

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