faith Inclusion Network for People with Disabilities.

The following RFP are closed and proposals are being reviewed:

- TCDD Policy Fellows

7. PARTNERS IN POLICYMAKING EXECUTIVE SUMMARY

Cordry presented information on Partners in Policymaking. The Committee members discussed this project at some length and had several concerns about sustainability, cost and Partners involvement after the completion of the training. As a result of these concerns the Committee directed staff to research additional options for the facilitation of Partner in Policymaking that would be less expensive and result in higher measurable participation of attendees after the completion of the program.

The Executive Summary for Partners in Policymaking was not recommended for approval at this time. Staff is to gather more information and report back in November 2015.

8. FUTURE PROJECT FUNDING PRIORITIES

No changes were made.

9. OTHER DISCUSSION ITEMS

No additional items present for discussion.

ADJOURN

There being no further business, Chair Gladys Cortez adjourned the meeting at 4:09 p.m.

Beth Stalvey, Secretary to the Council

Date

Background:

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

- **Grants Risk Assessment Report (found under Tab 3)** – summarizes the risk assessment matrix for considerations of continuation grant awards, new grant awards and provides more detail about monitoring activities for all TCDD funded projects. This format now includes any concerns identified by grants staff from ongoing monitoring of projects.
- **Grant Project Highlights** – The quarterly Grant Project Highlights Report is enclosed for review by Committee members. This report provides highlights of grantee accomplishments for current TCDD funded projects. Highlights from the Safeplace *Meaningful Relationships* project will be reviewed 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** - includes recent public information staff activities that create awareness and build connections. Tab 9
- **TCDD Quarterly Financial Report** –summarizes TCDD’s approved budget and year-to-date expenditures and is used in projecting funds available for additional projects in future years. Tab 8

<p><u>Project Development Committee</u> <u>Agenda Item 6.</u></p>	<p><u>Expected Action:</u> Information items only; no action is anticipated.</p>
<p><u>Council</u> <u>Agenda Item 13.</u></p>	<p><u>Expected Action:</u> The Council will receive a report on key discussions of the Committee on these items. No action is anticipated.</p>

TCDD Project Highlights August 2015

Meaningful Relationships Project

RFP Intent: The project intent is to demonstrate how to support lasting meaningful relationships for people with developmental disabilities. The organization(s) must ensure that all activities are driven by direct input from people with developmental disabilities, the project leadership and staff must include people with disabilities and, the project is required to gather information and feedback from people with developmental disabilities to identify actual barriers to relationships as they are reported by individuals with developmental disabilities.

Grantee: SafePlace

Project Title: Meaningful Relationships

Year: 4

Project Location: Austin, Seguin, Travis and Guadalupe Counties

TCDD Budgeted: \$125,000

Meaningful Relationships will partner with people with developmental disabilities, disability service organizations, an advisory committee and community groups to develop a replicable program to support a) at least 20 individuals with developmental disabilities in developing meaningful relationships based on common interest; and b) at least one partner in changing policies/procedures to increase opportunities for developing those relationships.

Accomplishments:

- During the project period, the project worked with 7 community-based disability service provider partners in Austin and Seguin – American Habilitation, The Arc of the Capitol Area, Draco Services, Inc., Easter Seals, Mary Lee Foundation, Volunteers of America, and Mosaic of South Central Texas.
- Provided opportunities and supports for a total of 82 people with DD to participate in healthy relationships education; regular peer group meetings that provide options for increasing social skill; and, to consider and identify for themselves social and recreational activities they were interested in trying out or doing on a regular basis.
- Worked with 3 disability service partner agencies to develop or revise policies to better support people with DD service agencies administration and care provider staff to develop or adapt policies that support people with DD to have an opportunity(s) to form relationships by engaging more consistently in community life/activities.
- Developed a 16 lesson curriculum which will be included in the project replication toolkit/guide which is in the process of being completed.
- During the final budget period, conducted 14 focus groups with 61 stakeholders to identify systems level and other barriers and creative solutions to replicate and sustain this project. Results are being analyzed and will be included in the final project performance report.

Sustainability:

Sustainability for this and other SafePlace programs occurs via ongoing fundraising activities conducted by the Grants Coordinator and other staff. Through the fundraising activities, SafePlace receives annual support from individuals and the government, foundations, corporate, faith-based and other sectors.

Future Project Funding Priorities

Tab 14

Background:

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

Project Development Committee

Agenda Item 7.

Expected Action:

The Committee will review Future Project Funding Priorities and may recommend revisions to the Council.

Council

Agenda Item 9. C.

Expected Action:

The Council will consider recommendations from the Project Development Committee.

TCDD Future Funding Activities Priority List

As of November 4, 2015

#	Organization/Activity	Possible Projects	Funding "Up To"	Council Approved	Expected RFP Post	Expected Start	Expected End
N/A	Outreach & Development Projects – 2.0 Projects for up to 18 months	5/yr	\$10,000/project	2/5/2013	TBD	FY 14-16	Variable
N/A	Developmental Disability Policy Fellows Program Award up to 2 two-year Fellowships in each of Year 1 and Year 2 up to 3 yrs.	1	Year 1 up to \$135k Year 2 up to \$270K Year 3 up to \$135K	8/9/2013	2/21/2014 6/26/2015	8/1/2014 1/6/2015	7/31/2016 12/31/2017
1	Targeted Online Training up to 2 yrs.	12 Webinars / podcasts	Up to \$15K	8/8/2014	N/A	9/1/2015	8/31/2017
2	Understanding Employment Options and Supports Conference up to 2 yrs.	1	\$150,000/yr.	10/25/2013	6/26/2015	1/1/2016	12/31/2017
3	Culturally Appropriate Family Supports up to 4 yrs.	5	\$75,000/yr.	10/26/2012	4/10/2015	11/1/2015	10/31/2019
4	Stakeholder Training on Guardianship Alternatives Up to 3 yrs.	1	\$40,000 /yr	2/7/2015	TBD	9/4/2015	9/30/2018
5	Leadership Development and Advocacy Training up to 5 yrs.	4	\$75,000/yr.	8/8/2014	9/4/2015	4/1/2016	3/31/2021
6	Partnership with African American Clergy to Support Families up to 5 yrs.	1	\$75,000/yr.	5/3/2013	N/A	TBD	TBD
7	Accessible Transportation Project Year 1 -3 funding up to \$150k; Year 4 up to \$125k; and Year 5 up to \$100k up to 5 yrs.	1	\$150,000/yr.	10/25/2013	9/4/2015	4/1/2016	3/31/2021
8	Support for Student Research-Related Expenses on Disability-Related Topics up to 5 yrs.	TBD	\$25,000/yr.	11/7/2014	TBD	TBD	TBD
N/A	Support for Full Participation of Self-Advocates on Workgroup up to 1 yrs.	1	\$50,000/yr.	8/9/2013	N/A	TBD	TBD

1. Up to \$10K for development of the template and guide; up to \$15K per year, for development of up to 12 products using the template.

6. Additional Funding may be made available to provide reasonable accommodations.

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:

A. State Policy Issues

TCDD staff will provide an update regarding recent public policy activities.

Discussion topics include:

- Day Habilitation and Community Based Standards (HCBS) Rules
- Autism Program Comments
- Acute Therapy Policies

B. Update on State Supported Living Centers

The Committee will receive updated State Supported Living Center data.

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 disabilities.

Discussion topics include:

- Continuing Resolution on Budget
- Keeping All Students Safe Act (KASSA)
- Transitioning to Integrated and Meaningful Employment (TIME) Act

<p><u>Public Policy Committee</u></p> <p><u>Agenda Item 9.</u></p>	<p><u>Expected Action:</u></p> <p>The Committee will receive updates on these items and may make recommendations for consideration by the Council.</p>
<p><u>Council</u></p> <p><u>Agenda Item 14. A.</u></p>	<p><u>Expected Action:</u></p> <p>The Council will receive reports from the Public Policy Committee and consider any recommendations offered from the Committee.</p>

Daytime Terminology

Daytime terms are frequently misunderstood, misused, and evolving. The definition of terms associated with day activities are featured below to spark conversation between self-advocates, decision-makers, service providers, and communities.



social interaction: Although social interaction, inclusion, and participation are used interchangeably, they are different in nature. People with IDD identify six themes critical to social interaction: **1** being accepted as an individual beyond the disability **2** having significant and reciprocal personal relationships **3** being involved in activities **4** having appropriate living accommodations **5** having employment **6** receiving formal and informal supports.



engagement: **1** A positive connection with a role and the role's related activities that motivate and energize individuals. **2** highly focused on the activities associated with a role to the point where other thoughts and distractions melt away and a genuine interest in the role is expressed.



peer support: An emotional and practical approach intended to be mutually beneficial and equal with choice, self-help, self-determination, and positivity being the core values.



independent living: The belief that all people have the same rights and responsibilities in society and that services and supports provided to the public should be accessible and available to achieve the most independence possible.



meaningful day: An approach that consistently offers opportunities to participate in age-appropriate, productive activities at home and in the community. It shifts the focus of direct-care work from traditional caretaking or programmatic tasks to being accountable for the extent of engagement and independence individuals with IDD experience from dawn to dusk.



community-based non-work (CBNW): A non-facility-based option where individuals with IDD spend the majority of their

day in community places where most of the people present do not have IDD doing activities such as volunteering, doing errands, going out to eat, and general community exploration.



day habilitation: An optional, but widely used facility-based service provided in a group setting during weekday work hours. Though widely used, waiver participants are not required to include it in their plan. Services vary, but may include recreational activity, specialized therapy, and life skills training.



adult day care: Facility-based care for individuals age 65 or older and individuals with a physical or cognitive disability to relieve primary caregivers of their duties for the day.



employment: An activity performed in which there is a wage earned for services rendered and the services are primarily for the benefit of the employer.



work: An activity done on a personal basis to enable growth and skills development, and improve social interactions by contributing to society.



productivity: Engagement in activities that contribute to a household or community.



sheltered workshop: A segregated workplace with activities that typically involve repetitive tasks. Workers may be paid below minimum wage.



competitive employment: Work performed in an integrated setting that pays at least minimum wage.



supported employment: Work performed in an integrated setting that includes workers making an informed choice and receive individualized supports to learn and keep the job.



customized employment: Work performed in an integrated setting following a process of discovering a worker's skills and interests and negotiating with an employer find or develop the best fitting role. Outcomes include job carving, resource ownership, and self-employment.

Day Habilitation in Texas

Social integration, inclusion, and community participation are among the stated goals of policies that address services used by people with intellectual and developmental disabilities (IDD), but how individuals spend their days continues to challenge decision-makers and service providers. Texas policymakers must examine meaningful day activities not only within the current day habilitation structure, but also in the context of community based non-work opportunities.

Day habilitation is defined as a facility-based service provided in a group setting during weekday work hours. Although individuals are not required to include habilitation on their service plans, Medicaid community-based waiver participants typically do include day habilitation. Services vary, but may include recreational activity, specialized therapy, and life skills training. It is widely accepted that day habilitation programs require remediation. Many are segregated, involve repetitive tasks rather than skill building activities or employment goals, and some are co-located with sheltered workshops where workers are paid below minimum wage.

HCBS Settings Rule

As a result, day habilitation services are being reformed around the nation to raise standards. These changes are outlined in the Medicaid Home and Community Based Services (HCBS) Settings Rule released by the Centers for Medicare and Medicaid Services (CMS) in 2014. The HCBS Settings Rule presents an opportunity for innovative solutions to emerge so that people with disabilities can have increased community engagement and exercise greater control over their own lives.

The HCBS Settings Rule addresses the quality of HCBS long term services and supports and provides additional protections to people that receive services.

In order to be in compliance with the HCBS settings rule services must be:

- Integrated in the greater community, to the same degree of access as individuals not receiving HCBS, including opportunities to:
 - seek employment and work in competitive, integrated settings; and
 - engage in community life;
- Selected by the individual from a variety of setting options, including non-disability specific settings.
- Service settings presumed to be isolating include day habilitation facilities that:
 - serve only people with disabilities;
 - aim to meet all the recipients needs for habilitation services; and
 - impede integration in the larger community.

HCBS Compliance Deadline Approaching

Day habilitation programs in Texas are widely regarded as out of compliance with the HCBS Settings Rule. States were given five years to bring their systems into compliance.

Senate Bill 204 (2015) would have required a stakeholder workgroup to study and make recommendations to improve day habilitation, but the bill failed to pass. In the absence of statutory direction to convene a new stakeholder workgroup to address day habilitation, the Department of Aging and Disability Services is looking to the already established *IDD System Reform Advisory Committee Employment and Day Habilitation Subcommittee* in response to continued recommendations by advocates to include stakeholders in regulatory and programmatic reform..

The Health and Human Services Commission (HHSC) and Department of Aging and Disability Services are also hosting stakeholder forums around the state to provide information on how the HCBS Settings Rule will impact community based services including day habilitation. Sessions will be held in the following locations on the following dates:

- San Antonio, October 22
- Lubbock, October 27
- El Paso, October 29
- Harlingen, November 3
- Fort Worth, November 6
- Tyler, November 9

More details for the meetings are available: <http://www.hhsc.state.tx.us/medicaid/hcbs/index.shtml>

A Time for Action

The HCBS Settings Rule will require a redesign for how day habilitation services are provided in order to bring the state into federal compliance. Waiver participants, providers and service coordinators will likely need to re-imagine meaningful day activities on an individualized basis. This will include discussions of individual choice and person directed practices, provider rates to adequately support waiver participants, defining outcomes and collecting data to monitor accountability at a state level, and creating a realistic and working transition plan with high expectations to achieve true community integration.

Texas is not the only state struggling with how to modernize day habilitation in terms of how individuals participate and the outcomes to be achieved. Best practices to consider include Oregon state agencies who strengthened collaboration by entering into a Memorandum of Understanding to support transitioning students with disabilities to enter the workforce. They were able to leverage new funding as well as sequence existing funding strategies to support their efforts. The MOU also addressed reporting by streamlining agency data collection and making it available to stakeholders. Other states, like Vermont and New Hampshire, have also reduced duplication of effort by implementing effective strategies and partnerships to efficiently coordinate resources. Texas Employment First Task Force has begun discussions about system improvements, but without sustained agency commitment and effort, some are concerned that their work could stall.

Recommended Actions for System Improvement

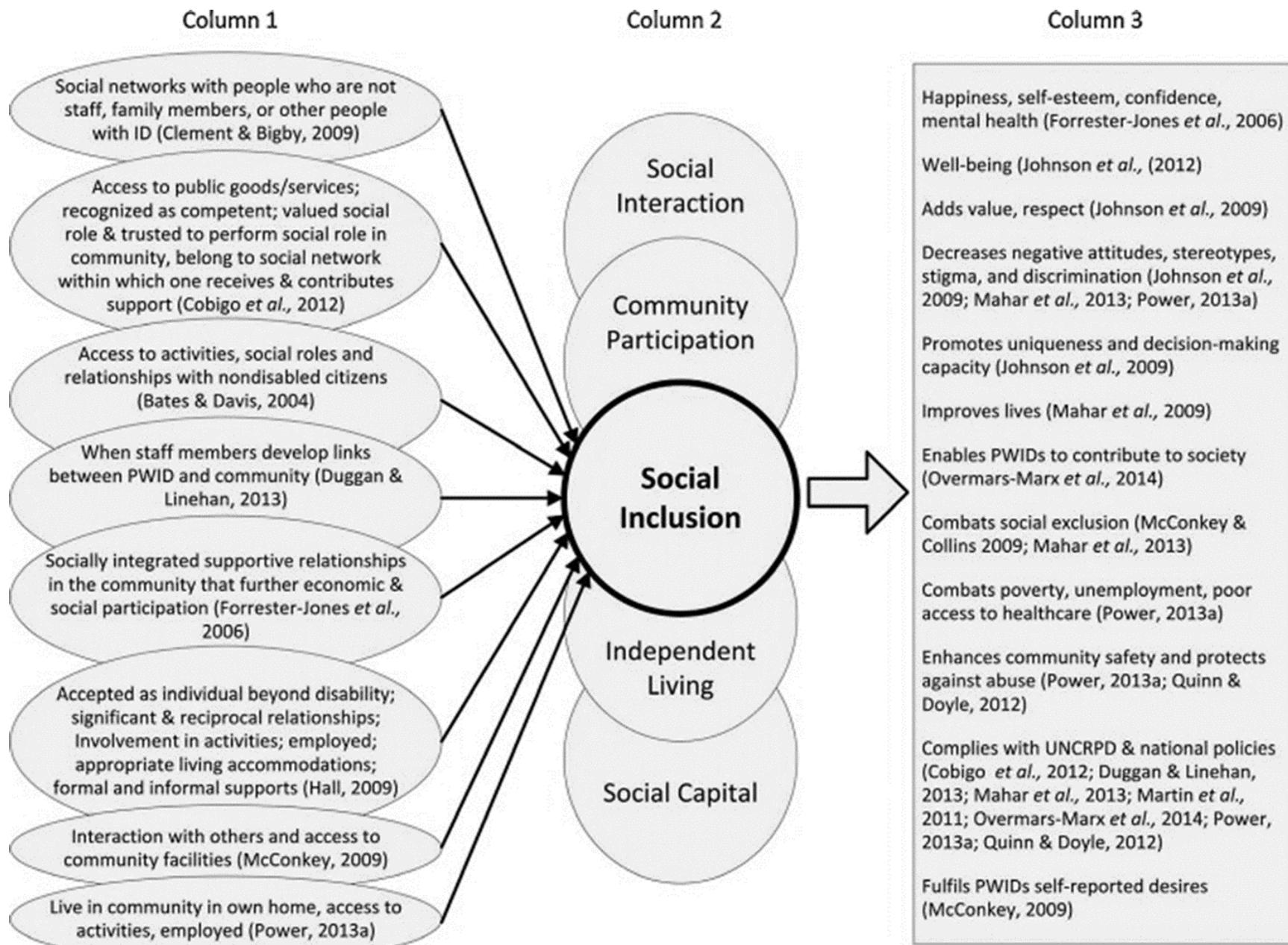
- Modify reimbursement methodologies because the current allocation supports segregated day options and contradicts prevailing service philosophy regarding integration.
- Designate employment supports as the primary method of funding state-financed day services
- Initiate day activity plans before high school graduation by offering comprehensive transition programs that give students credit for working in the community within multiple work settings to explore interests and skills.
- Create basic skills certificate to indicate a person's competitive employment skills and certify qualifications for persons without a high school equivalency diploma.
- Prohibit the co-location of sheltered workshops and day habilitation facilities.
- Expect that the system offers employment as the first and preferred option provided to working age adults who receive public benefits.

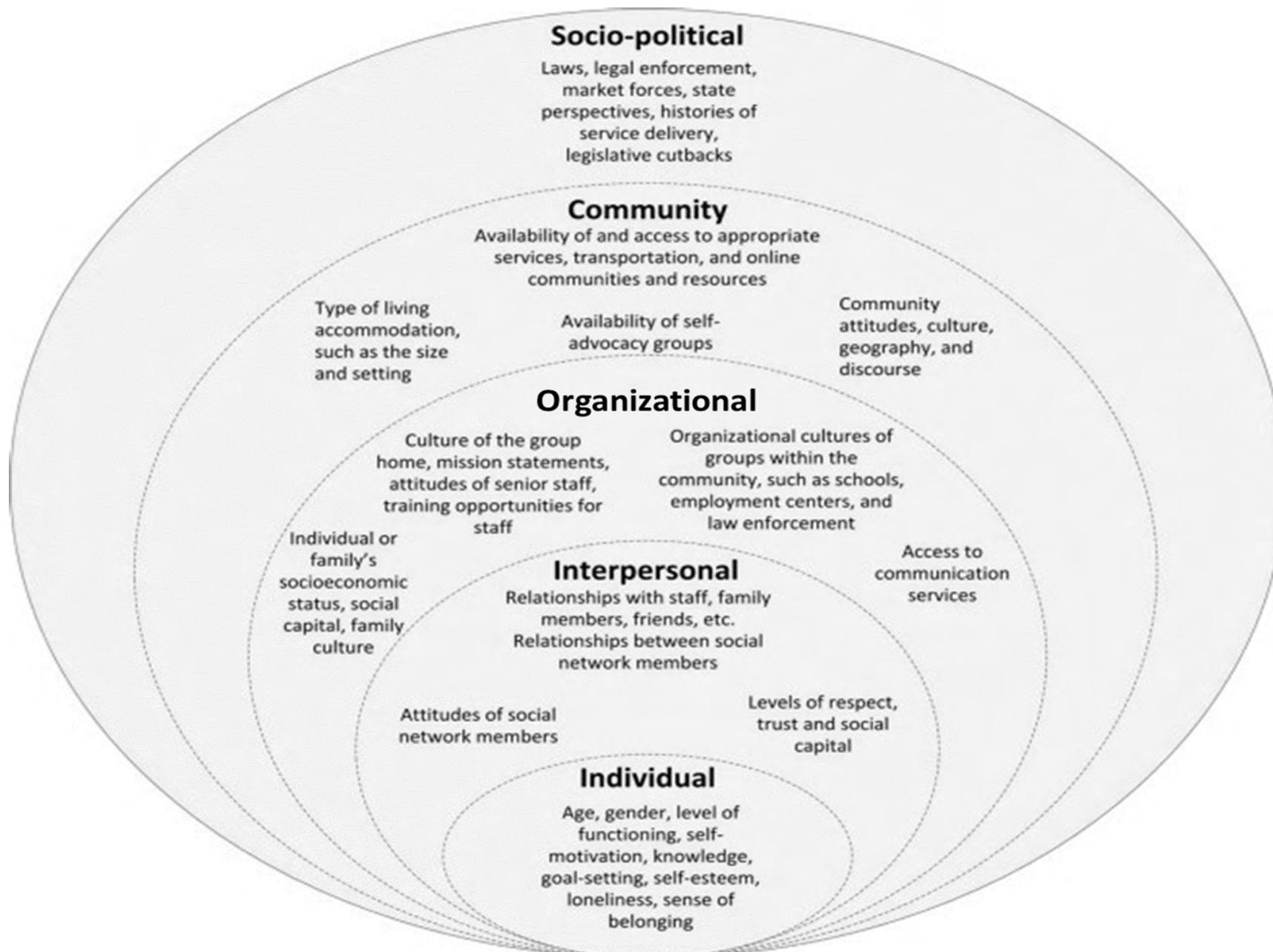
Role of Community-based Non-work

Public policy should focus on eliminating practices that contribute to barriers to the full participation of people with disabilities. By promoting opportunities for people to be engaged in social spaces within their communities, inclusion and productivity can be experienced – not just taught. Successful integration policies must foster meaningful social relationships and build community capacity for systems change. Community-based non-work can offer an opportunity to accomplish just this.

Community-based non-work (CBNW) supports individualization, choice, integration, and independence to individuals in search of meaningful day activities, with the right expectations set. Outcomes must be clear in state policy and provider practice for CBNW to improve the quality of life for people with disabilities. The following are recommended policy expectations for CBNW:

- **Expect employment.**
 - Allow CBNW to supplement employment rather than substitute it.
 - Affirm that if people with disabilities are to be treated as equals in society, then to some extent they should have equal obligations as well-which includes an obligation to contribute to society through working
- **Expect individual choice and life planning.**
 - Emphasize person-centered planning and acknowledge CBNW as simply one aspect of a person's plan to achieve his or her goals and desires in life.
- **Expect that group activities are a matter of choice, not convenience.**
 - Manage program quality by creating CBNW as a separate category of service with clear goals and minimum standards for person directed outcomes.
- **Expect integration and community membership.**
 - Incentivize time spent in integrated spaces that connect people and facilitate quality relationships with a variety of community members without disabilities.
- **Expect the development of strong models of CBNW.**
 - Involve family members, friends, self-advocacy and other peer groups, places of employment, churches, and other community spaces in setting and achieving goals for individualization, integration, choice, and independence.







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September 21, 2015

Department of Assistive and Rehabilitative Services
4800 North Lamar Boulevard
Austin, TX 78756

Re: Public Comments on Proposed Changes to Rules in the August 21, 2015, *Texas Register*
Texas Administrative Code, Title 40, Part 2, Chapter 105, governing Autism Program

Thank you for the opportunity to provide comments on changes to 40 TAC 105 proposed in the August 21, 2015, issue of the *Texas Register* (40 TexReg 5280-5289). The Texas Council for Developmental Disabilities (TCDD) is established by federal law in the Developmental Disabilities Assistance and Bill of Rights Act and is governed by a 27 member board, appointed by the Governor, 60 percent of whom are individuals with developmental disabilities or family members of individuals with disabilities. TCDD's purpose in law is to encourage policy change so that people with disabilities have opportunities to be fully included in their communities and exercise control over their own lives.

The context for these comments is that, unlike most programs provided through the Department of Assistive and Rehabilitative Services (DARS) and other Texas health and human services programs serving persons with disabilities, the DARS Autism Program is not subject to federal regulation or oversight. Comments on the current proposal take into account unresolved issues raised in public comment on the rules that were adopted one year ago and now in effect, action taken by the 84th Texas Legislature, as well as the reorganization of health and human services agencies.

SUBCHAPTER A. GENERAL RULES

§105.101. Purpose.

The section references "other treatment approaches" but the subsequent sections deal exclusively with applied behavior analysis (ABA). We recommend that the rule define "other treatment approaches" and include them throughout the subchapter or delete the term.

§105.105. Definitions.

(3) Applied behavior analysis (ABA)

Some ABA practitioners use aversive interventions. The definition needs to clearly state that for purposes of the state-funded DARS autism program, ABA relies on positive behavioral interventions and supports and does not include aversive interventions.

This comment was submitted previously by another commenter on the definition of ABA in the rules that are now in effect. The response was that DARS would not prohibit aversive interventions. No explanation was provided (39 TexReg 6681, August 22, 2014).

It is recommended that the DARS Autism Program articulate, explain, and publish for public comment its policy with respect to the use of aversive interventions on children ages 3-15. This potential element of ABA affects the private rights of children with disabilities and their parents (Texas Government Code, §2001.003). Furthermore, a policy that allows aversive interventions or is silent with respect to their use may enable the abridgement of the child's rights under the Developmental Disabilities Assistance and Bill of Rights Act of 2000 and the Health and Safety Code, Chapter 592.

(28) Treatment plan

The definition has been amended to include "and other" treatment services. Please define these services. The rules currently address only the role of individuals providing ABA. If other services are to be provided, a requirement of collaboration with providers of those services needs to be made here. Otherwise please delete reference to other services.

SUBCHAPTER B. DARS COMPREHENSIVE ABA SERVICES

§105.211. Services Provided.

(6) administer the DARS-designed post-test protocols within 30 calendar days of the child's exit from the DARS Autism Program;

The language here, "within 30 calendar days of," needs to be changed to be consistent with §105.213(f), "no more than 30 days before" to make clear the post-test does not occur within 30 days *following* exit.

Please add a paragraph referencing coordination with providers of “other services” if services other than ABA are to be provided.

The previous proposal of this section included language prohibiting the use of procedures that cause pain or discomfort. A commenter requested that DARS clarify procedures that would not be considered “restrictive” and that a process be put in place for DARS’ approval of such procedures on a case-by-case basis. The commenter also requested that DARS establish a peer review committee to review restrictive procedures.

DARS’ response was to remove the phrase “physically aversive interventions that would result in pain or discomfort are not permitted” from three sections of the proposed rules (§§105.211, 105.311, and 105.409). DARS did not explain this response. It is recommended that consistent with the policies of other health and human service agencies in Texas, and in keeping with both federal and state laws governing rights of disabled persons, DARS should prohibit the use of procedures that cause pain or discomfort. If such procedures are to be permitted, they need to be understood as exceptional and clinically justified and DARS should be involved in and responsible for approving their use, with or without the advice of a peer review committee.

SUBCHAPTER C. DARS FOCUSED ABA SERVICES

§105.309. Enrollment.

(a)(1) The contractor must enroll eligible children in DARS Focused ABA services in accordance with provisions of the contract established between the contractor and DARS;

If any of the provisions of the contract between the contractor and DARS affect the private rights or procedures of nongovernmental parties, e.g., child, parent(s), other providers, please include those elements in the subchapter for public review and comment (Texas Government Code, §2001.003(6)).

SUBCHAPTER E. RIGHTS OF PARTICIPANTS

§105.507. Rights of Children and Families.

(b) The contractor is required to provide the families written notification of their rights during the enrollment process.

For clarity, please amend the sentence to read “During the enrollment process, the contractor is required to provide written notification of the rights of the child and the parent(s).”

“Family rights” are not recognized statutorily. Rights of persons with disabilities confer to the child, not the family. This limits, but does not preclude, extended family involvement.

The only rights listed in this subchapter relate to confidentiality of records, accessibility of records, and filing a complaint. These are important rights but other rights should also be mentioned.

Other rights that should be mentioned include:

- Constitutional and other rights afforded to all individuals under federal or state law
- Rights under the Developmental Disabilities Assistance and Bill of Rights Act of 2000, relating to
 - appropriate treatment, services, and habilitation for such disabilities
 - treatment, services, and habilitation designed to maximize the potential of the individual and provided in the least restrictive setting
 - care that is free of abuse, neglect, sexual and financial exploitation, and violations of legal and human rights
 - care that subjects individuals with developmental disabilities to no greater risk of harm than others in the general population
 - prohibition of the use of physical restraint and seclusion unless absolutely necessary to ensure the immediate physical safety of the individual or others
 - prohibition of the use of restraint and seclusion as a punishment or as a substitute for a habilitation program
 - prohibition of the excessive use of chemical restraints and the use of such restraints as punishment or as a substitute for a habilitation program or in quantities that interfere with services, treatment, or habilitation for such individuals
 - the ability of close relatives or guardians to visit the individual without prior notice
 - program design that assures the most favorable possible outcome for those served and is appropriate to the individuals served by the programs
- Rights provided under state law (Health and Safety Code, Chapter 592), including
 - the right to protection from exploitation and abuse because of the person's intellectual disability

- to the right to receive for the person's intellectual disability adequate treatment and habilitative services that:
 - are suited to the person's individual needs
 - maximize the person's capabilities
 - enhance the person's ability to cope with the person's environment and
 - are administered skillfully, safely, and humanely with full respect for the dignity and personal integrity of the person
- the right as a person with an intellectual disability, a group of such persons, or a person acting on behalf of a person with an intellectual disability to submit complaints or grievances regarding the infringement of the rights of a person with an intellectual disability or the delivery of intellectual disability services to DARS [the responsible state agency] for investigation and appropriate action

(c) If any record includes information on more than one child, the parent of those children shall have the right to inspect and review only the information relating to their child or to be informed of that specific information.

Please consider revising the language as follows: “A parent has the right to inspect and review information relating only to his or her child. Information about other children must be redacted.”

The parent should have the right to see the record and not have to rely on the verbal interpretation of staff. Redacting information pertaining to other children allows inspection to occur.

§105.515. Staff Requirements.

(b) All direct service staff members must receive training before working independently and on an ongoing basis.

According to the rules referenced in subsection (c) of this section(1 TAC 15, §392.203), direct service staff must have a high school diploma and 40 hours of training to implement behavioral protocols *independently* with young children. In the absence of clear language defining and prohibiting aversive procedures and adopting the additional rights in the comments on §105.507, direct service staff should not work *independently*. Supervision once every two weeks is not adequate.

In rules as originally proposed in 2014, the requirements included having two years of experience with individuals with developmental disabilities. In response to public comment by providers about the difficulty of staffing, DARS deleted the requirement.

Forty hours of instruction are not adequate to address the requirements listed in the referenced rules, which include:

- (1) formalized training on methods for data collection, procedures for implementing discrete trial teaching, prompting procedures, behavior management strategies for addressing problem behavior, and other ABA techniques and program specific methods;
- (2) didactic instruction, workshops, readings, observation of modeling of techniques by supervisors, role-play with supervisors, and training in the natural environment in which supervisors provide specific feedback and additional training as needed;
- (3) written exams (with criteria to determine mastery) or direct observation by BCBA supervisors of therapists working directly with children (with fidelity checklists to determine accurate use of procedures and criteria to determine mastery) to ensure individual acquisition of the skills necessary to accurately implement ABA treatments;
- (4) the tasks in the Behavior Analyst Certification Board's Registered Behavior Technician Task List and Guidelines for Responsible Conduct for Behavior Analysts that have been designated as relevant for behavior technicians;
- (5) ethics and professional conduct training; and
- (6) training on typical child development for children 3 through 15 years of age.

Notably absent from the list is mention of training on the rights of the children being served.

Most people will not understand what “all of the tasks in the Behavior Analyst Certification Board’s Registered Behavior Technician Task List and Guidelines for Responsible Conduct for Behavior Analysts” are.

For purposes of public comment, it would be helpful to either include or describe the content rather than to reference a title that may be inaccessible to many. If the title is in the public domain, please include the content or a link to it so that it can be inspected during the review and comment stage of rule proposal.

The referenced guidelines do not appear to lend themselves easily to adaptation to direct service staff members, i.e., it is not possible to immediately understand which precepts written for behavior analysts would apply to direct service staff, in what form, and to what extent. Guidelines for direct service staff need to be explicit.

In conclusion, in the absence of federal oversight, DARS should provide sufficient guidance for its contractors with respect to aversive procedures and rights. Of keenest concern are the responsibilities of direct services staff who, with minimum education and training, will be authorized to independently work with children following protocols that may include aversive procedures. Reliance on third-party certification is not an adequate surrogate for agency oversight, regulation, and monitoring of potentially harmful practices. Please reconsider how this may constitute a violation of children's rights and represent an area of potential risk to children, contractors, and the agency.

Thank you for the opportunity to comment on these proposed rules.

Sincerely,

Linda Logan, MPAff
Texas Council for Developmental Disabilities

Selection of Nominating Committee Member

Tab 15

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 Committee Chair from among their members at their first meeting.

Nominating Committee:

1. Project Development – one member
2. Public Policy Committee – one member
3. Council – one member

The Nominating Committee will bring forward nominations at the February Council meeting for:

- Council Vice-Chair
- Consumer (self-advocate) member-at-large on the Executive Committee

TCDD Policies limit members from serving no more than two consecutive terms as Vice-Chair. **Kristen Cox** is currently serving in her first term as Council Vice-Chair and is eligible to serve another term.

Council Policies do not limit the number of consecutive terms that a member may serve as the consumer (self-advocate) member-at-large to the Executive Committee. **Michael Peace** is in his first term as the consumer member-at-large and is eligible for another term.

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 but may not serve as Council Vice-Chair.

Project Development Committee

Agenda Item 8.

Expected Action:

The Committee will select one member of the Committee to serve as a member of the Nominating Committee.

Public Policy Committee

Agenda Item 7.

Expected Action:

The Committee will select one member of the Committee to serve as a member of the Nominating Committee.

Council

Agenda Item 6.

Expected Action:

The Council will select one Council member to serve on the Nominating Committee.

V. OFFICERS

- A. Positions and Qualifications. Officers of the Council shall be a Chair and Vice-Chair. A representative of a state agency may not serve as an officer of the Council.
- B. Appointment and Election Procedures.
 - 1. The Council Chair shall be designated by the Governor to serve a term at the will of the Governor.
 - 2. The Council Vice-Chair shall be elected by the Council at the first regular Council meeting of the new calendar year except for a vacancy. The term of office for the Council Vice-Chair shall be one calendar year. No member may hold the office of Council Vice-Chair for more than two consecutive full terms.
- C. Vacancies in Office
 - 1. A vacancy in the office of Council Chair may be filled only by the Governor. The Council Vice-Chair shall perform the duties of the Chair during the period of vacancy.
 - 2. A vacancy in the office of Vice-Chair may be filled by a majority vote of the members present at any scheduled meeting of the Council. Vice-Chairs elected in this manner shall serve until the election of a Vice-Chair at the first regular Council meeting of the new calendar year.
- D. Duties of Officers
 - 1. The Chair is responsible for the general supervision of all activities of the Council in order to assure that the objectives of the Council are executed in the best possible manner. The responsibilities of the Chair shall include, but not be limited to, the following duties:
 - (a) The Chair shall preside at all Council meetings.
 - (b) The Chair shall serve as the Chair of the Executive Committee and as a voting, ex-officio member of all committees except the Nominating Committee.
 - (c) The Chair shall appoint the members of all standing and ad hoc committees except the Nominating Committee and the Executive Committee.
 - (d) The Chair shall appoint Chairs of all standing committees in a manner prescribed in Article VI of these bylaws. All such appointments are subject to the approval of the Council.
 - (e) The Chair shall call special meetings of the Council, as necessary.
 - (f) The Chair shall approve the agenda for each Council meeting.
 - (g) The Chair shall represent the Council at public meetings and conferences and in dealing with other organizations or shall designate an alternate to do so.
 - (h) The Chair shall approve out-of-state travel of Council members or staff pursuant to travel procedures established by the Executive Committee.
 - (i) The Chair shall provide advice and consultation to the Executive Director concerning activities conducted by Council staff.
 - (j) The Chair shall prepare the annual performance evaluation of the Executive Director after considering input from Committee Chairs and Council members.
 - (k) The Council Chair shall be authorized to act for the Council on matters which require Council action when neither the appropriate committee(s) nor the full Council can meet, providing:
 - i. input is solicited from the Council Vice-Chair, the Chair of the appropriate Committee, and other members of the Council reasonably known to be knowledgeable about the matter at hand (For purposes of this sub-section, "input" means to receive and disseminate information.); and,

- ii such action shall be reviewed by the appropriate Committee of the Council when it next meets.

In the event three or more Council members place in writing a request for recession of this authority to the Executive Committee, this authorization may be temporarily suspended by the Executive Committee pending full review by the Council. The Executive Committee shall review and affirm or disaffirm such actions and recommend to the Council continuance or discontinuance of authority for such matters.

- 2. The responsibilities of the Vice-Chair shall include, but not be limited to, the following duties:
 - a. The Vice-Chair shall perform the duties of the Chair in all cases when the Chair is unable to serve.
 - b. The Vice-Chair serves as Chair of the Audit Committee.
 - c. The Vice-Chair shall be a voting ex-officio member of all other committees except the Nominating Committee.
 - d. The Vice-Chair shall assume such additional duties as may be requested by the Chair.

VII. COMMITTEES OF THE COUNCIL

G. Nominating Committee Duties and Composition

- 1. The Nominating Committee shall have the following powers and duties, and others that may be designated from time to time by the Council:
 - (a) Presents a recommendation to the full Council for the office of Council Vice-Chair at the winter Council meeting.
 - (b) Presents a recommendation to the full Council for a primary consumer delegate-at-large to the Executive Committee at the winter Council meeting.
- 2. Each standing committee except the Executive Committee shall elect one member for the Nominating Committee prior to the fall Council meeting.
- 3. At the fall Council meeting, the Council shall elect a member who is not an Executive Committee member to serve as a member of the Nominating Committee and, if necessary, an additional member to ensure a committee of not less than three nor more than five members. The members of the nominating committee shall select a Chair from among the members of the committee.

Background:

TCDD staff will provide information regarding public information activities about workplace bullying during National Disability Employment Awareness Month (October).

Documents:

- Workplace Bullying: Know Your Rights (blog post)
- Workplace Bullying Social Media Posts

**Project Development
Committee****Agenda Item 9.****Expected Action:**

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

Council**Agenda Item 13. B.****Expected Action:**

The Council will receive a report on discussions on this topic from the Project Development Committee.



Workplace Bullying: Know Your Rights

One of the places bullying can occur is at work. Some people may experience workplace bullying and not even know it. Or they may know they are being bullied but not know what to do about it. Fortunately, there are laws and resources that can help protect people with disabilities from being bullied at work.

What is Workplace Bullying?

Bullying in the workplace occurs when one or more people are hostile or mean toward another person on an ongoing basis. Bullying is not typically considered acceptable adult conduct. Workplace bullying is an effort to undermine and harm another person by threatening that person's professional status, self-confidence, and/or ability to perform.

Bullying is harassment and in severe cases can even be verbal or physical abuse and/or assault. Harassment involves annoying and continued actions, which can include threats and demands, as well as uninvited and unwelcome verbal or physical conduct. Verbal or physical bullying that is abusive is considered assault and there are criminal laws that can lead to the arrest and prosecution of a bully.

Bullying does not have to be assault to be unlawful. In Texas, state law prohibits the harassment of people with disabilities and people who are elderly and requires that it be immediately reported for investigation.¹ When directed toward a person who has a disability, any form of bullying behavior is prohibited under federal laws as discrimination.

¹ [Texas Human Resources Code, Chapter 48.](#)

How Do You Know if You're Being Bullied at Work?

Often people may find it hard to accept that they are being bullied and will question whether they are mistaken or somehow not understanding the situation properly. They may even blame themselves and be reluctant to take action.

Some things that happen at work can be difficult or unpleasant, but may not be bullying. For example, if a person makes a complaint about your work or a supervisor holds you accountable for the quality of your work, that is not bullying if it is done in good faith and in keeping with established work policies and laws. Generally speaking, routine personnel actions taken for business reasons, such as a transfer or even a demotion, are not bullying unless other factors are present.

Bullies aren't just supervisors, either – a coworker, a customer, or even a visitor to your place of work could be a bully. If you feel like you are being bullied by anyone at work, it may be helpful to consider whether that person purposefully does any of the following things on an ongoing basis:

- Uses abusive, insulting, or offensive language toward you
- Leaves you out of important work meetings
- Leaves you out of social circles or functions at work
- Gives you amounts of work that are not realistic
- Gives you jobs that are impossible to be performed in the time given
- Does not give you information you need to do your job
- Changes your hours or schedules your hours so that they are difficult
- Gives you pointless tasks that have nothing to do with your job
- Unfairly denies personal leave or training
- Regularly threatens to reprimand or fire you
- Yells at you or criticizes you in front of others
- Uses or threatens physical violence toward you
- Pushes, shoves, trips, or grabs you in the workplace
- Requires you to do humiliating or inappropriate things

If you've experienced any of these things, you may have been a victim of workplace bullying. The list is far from complete. Most bullying involves isolating and putting the victim down, and the way this is done can take many different forms.

The effects of these behaviors on the person being bullied can be profound. Physical symptoms resulting from high levels of stress and anxiety can include nausea, headaches, stomach problems, sleeplessness and fatigue, and frequent illness.

If you are bullied, you may find yourself depressed and losing motivation, on edge, and having difficulty concentrating. These are normal reactions to an abnormal situation. And, bullying can be so bad that some people may have suicidal thoughts.

What are Your Rights?

The following federal laws can provide assistance to people with disabilities who are bullied at work:

- The Civil Rights Acts of 1964 and 1991
- The Americans with Disabilities Act (ADA)
- The Rehabilitation Act of 1973

The Civil Rights Acts² say:

- It is illegal to harass a job applicant or worker because he or she has or had a disability or is thought to have a disability, even when one doesn't exist.
- Harassment is illegal when it is so frequent or severe that it creates a hostile work environment or results in a change in work status (such as being fired or demoted).
- The harasser (i.e., the bully) can be a supervisor, a co-worker, or someone who is not an employee of the employer, such as a client or customer.
- A complaint of harassment can result in legal (anti-discrimination) proceedings if the person who is the bully is not also disabled or in another protected class.

The ADA and, by reference, the Rehabilitation Act of 1973, states the following: It shall be unlawful to coerce, intimidate, threaten, or interfere with any individual in the exercise or enjoyment of...any right granted or protected by this chapter (ADA §12203(b)).

Rights under the ADA include:

- The right to benefit from the full range of employment opportunities, without discrimination, in recruitment, hiring, promotions, training, pay, social activities, and other privileges
- The right to not be questioned excessively about disabilities before a job is offered
- The right to receive reasonable accommodations for physical and/or mental limitations

²<http://www.eeoc.gov/laws/types/disability.cfm>, accessed July 7, 2015.

Other ADA rights relate to architectural modifications (for example, ramps and elevators for people who have mobility impairments) and appropriate technology for people with communications limitations (specifically including telephone and video access).

Interfering or obstructing a person's exercise or enjoyment of these rights is illegal. If a person is found guilty of discrimination because of bullying or harassment, he or she must pay money to the victim (A) to compensate for harassment and (B) as punishment for intentional violations of either Title VII of the Americans with Disabilities Act or Section 504 of the Rehabilitation Act of 1973.

What Can You Do if You Suspect You Are Being Bullied in the Workplace?

- **Protect your health and safety** – Experts on bullying advise that you should put your health and safety before anything else. This means asking for help from your physician, family, and friends to take measures to alleviate the stress and anxiety and address any physical problems. If you feel like you are in an unsafe situation and your physical safety is at risk, you should leave the situation immediately and get help from someone you trust.
- **Document everything** – Keep a record of everything. Write down everything that happens and when it happens. If you need help doing this, ask a family member, a friend, or someone else you trust. Create a file for your records and also to keep any emails or notes that the bully has written to you. If you need to, you can also use your phone to record interactions. In Texas it is permissible to record a conversation as long as one of the parties in the conversation (you) is aware that it is being recorded.
- **Utilize resources** – Review some of the resources listed in the panel on the right. They contain much more detailed information about bullying. Some of them suggest specific things you may want to try at work to defuse the situation.
- **Get legal help** – There are organizations that you can contact to get advice about your situation. For advice and legal help, contact one (or more) of the organizations listed below.
 - **Disability Rights Texas (DRTx)**
DRTx works to safeguard the rights of people with disabilities in the workplace. Its staff includes attorneys who are experts in laws that protect people with disabilities. DRTx also administers the Client Assistance Program (CAP) in Texas, which provides legal assistance and advice as well as information about disability rights and the ADA, employment, vocational rehabilitation, and independent living. You can call the hotline at 1-800-252-9108 between 9 a.m.

and 4 p.m., Monday through Friday, or go to www.disabilityrightstx.org to file an online request for assistance (click on “Getting Help”).

- **Equal Employment Opportunity Commission (EEOC)**
The EEOC is the federal agency that enforces anti-discrimination laws in the workplace. It accepts and investigates charges of discrimination. Go to www.eeoc.gov to get information and to locate the nearest field office. For information about filing a charge, call 1-800-669-4000 (voice) or 1-800-669-6820 (TTY).
- **Department of Justice (DOJ) Civil Rights Division**
The DOJ works to uphold the rights of all Americans and enforces federal laws against discrimination on the basis of race, color, sex, disability, religion, family status, and national origin. The DOJ website clearly states that it is not necessary for you to file a complaint with the DOJ or any other agency before privately suing for a violation of your rights. The DOJ recommends that individual cases of workplace discrimination be reported to the EEOC. However, if your complaint involves other people with disabilities whose rights are also being violated by discriminatory acts of bullying, harassment, abuse, or assault, you may wish to learn more about what the DOJ can do to help at www.justice.gov/crt (click on “How to File a Complaint”). You also can contact the DOJ by calling the ADA Information Line at 800-514-0301 (voice) or 800-514-0383 (TTY).

Workplace Bullying Social Media Posts

Below are screenshots of two workplace bullying-related social media items TCDD posted on Facebook during National Disability Employment Awareness Month (October). Similar information was also shared on TCDD's Twitter account.

 **Texas Council for Developmental Disabilities**
Published by Ashley Ford [?] · October 9 at 11:58am · 🌐

WORKPLACE BULLYING: WHAT YOU NEED TO KNOW

Teens with disabilities are 10 times more likely to be bullied than their non-disabled peers and bullying often carries over from school to work. To address this topic and provide assistance, the National Collaborative on Workforce and Disability developed a resource to help teens with disabilities recognize the signs of bullying in the workplace. The resource also discusses how bullying differs from disability harassment.

October is National Disability Employment Awareness Month (NDEAM). NDEAM provides an opportunity to raise awareness about the many contributions people with disabilities make to America's workforce. Workplaces welcoming of the talents of all people, including people with disabilities, are critical to building inclusive communities and a strong economy.

#NDEAM



Navigating the Road to Making the Connection between Youth with Disabilities & Employment

Bullying and Disability Harassment in the Workplace: What Youth Should Know | NCWD/Youth

This InfoBrief is designed to help youth, including youth with disabilities, recognize signs of bullying in...

NCWD-YOUTH.INFO

 **Texas Council for Developmental Disabilities**
Published by Joshua Ryf [?] · 17 hrs · 🌐

STUDY FINDS WORKPLACE BULLIES TARGET EMPLOYEES WITH DISABILITIES

A study conducted in the UK found that employees with disabilities are more likely to be targeted by workplace bullies. Employees with disabilities are twice as likely as their non-disabled co-workers to experience physical attacks at work and endure insults, ridicule, and intimidation.

October is National Disability Employment Awareness Month (NDEAM). NDEAM provides an opportunity to raise awareness about the many contributions people with disabilities make to America's workforce. Workplaces welcoming of the talents of all people, including people with disabilities, are critical to building inclusive communities and a strong economy.

#NDEAM



News: workplace bullies targeting disabled employees

Disabled employees are more likely to be physically and mentally bullied at work - often by their manager - a UK academic study finds.

HRZONE.COM

Background:

Minutes of the August 6, 2015, 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 6, 2015**

COMMITTEE MEMBERS PRESENT

Lora Taylor, Chair
Kristen Cox
Elaine Eisenbaum, UT-CDS
Penny Larkin, DADS

Michael Peace
Brandon Pharris
Ruth Mason
Jeff Miller, DRT

April Young, HHSC
Dan Zhang, TAMU-UCED

STAFF PRESENT

Belinda Carlton
Ashley Ford

Linda Logan
Jessica Ramos

GUESTS PRESENT

Darryl Powell
Amy Sharp, TAMU-UCEDD
Donnie Wilson, DADS

CALL TO ORDER

The Public Policy Committee convened on Thursday, August 6, 2015, in the Chautauqua A Room at the Embassy Suites San Marcos, San Marcos, Texas 78666. Public Policy Committee Chair Lora Taylor called those present to order at 2:00 p.m.

1. INTRODUCTIONS

Committee Chair Taylor asked the Committee members and staff to introduce themselves, and share a special moment experienced since the last Committee meeting. Dan Zhang was present as the newly designated representative from the Center for Disability Studies at Texas A&M University (TAMU-UCEDD). Donnie Wilson was present as the newly designated alternate representative of the Department of Aging and Disability Services (DADS), however, as he has not been through orientation, Wilson is not yet eligible to vote on Committee actions.

2. PUBLIC COMMENTS

No public comments were offered to the committee.

3. CONSIDERATION OF MINUTES

The Committee reviewed the minutes from the May 7, 2015, Public Policy Committee meeting. It was noted that on page two, the legislation permitting access to cannabidiol (CBD) for people with intractable seizures was SB 339, not SB 309 as stated in the draft minutes under consideration.

MOTION: To approve the minutes of the May 7, 2015, Public Policy Committee meeting, as revised.

MADE BY: Brandon Pharris

SECOND: Michael Peace

The motion **passed** unanimously.

4. CHAIR'S REMARKS

Chair Taylor provided remarks on the annual 2015 National Association of Councils on Developmental Disabilities (NACDD) Conference she attended with fellow Committee member Michael Peace. Taylor stressed the importance of Committee members using their voices and being heard during Committee meetings and encouraged discourse for the sake of developing a powerful public policy voice. Taylor reminded members that only the Executive Director and Council Chair can publically represent and/or speak on behalf of TCDD; all others must receive prior authorization from the Executive Director or the Council Chair to do so. Taylor stressed that this is especially important during members' personal advocacy efforts. Taylor reminded members to fully disclose all involvements in their Conflict of Interest Forms for the sake of transparency and potential liability.

Taylor informed the Committee that CBD oil registration for providers and consumers will begin in December. Taylor gave an update on HB 1317 regarding van accessible parking which was amended to require the Governor's Committee on People with Disabilities (GCPD) to seek stakeholder input for their accessible parking and transportation issues study.

5. MEMBER UPDATES

Committee member Michael Peace provided a report regarding his experiences at the NACDD Conference. During the conference Peace discovered diverse and traditionally unrelated civil rights organizations are partnering with other state councils to advocate for people with disabilities.

Public Policy Specialist Linda Logan provided a report of her experiences at the 2015 Texas Autism Research Conference. Logan updated the Committee on a research study's findings on autism detection in infants and the Gateway Academy in Houston, which provides services to students with social and academic challenges through innovative approaches.

6. PUBLIC POLICY ISSUES

Public Policy staff provided updates on state legislation, State Supported Living Centers (SSLCs), and federal policy issues. Public Policy Director Jessica Ramos referenced binder materials and handouts. Taylor thanked staff for the information provided and stressed the importance of thanking legislators and legislative staffers who worked to improve the lives of people with disabilities during session.

A. State Policy Issues

Public Policy staff provided updates on recent public policy activities including the implementation of legislation and the budget adopted by the 84th Texas Legislature. Discussion topics included guardianship reform and supported decision-making, day habilitation, and Community First Choice.

I. Guardianship Reform and Supported Decision-Making

Ramos referenced the guardianship reform article written by Tom Suehs as a guest editor in the Austin American-Statesman. Public Policy Specialist Belinda Carlton informed members that future media coverage on the topic is being discussed to increase public awareness. Ramos reminded members that guardianship reform and supported decision-making was an emerging issue that staff were able to address because of the State Plan offers the flexibility to do so.

II. Day Habilitation

Ramos provided follow up information in reference to an inquiry from the last Committee meeting about whether Home and Community-based Services (HCS) Waiver participants are required to attend day habilitation. In short, day habilitation is not required for any DADS program participant. Further clarification was provided in a binder document. Ramos thanked Committee member Penny Larkin, DADS, for her work in developing the information provided.

Ramos discussed the status of day habilitation redesign in light of the fact that the DADS Sunset bill (SB 204) failed to pass. Ramos stressed the importance of the upcoming changes to day habilitation in the state and identified avenues for addressing it. Wilson informed the Committee that, although current providers are unknown and untracked, a list of day habilitation sites will be required to be maintained for waiver provider contract compliance. Ramos explained that day habilitation centers do not have a direct relationship with the state; they are subcontractors with private providers. In addition, Ramos explained the randomized contract survey process that providers are subject to which serves as an oversight function.

Committee members discussed the low reimbursement rate for day habilitation services and noted that low-quality supports are the result. It was also noted that a structural rate issue affects providers' ability to adequately support waiver participants within their community during the daytime due to a hole formed by waiver program funding. This raised concerns that once waiver participants begin a more self-directed and person-centered individualized plan for their day, providers will struggle to keep up.

The Home and Community Based (HCBS) Settings Rule will require a redesign for how day habilitation services are provided in order to bring the state into federal compliance. Waiver participants, providers and service coordinators will likely need to re-imagine meaningful day activities on an individualized basis. To that end, Committee members stressed the significance of creating a realistic and working transition plan with high expectations to achieve true community integration. Council Vice Chair Kristen Cox added that the role of schools in defining possibilities for students with disabilities and setting high expectations is also critical. Sharp was asked to share research she mentioned that reveals the trajectory of a student's success in school with and without a disability, highlighting the age at which expectations and performance permanently plummet.

Ramos reported on the recent use of Yelp to find reviews and information about medical providers. Committee members shared their thoughts on consumers using a Yelp-like platform to access objective measures, like the Quality Reporting System data, to assess providers in addition to offering meaningful examples of successful providers, medical professionals, and/or day habilitation centers for stakeholders' reference to improve outcomes. One member recommended that anonymity would be desirable on such a site. One member stated that companies have been known to stack the deck in their favor. Another member voiced concern that users might be more quick or willing to give negative reviews from bad experiences and used "the squeaky wheel gets the grease" to convey her idea. Ramos offered that it could be beneficial for people to see what their friends' experiences were since the site also connects you to your own network.

III. Community First Choice (CFC)

Ramos provided an update on CFC program implementation and referenced the binder material addressing frequently asked questions regarding CFC. Ramos explained that CFC was implemented June 1, but public outreach has been limited to prevent overextending the program. Ramos informed the Committee that local authorities are contacting people on the interest list to inform them of their eligibility for CFC.

Committee member April Young provided agency data with specific enrollment numbers. Young explained that misinformation has kept many families from enrolling in CFC. Cox discussed that the materials mailed to waiver participants uses language that suggests enrollment is required. Ramos agreed to follow-up with Cox regarding the language being used on mailed materials.

Ramos referenced the System Improvement Recommendations and asked the Committee to review the recommendations and provide additions, corrections, suggestions, and questions to address at the next meeting.

B. State Supported Living Centers (SSLCs)

Ramos provided an update on SSLCs and research conducted relating to families who choose SSLC admission over other alternatives for their children. Ramos referenced the SSLC article provided in the binder materials and reported on the American Association on Intellectual and Developmental Disabilities Conference she attended. Ramos highlighted research data presented on familial characteristics of SSLCs' child residents including indicators such as familial expectations, cultural differences, and identified necessary supports for continued home living. Ramos stated she would provide addition information about the effects of institutionalization on developing children and policy recommendations to improve the outcomes of children with disabilities whose parents choose SSLC admission over other alternatives.

Mason recommended Committee members read the Department of Justice SSLC Monitoring Reports and discussed the common needs of families considering admitting their children to SSLCs. Ramos noted that the most recent monitoring reports for Austin SSLC provides limited data because of the expectation of its closure. Wilson stated that the new version of monitoring reports provides more specific outcome metrics than previous narrative-based monitoring reports.

MOTION: To recommend TCDD staff to plan a presentation on the admission of children to SSLCs.

MADE BY: Brandon Pharris

SECOND: Michael Peace

The motion **passed** unanimously.

C. Federal Policy Issues

Staff provided updates on federal policy issues including the Supreme Court decision relating to the Fair Housing Act and Keeping All Students Safe Act. Carlton referenced the Texas Houser's article regarding the impact of the Fair Housing Act decision made by the Supreme Court and described discrimination affecting people with disabilities using housing vouchers. Carlton stressed the importance of organizing efforts to combat disparate impacts against Texans with disabilities.

7. BULLYING IN THE WORKPLACE

Committee member Brandon Pharris explained his interest in improving workplace conditions for people with disabilities including legal protection from bullying and harassment. Logan informed Pharris and Committee members about existing protections for all people under current statute and noted the absence in federal statute dealing specifically with workplace bullying for adults and/or people with disabilities. Logan explained that the Americans with Disabilities Act should protect workers with disabilities from workplace harassment because such individuals are considered a protected class. However, Logan referenced the book Disability Harassment and stated that when harassment cases are brought to court, the court often tends to side with the plaintiff and countersuits for damages caused by the complainant follow. Logan referenced HB 3226 (2015) by Representative Garnet Coleman regarding increased workplace-bullying protections and criminal liability of the harasser, which failed to pass.

Ramos stated that TCDD staff developed five recommendations on ways to address bullying in the workplace and explained each of the five, which included: emphasizing bullying in the workplace during the October National Disability Employment Awareness Month (NDEAM) on social media; sharing the issue with fellow advocates while being mindful of including references to the issue in formal and informal TCDD public input; adding a reference to bullying in the workplace in the TCDD Employment Position Statement under review in 2016; following the refile of HB 3226 during the 2017 Texas Legislative Session; and supporting Pharris with his anti-bullying advocacy efforts during the 2017 session.

Guest Darryl Powell recommended producing a public service announcement to bring additional attention to the issue. A subsequent recommendation was made related to educating workers with disabilities so that they can better recognize bullying in the workplace. It was recommended that Pharris present the idea to the Project Development Committee next quarter when Communications Coordinator Joshua Ryf is available for the discussion.

8. PUBLIC INFORMATION REPORT

Ramos provided the Public Information report about recent public information activities including social media, the Understanding Employment Options and Supports RFP announcement, and materials requests.

ADJOURN

There being no further business, Committee Chair Taylor adjourned the meeting at 4:30 p.m.

Beth Stalvey
Secretary to the Council

Date

Background:

The Council periodically reviews TCDD’s Position Statements. Staff will provide a proposed schedule to review and update the position statements.

Documents:

- Position Statement Review Calendar

<p><u>Public Policy Committee</u></p> <p><u>Agenda Item 8.</u></p>	<p><u>Expected Action:</u></p> <p>The Committee will review and make recommendations regarding the TCDD Position Statement Review Schedule.</p>
<p><u>Council</u></p> <p><u>Agenda Item 14. C.</u></p>	<p><u>Expected Action:</u></p> <p>The Council will receive reports from the Public Policy Committee and consider any recommendations offered from the Committee.</p>

TCDD's 2016 Position Statement Review Schedule

February

- Children and Families
- Family Support Services
- Emergency Preparedness
- Guardianship Reform and Supported Decision Making

May

- Aging with Developmental Disabilities
- Access to Health Care
- Community Living
- Right to Privacy

August

- Employment
- Education
- Transition

November

- Criminal Justice
- Service Coordination
- Transportation

Background:

The Council will review the minutes from the August 7, 2015, Council meeting and August 6, 2015, Committee of the Whole meeting.

Council

Agenda Item 3. A.

Expected Action:

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

**COUNCIL MEETING
DRAFT MINUTES
AUGUST 7, 2015**

COUNCIL MEMBERS PRESENT

Mary Durham, Council Chair	Ivy Goldstein, DSHS	David Taylor
Kimberly Blackmon	Sara Kendall, DARS	Lora Taylor
Gladys Cortez	Penny Larkin, DADS	Rick Tisch
Kristen Cox	Ruth Mason	John Thomas
Mateo Delgado	Michael Peace	Nancy Walker, HHSC
Elaine Eisenbaum, UT CDS	Brandon Pharris	Dan Zhang, A&M CDD

COUNCIL MEMBERS ABSENT

Hunter Adkins	Mary Faithfull, DRT	Dana Perry
Kristine Clark	Stephen Gersuk	Cindy Swain, TEA
Andrew Crim	Scott McAvoy	

STAFF MEMBERS PRESENT

Beth Stalvey, Executive Director	Joanna Cordry	Jessica Ramos
Martha Cantu	Cynthia Ellison	Koren Vogel

GUESTS PRESENT

Jeff Miller, DRTx	Amy Sharp, A&M CDD	Carrie Warner
Darryl Powell	April Young, HHSC	Donnie Wilson, DADS

CALL TO ORDER

The Texas Council for Developmental Disabilities convened on Friday, August 7, 2015, in the Veramendi Salon G&H Ballroom of the Embassy Suites San Marcos Hotel, 1001 East McCarty Lane, San Marcos, TX 78666. Council Chair Mary Durham called the meeting to order at 9:04 AM.

1. INTRODUCTIONS

Council members, staff and guests were introduced.

2. PUBLIC COMMENTS

No public comments were offered to the Council.

3. CONSENT ITEMS

Chair Durham recommended approval of the consent items including the minutes from the May 8, 2015, Council meeting & May 7, 2015, Committee of the Whole meeting and the excused absences of Hunter Adkins, Kristine Clark, Andrew Crim, Mary Faithfull-DRT, Stephen Gersuk, Scott McAvoy, Dana Perry and Cindy Swain-TEA.

MOTION: To approve the minutes of the May 8, 2015, Council meeting and May 7, 2015, Committee of the Whole meeting as well as the excused absences as noted.

MADE BY: Mary Durham

SECOND: Michael Peace

The motion **passed** unanimously.

4. PUBLIC POLICY COMMITTEE REPORT

Chair Durham moved the Public Policy Committee report ahead in the agenda to accommodate a schedule conflict. Public Policy Committee Chair Lora Taylor reported on Committee discussion of guardianship reform, supported decision making, day habilitation, community first choice, and the Supreme Court decision on the fair housing act. The Committee also received updates on implementation of legislation from the 84th Texas Legislature as well as the 2016-2017 budget.

After discussion on admissions of children to State Supported Living Centers (SSLC), the Committee thought it important to invite Elizabeth Shelby to speak to the Council on this topic.

MOTION: To invite Elizabeth Shelby to speak to the Council on policy recommendations to reduce the admissions of children to State Supported Living Centers.

MADE BY: Lora Taylor for the Public Policy Committee (motions from Committee do not need a second)

The motion **passed** unanimously.

The Committee also heard from member Brandon Pharris on issues relating to bullying in the workplace. TCDD public policy staff also prepared information on the topic ways for individuals to address this issue. It was noted that legislation was introduced during the 84th Legislature on this topic but did not pass. Staff were directed to address this issue during October National Disability Employment Awareness Month via social media and other avenues. The issue will also be addressed during the next revisions to the TCDD Position Statement on Employment. The Committee recommended Brandon Pharris speak to the Project Development Committee on developing a public service awareness campaign on bullying in the workplace.

Taylor asked members to take note of the Public Information Report in the meeting materials.

5. CHAIR'S REPORT

Chair Durham thanked Kristen Cox for leading the Committee of the Whole meeting on Thursday.

6. EXECUTIVE DIRECTOR'S REPORT

TCDD Operations Director Martha Cantu provided an update on TCDD staff and reviewed an updated organizational chart that shows all TCDD positions as filled. She noted that Grants Management Director Sonya Hosey continues to be out of the office due to illness. She is still working part-time from home as her health allows and continues to be under a doctor's care for further testing and treatment. Danny Fikac was recently selected as the Planning Specialist for TCDD.

7. FUTURE ACTIVITIES FOR STATE PLAN IMPLEMENTATION

Chair Durham reported that the Executive Committee discussed continuing funding for travel support of public members of advisory committees. Funding is provided to advocates through the Texas Center for Disability Services (TCDS) on a reimbursement basis. She noted that there are 13 members of four state workgroups currently attending meetings. It was noted that funds are

released to TCDS based on reimbursement of actual travel and any allocated funds that are not used during that time stay with the Council.

MOTION: To award up to \$50,000 per year for up to two years to the Texas Center for Disability Studies to reimburse travel expenses to public members of advisory committees.

MADE BY: Mary Durham for the Executive Committee

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

It was noted that no changes were made to the Future Funding Priorities list and no new projects were presented to the Council by the Project Development Committee.

8. MEMORANDUM OF UNDERSTANDING WITH TEXAS EDUCATION AGENCY

Council Chair Durham discussed the annual review of the Memorandum of Understanding (MOU) between TCDD and Texas Education Agency (TEA). She noted that for FY 2106, language regarding business continuity and emergency preparedness was added to the MOU. Operations Director Cantu noted that this was required for TEA by the State Office of Risk Management so TEA management felt it prudent to add to this MOU as well.

MOTION: To approve the TCDD Memorandum of Understanding with Texas Education Agency

MADE BY: Mary Durham for the Executive Committee

The motion **passed** without opposition. Ruth Mason abstained from voting. (Attachment 2)

9. FY 2016 OPERATING EXPENSE BUDGET

Operations Director Martha Cantu presented the FY 2016 Operating Expense budget for Council approval. She noted that there is a \$157,336 increase from FY 2015 due to increases in staff benefits and professional services.

MOTION: To approve the FY 2016 Operating Expense budget.

MADE BY: Mary Durham for the Executive Committee

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

10. EXECUTIVE COMMITTEE REPORT

Senior Grants Management Specialist Cynthia Ellison reviewed the Independent Audit Status Report and noted there were no exceptions for this quarter. She also reviewed the Grants Monitoring Exceptions report and noted that some grants are still considered in a "pending" status for incomplete documentation but that staff are working to obtain those documents. She reported on new projects that were approved for grant funding by the Executive Committee and discussed the Risk Assessment report that highlights the projects that were approved for continuation grant funding during the Executive Committee meeting.

Chair Durham reported that the Executive Committee voted to suspend consideration of new Outreach and Development projects for at least 3-6 months. Due to the absence of the Grants Management Director, Senior Grants Specialist Ellison has added responsibilities and is not able to devote the time needed to new projects of this kind. It was also noted that no applications were received during the past quarter. Four projects are currently in process.

Operations Director Cantu reviewed the Quarterly Financial report noting that approximately \$85,000 remains from that year's funds for grant funding. Approximately \$400,000 in additional funds is expected from FY 2015 to be put toward grant projects. The notice of grant award for FY 2016 has not been received for FY 2016 but budgets are based on level-funding.

Conflict of Interest disclosure reports were reviewed by the Executive Committee and no concerns were noted. Members were encouraged to submit updates and were reminded that they cannot financially benefit from any TCDD projects and are not eligible for conference stipends funded by TCDD.

11. PROJECT DEVELOPMENT COMMITTEE REPORT

Project Development Committee Chair Gladys Cortez reported on Committee discussions of the executive summary for a Partners in Policymaking project. The Committee directed staff to bring additional information on this project proposal to the November meeting for consideration.

Council members further discussed options for leadership and advocacy projects in addition to ways to quantify results as well as the potential for sustainability of these projects.

12. ANNOUNCEMENTS AND UPDATES

Council members discussed dates of future meetings of November 4-6, 2015, February 3-5, 2016, May 4-6, 2016 and August 3-5, 2016.

ADJOURN

Council Chair Durham adjourned the meeting at 10:09 AM.

Beth Stalvey
Secretary to the Council

Date

Attachments

TEXAS COUNCIL FOR DEVELOPMENTAL DISABILITIES

Guidelines for Advisory Committee Member Travel Support

Establishment of Advisory Committee Support Funds

The Texas Council for Developmental Disabilities (TCDD) has approved funds to provide travel support for public members to participate on state-level Advisory Committees that focus on issues of importance to individuals with developmental disabilities and/or family members who serve on state level advisory committees when those individuals do not have other organizational sponsorship. TCDD provides these travel funds to the University of Texas Center for Disability Studies (CDS) via a grant and CDS dispurses funds as needed. To be eligible for TCDD support:

- (1) The agency advisory committees must be established by statute, obtain approval of the agency's governing board, or obtain approval of the agency chief;
- (2) Advisory committee members must be appointed by the agency Chief; and
- (3) The advisory committee must report to the agency chief or the Legislature.

TCDD funds for this purpose shall be the "payer of last resort". Agencies are expected to exhaust all other possible means of providing travel support for public members of agency advisory committees, including appropriations rider, federal grant or other sponsoring entity as appropriate.

Request to Support an Advisory Committee

A request for TCDD to provide travel support for public members of an advisory committee must be provided to TCDD in writing form from the sponsoring agency coordinating the advisory committee. A request may be submitted by email. Verbal requests will not be considered. Each request must include:

- (1) A reference to the state statute establishing the advisory body (i.e. HB 1454 -81st, R) where applicable, or the manner by which the advisory board was established;
- (2) The request shall list the names of the public members, along with their contact information if known. If members are not selected, the requester should identify the name and representation criteria for public members for whom travel support is requested; and
- (3) The request shall also include the dates of the advisory committee meeting dates for that fiscal year, if a schedule has been established, or the expected frequency / number of meetings during each year.

The request shall be submitted to the TCDD Operations Director using the appropriate **Request for Advisory Committee Member Travel Funds** form. It is the responsibility of the requesting agency to update the TCDD Operations Director of any changes in the roster of approved members, their contact information, and revised or additional meeting dates as they are developed. If additional meeting dates are required during the fiscal year, a separate request must be made in writing.

Approval Process

TCDD will provide a written response to the requesting agency, via email indicating TCDD approval when a decision is finalized, or indicating the reason for not approving. A copy of all approved confirmations will be provided to the CDS, who receives grant funds from TCDD, coordinates the travel support for approved members, and manages the travel funds.

Parameters of Approved Requests

Travel support for an advisory committee will be approved for not more than two years. After the two year period, if the advisory committee has not become self-supportive or if funds are not available in the requesting agency's budget, the request must be re-submitted to TCDD for re-approval. All requests for re-approval must include a summary of efforts made to secure other funding, and must summarize the agency's effort to seek legislative approval to reimburse members of that committee. It is the responsibility of the governing agency for public members to have the opportunity to participate as members of agency advisory bodies and should seek to not appoint members currently serving on other advisory bodies as best possible. TCDD will not provide travel assistance for a family member or self-advocate on more than one advisory committee concurrently. TCDD travel support is limited to official meetings of the advisory group. Travel expenses to attend related conferences or hearings are not included.

Responsibilities of the Advisory Committee Contact

Each advisory committee approved for TCDD travel support is expected to designate an agency primary contact. The TCDD Operations Director will review the travel support process with each coordinator, and advise the agency coordinator / liaison to contact the CDS to become familiar with the travel protocol and to provide information necessary to set-up each approved traveler in the UT accounting systems. This person's information must be submitted to CDS to establish a contact for each advisory committee. The agency coordinator / liaison is also responsible to notify the CDS in a timely manner of changes in approved public members eligible for TCDD support for CDS to set new members up in the UT Accounting system, and to advise those members to contact CDS as soon as possible to provide necessary information.

Responsibility of the Public Member

All appointed public members who have received approval to travel on behalf of their advisory committee will make contact with CDS as soon as they are appointed to the advisory committee, or at least one month prior to the member's first meeting so that UT can add member information into the UT system, via a Personal Identification Form. CDS will provide each member with a Travel & Reimbursement Guide. For subsequent travel, public members must contact CDS no later than two weeks prior to any travel date and must submit a Request for Travel Authorization if they will be requesting reimbursement. Travelers will follow and adhere to the reimbursement and travel guidelines established by UT. Travelers are required to submit reimbursement paperwork with original receipts to CDS no later than 30 days after the date of travel. If receipts and required documentation are not received within thirty (30) days, reimbursement may be delayed, and in some circumstances may be denied. Travelers may only request travel expense reimbursement for approved dates of official meetings. Travel expenses for dates outside of the pre-approved dates for official meetings will not be

reimbursed. No reimbursement will be made for travel expenses to attend conventions, seminars, or trainings outside of the scope of the Advisory Committee purpose. Travelers are required to provide updated information to CDS as soon as changes are known.

Process for Requesting Funds

TCDD considers funding for advisory committee travel on a two year basis. TCDD staff can only issue a grant award for funds for that period approved by the Council. The Center for Disability Studies will provide TCDD with information necessary to finalize a grant award in a timely manner, and will provide information concerning the need to revise that grant award at least 30 days before funds in the current award are exhausted.

Documenting Expended Funds

It is the responsibility of CDS to maintain documentation of the expended or disbursed travel funds. CDS will provide a quarterly report of disbursed funds to the TCDD Operations Director in a jointly approved line-item format.

Documenting Outcome Measures

It is the responsibility of CDS to provide an Outcome Measures Report twice a year to the TCDD Operations Director, which will include:

- (1) The name of each advisory committee approved by TCDD for travel support;
- (2) Per advisory committee group, the name of each public member who received travel assistance, what assistance they received;
- (3) The status of each individual, or family member with a developmental disability that does not have organizational support; and
- (4) The dates each individual traveled for advisory committee meetings during that fiscal year.

Approval Term

The Texas Council for Developmental Disabilities has approved travel support funding for two years beginning July 1, 2015 through August 31, 2017.

TEXAS COUNCIL FOR DEVELOPMENTAL DISABILITIES
Request for Advisory Committee Member Travel Funds

Advisory Body Name: _____

Sponsoring Agency: _____

Authorizing Mechanism for Advisory Body (I.e. Statute; Agency Board; Agency CEO): _____

Purpose / Responsibility of Advisory Body: _____

Agency Coordinator or Contact:

Name:

Email:

Phone:

Total Number of Advisory Body Members: _____

Number of Public Members Needing TCDD Travel Support: _____

Travel Support Request Period (not more than 2 years): From: _____ to: _____

(Request for travel support for an additional two year period may be submitted per TCDD guidelines.)

List meeting dates of Advisory Body, if known. Or the number and frequency of dates if not known:

Note: Sponsor Agency Contact Person is responsible to advise TCDD (and CDS-UT after approval) of changes in meeting dates or rotation of members.

On a separate sheet include the names of all members, their contact information, if known, which members need TCDD Travel Support, and whether they represent themselves or a family member.

Date Received by TCDD: _____ Approved: _____ Not Approved: _____

Signed: _____

Comments: _____

Member Roster Information for Advisory Committee

Member Name	Contact Information	Require Travel Support	Category of Representation
(Example) Mary Smith	111 W. 10 th St. Austin, Texas 78701 512-444-1111 Mary.Smith@gmail.com	Yes	Represents a family member

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.

VII. BUSINESS CONTINUITY AND DISASTER RECOVERY SERVICES

TEA and TCDD agree to furnish mutual aid to each other in the event of a declared disaster:

- A. The requesting party will notify the loaning party immediately upon declaration of a disaster. Services shall be made available to the receiving party within two hours of the notification.
- B. The loaning party will provide space, telephony, desktop and/or laptop computer equipment, and supplies to the requesting party. The loaning party, in its sole discretion, shall determine what can be spared at the time of the disaster without placing its own agency in jeopardy.
- C. The loaning party agrees to allocate a conference room to accommodate a minimum of 10 staff, with power to connect computers, and equipped with one conference phone. The requesting party will provide agency laptops, cell phones, and wireless hot spots, whenever possible.
- D. The requesting party will have sole use of the allocated space during the period of occupancy.
- E. All equipment and personnel loaned hereunder shall be returned upon demand of the lending party or when released by the requesting party upon the cessation of the emergency.
- F. No charge shall be assessed for services rendered by either party.
- G. TEA will include TCDD in their Business Continuity Plan for systems and business recovery.

VIII. 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.

IX. 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.

X. 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.

XI. TERM OF AGREEMENT

This MOU shall commence on September 1, 2015, and shall terminate on August 31, 2016. 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: _____ By: _____

Mary Durham Shirley Beaulieu,
TCDD Chair Chief Financial Officer

Date: _____ Date: _____

TEXAS COUNCIL FOR DEVELOPMENTAL DISABILITIES

PROPOSED FY 2016 BUDGET

	BUDGETED FY 2015 (10/14-9/15)	% OF WHOLE	PROJECTED YEAR END EXPENDITURE FY 2015 (10/14-9/15)	% OF WHOLE	PROPOSED BUDGET FY 2016 (10/15-9/16)	% OF WHOLE	VARIANCE	NOTES
Revenues								
<i>Federal Allotment</i>	\$4,742,116	100.0%	\$4,742,116	100.0%	\$4,745,717	100.0%	\$3,601	1
		0.0%		0.0%				
Total Revenues	\$4,742,116	100.0%	\$4,742,116	100.0%	\$4,745,717	100.0%	\$3,601	
Expenses								
Council Operations	17 FTE		17 FTE		17 FTE			
Salaries	\$981,511	20.7%	936,582.04	19.8%	\$1,033,324	21.8%	\$51,813	
Benefits	234,933	5.0%	282,698.01	6.0%	304,784	6.4%	69,851	
Professional Services	96,014	2.0%	63,494.59	1.3%	108,000	2.3%	11,986	2
Out-of-State Travel	27,000	0.6%	6,302.95	0.1%	25,000	0.5%	(2,000)	3
In-State Travel	58,000	1.2%	56,962.33	1.2%	58,000	1.2%	0	3
Supplies	12,000	0.3%	12,551.69	0.3%	12,000	0.3%	0	
Utilities	32,000	0.7%	25,209.25	0.5%	32,000	0.7%	0	4
Rent - Building - Space	64,570	1.4%	60,848.41	1.3%	69,989	1.5%	5,419	5
Rent - Computers - Equip	35,000	0.7%	23,150.35	0.5%	40,000	0.8%	5,000	6
Capital Expenditures	0	0.0%	-	0.0%	0	0.0%	0	
Other Oper. Expenses	105,100	2.2%	44,394.99	0.9%	120,367	2.5%	15,267	7
Total Operating Expenses	\$1,646,128	34.7%	\$1,512,195	31.9%	\$1,803,464	38.0%	\$157,336	
Admin. Reimb. To TEA	\$50,000	1.1%	\$50,000	1.1%	\$50,000	1.1%		
Available for Grants	\$3,045,988	64.2%	\$3,179,921	67.1%	\$2,892,253	60.9%	(\$153,735)	
TOTAL EXPENSES	\$4,742,116	100%	\$4,742,116	100%	\$4,745,717	100%	\$3,601	

NOTES:

¹ Overall increase of FY 16 is \$157,336

² Professional Services: Training - \$15,000; Auditor - \$41,700 (Internal \$37,700 & Peer \$4,000); CPA Desk Reviews - \$8,000; Legal Services - \$3,000; Job Coaches - \$5,500; Review Panelist - \$4,000; Web Hosting - \$1,800; Computer Programming w/TEA \$5,000; Other contracted \$24,000 (Consultants \$6,000 & Temp Services \$18,000)

³ Travel - In-State Council - \$41,500; Out-of-State Council - \$12,250

Travel - In-State Staff - \$16,500; Out-of-State Staff - \$12,250

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

⁵ Rent-Building & Space: Office & Storage Space - \$46,389; Quarterly Council Facility Rooms - \$23,600

⁶ Rent-Machine - Rental of laptops - \$8,890; Quarterly Council AV rental - \$26,500; Rental of copier - \$4,610

⁷ Other OE: NACDD Dues - \$22,000; Contingency for 18th FTE - \$0, Printing,

Registration, Publications, Maintenance & Repair, Postage, Cleaning, Delivery, Advertising, Interpreter/translator, Security, Furniture & Equipment, Software, and Awards - \$98,367

**COMMITTEE OF THE WHOLE
DRAFT MINUTES
AUGUST 6, 2015**

COUNCIL MEMBERS PRESENT

Kimberly Blackmon	Sara Kendall, DARS	Cindy Swain, TEA
Gladys Cortez	Penny Larkin, DADS	David Taylor
Kristen Cox	Ruth Mason	Lora Taylor
Mateo Delgado	Scott McAvoy	John Thomas
Elaine Eisenbaum, UT CDS	Michael Peace	Richard Tisch
Ivy Goldstein, DSHS	Brandon Pharris	Dan Zhang, A&M CDD

COUNCIL MEMBERS ABSENT

Mary Durham, Council Chair	Andrew Crim	Dana Perry
Hunter Adkins	Mary Faithfull, DRT	Cindy Swain, TEA
Kristine Clark	Stephen Gersuk	Nancy Walker, HHSC

STAFF MEMBERS PRESENT

Beth Stalvey, Executive Director	Joanna Cordry	Linda Logan
Martha Cantu	Cynthia Ellison	Jessica Ramos
Belinda Carlton	Danny Fikac	Fernando Rodriguez
	Ashley Ford	Koren Vogel

GUESTS PRESENT

Jeff Miller, DRT	Amy Sharp, A&M CDD	Donnie Wilson, DADS
Darryl Powell	Carrie Warner	

CALL TO ORDER

The Committee of the Whole of the Texas Council for Developmental Disabilities convened on Thursday, August 6, 2015, in the Veramendi Salon G of the Embassy Suites San Marcos Hotel, 1001 East McCarty Lane, San Marcos, TX 78666. Council Vice-Chair Kristen Cox called the meeting to order at 9:35 AM.

1. INTRODUCTIONS

Council members, staff and guests introduced themselves. Executive Director Beth Stalvey provided background on her experience with the Georgia and North Carolina DD Councils as well as previous experience with TCDD and the Texas Department of Aging and Disability Services.

Council Vice-Chair Cox reviewed member absences to include Hunter Adkins, Kristine Clark, Andy Crim, Stephen Gersuk, Dana Perry and representatives from Disability Rights Texas. She noted that Council Chair Mary Durham had to attend to a business matter but would be joining they Council as soon as possible.

2. PUBLIC COMMENTS

Planning Coordinator Joanna Cordry read a public comment letter from Shaun Bickley who requested the Council place a priority on leadership and advocacy training that focuses specifically on self-advocates.

3. CHAIR AND EXECUTIVE DIRECTOR REMARKS

Planning Coordinator Cordry introduced new staff member Danny Fikac who began his position as Planning Specialist on July 1, 2015. Fikac has experience as an HCS Coordinator with Bluebonnet Trails Community Services as well as a guardianship specialist with the Texas Department of Aging and Disability Services (DADS).

Cordry then discussed her experience at the NACDD National Conference which was focused on diversity and self-advocacy. She also discussed training received at the AIDD Technical Assistance (TA) Institute on increased reporting measures.

Council Member Lora Taylor spoke on her experiences at the NACDD Conference & AIDD TA Institute. She emphasized the need for the Council to “narrow our goals and drill deeper” in regards to develop of the state plan. She also thanked Cordry and all TCDD staff because it was evident that TCDD very well respected on the national level and specifically is leading the way in activities that address the needs of the unserved and underserved. Council Member Michael Peace also spoke on his experience at the NACDD conference and the training that was presented for self-advocates.

Council Member Gladys Cortez reported on her experience at the *National Down Syndrome Congress & Convention* in Phoenix, AZ which she attended with her parents and her young sister who has Down syndrome. Texas Department of State Health Services representative Ivy Goldstein spoke on the Texas Parent to Parent annual conference.

TCDD Public Policy Director Jessica Ramos discussed the American Association on Intellectual and Developmental Disabilities (AAIDD) Texas Conference. Public Policy Specialists Belinda Carlton and Linda Logan spoke on the Texas Advocates Conference and the Texas Autism Research Conference.

Council Member Ruth Mason discussed her son’s experiences with customized self-employment.

4. 84th TEXAS LEGISLATURE UPDATE

TCDD Public Policy staff provided a wrap-up of the 84th Texas Legislature. Public Policy Director discussed legislation and activities related in Interest List Reduction, Promoting Independence, Autism Services, and Medicaid Benefits. Public Policy Specialist Carlton discussed legislation related to Housing and Guardianship Reform and Supported Decision Making. It was noted that great improvements were made in Texas regarding Guardianship reform and efforts will continue through the next session. Public Policy Specialist Logan discussed legislation related to mental health issues. Ramos further reported on Sunset legislation that will consolidate Health & Human Services (HHSC) agencies in Texas as well as changes to state advisory committees and work groups. Public Policy Assistant Ashley Ford discussed election information.

5. COUNCIL MEMBER TRAINING: COUNCIL CHALLENGE

Council members participated in a training activity in the form of a *Jeopardy* style challenge that covered the topics of the TCDD State Plan Development, Sunset Commission restructuring of HHSC, 84th Texas Legislature, and the history of TCDD and Developmental Disabilities Act.

6. FY 2017-2021 STATE PLAN GOAL AREAS

Planning Coordinator Joanna Cordry led a discussion on the development of the FY 2017-2021 State Plan. She discussed the timelines for the development in which goals and objectives will be

determined by the Council during the November 2015 and February 2016 meetings, public comment will be obtained during the spring of 2016, and plan will be finalized and submitted to the Administration on Intellectual & Developmental Disabilities (AIDD) in August 2016. Cordry reviewed the requirements of the plan and noted that AIDD measurements include self-advocacy, changes in policy and practice, and systems change. Cordry and members discussed TCDD strengths, weaknesses, opportunities and threats then further discussed goal areas. She reminded members of the need for the State Plan to have a narrow focus. Cordry reported on self-advocate input that was provided to Belinda Carlton during the Texas Advocates conference and noted how this input influenced recommended goal areas. She recommended four goal areas that include: support people to make decisions and control lives, decreasing the number of individuals in state institutions, people with developmental disabilities and their allies influence policies and practices, and implementation of the plan that responds to emerging issues. Members provided input on the four recommended goals and staff will further develop the goals for discussion at the November 2015 meeting.

ADJOURN

Council Vice-Chair Cox adjourned the Committee of the Whole adjourned at 1:40 PM.

Beth Stalvey
Secretary to the Council

Date

Background:

Per the Audit Plan approved by the Council in February 2015, an audit was conducted by Weaver & Tidwell, LLP on the procedures, controls and significant processes of TCDD. The report of this completed audit is included behind this tab.

The Audit plan designated a review of Grant Management in FY 2016 and Website Maintenance in FY 2017. After discussions between TCDD staff and internal audit staff, it is proposed that Website Maintenance be reviewed in FY 2016 to avoid conflicts with the legislative session and Grant Management be reviewed in FY 2017 due to current staffing resources. The Audit Committee considered these recommendations at the Audit Committee meeting on October 13, 2015 and will recommend Council approve these changes.

Council**Agenda Item 7-8.****Expected Action:**

The Council will review Audit findings and consider recommendations from the Audit Committee.

Quarterly Council and Committee Meetings

Tentative Dates

February 3-5, 2016
Sonesta Bee Caves

May 4-6, 2016
Doubletree Arboretum Austin North

August 3-5, 2016
Horseshoe Bay Resort

November 2-4, 2016
(tentative)

Council Meeting

Agenda Item 16.

Expected Action:

Discussion only; no action is anticipated.