

Texas Council for Developmental Disabilities
Quarterly Meeting
Sonesta Bee Cave Austin
12525 Bee Cave Parkway
Bee Cave, Texas 78738

Meeting Schedule

Wednesday, February 3, 2016

3:00 PM – 6:00 PM

Executive Committee Meeting
Room: Colony Ballroom E

Thursday, February 4, 2016

9:30 AM – 1:00 PM

Committee of the Whole
Room: Colony Ballroom C

Lunch provided for Council Members and staff

1:30 PM – 4:30 PM

Project Development Committee Meeting
Room: Colony Ballroom D

Public Policy Committee Meeting
Room: Colony Ballroom E

Friday, February 5, 2016

9:00 AM – 11:30 AM

Council Meeting
Room: Colony Ballroom C

Executive Committee Meeting — Agenda

Sonesta Bee Cave Austin

Room: Colony Ballroom C

Wednesday, February 3, 2016, 3:00 PM – 6:00 PM

Call to Order

1. **Introductions of Committee Members, Staff and Visitors**
2. **Public Comments**
3. **Consideration of November 4, 2015, Minutes — TAB 1 — ACTION ITEM**
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. **TCDD Quarterly Financial Report — TAB 4**
8. **Consideration of Continuation Grant Awards — TAB 5 — ACTION ITEM**
 - A. Any Baby Can – *Health and Fitness*
 - B. Texas Statewide Independent Living Council – *Health and Fitness*
 - C. Texas Department of Assistive and Rehabilitative Services – *Higher Education - Project HIRE*
9. **Review Panel Recommendations — TAB 6 — ACTION ITEM**
 - A. Accessible Transportation Summits
 - B. Leadership Development and Advocacy Training
10. **Review and Proposed Revisions to Texas Administrative Code — TAB 7 — ACTION ITEM**
11. **Proposed Revisions to Council Policies and Procedures — TAB 8 — ACTION ITEM**
12. **Conflict of Interest Disclosures**
13. **Executive Session: Evaluation of Executive Director**
14. **Other Updates**

Adjourn

Committee of the Whole Meeting — Agenda

Sonesta Bee Cave Austin

Room: Colony Ballroom C

Thursday, February 4, 2016, 9:30 AM – 1:00 PM

Call to Order

1. **Introductions of Committee Members, Staff and Visitors**
2. **Public Comments**
3. **Chair and Executive Director Remarks**
 - A. Member and Staff Reports
 - B. Annual Program Performance Report
 - C. Other Updates
4. **Grantee Highlights and Presentation – *Texas Tech University Higher Education Project***
5. **Public Information Report — TAB 9**
6. **TCDD Financial Report — TAB 4**
7. **FY 2017 – FY 2021 State Plan Goals and Objectives — TAB 10 — ACTION ITEM**
8. **Council Challenge**

Adjourn

Project Development Committee Meeting — Agenda

Sonesta Bee Cave Austin

Room: Colony Ballroom D

Thursday, February 4, 2016, 1:30 PM – 4:30 PM

Call to Order

1. **Introductions of Committee Members, Staff and Visitors**
2. **Public Comments**
3. **Consideration of November 5, 2015, Minutes — TAB 11 — ACTION ITEM**
4. **Chair's Remarks**
5. **Member Updates**
6. **Staff Reports — TAB 12**
 - A. Status of New Projects
 - B. Project Funds Available
 - C. Other Updates
7. **Future Activities for State Plan Implementation — TAB 13 — ACTION ITEM**
 - A. Higher Education Collaborative
 - B. Promotion of Supported Decision-Making and Alternatives to Guardianship
8. **Future Project Funding Priorities — TAB 14 — ACTION ITEM**
9. **Other Discussion Items — TAB 15**

Adjourn

Public Policy Committee Meeting — Agenda

Sonesta Bee Cave Austin

Room: Colony Ballroom E

Thursday, February 4, 2016, 1:30 PM – 4:30 PM

Call to Order

1. **Introductions of Committee Members, Staff and Visitors**
2. **Public Comments**
3. **Consideration of November 5, 2015, Minutes — TAB 16 — ACTION ITEM**
4. **Chair's Remarks**
5. **Member Updates**
6. **Position Statement Review — TAB 17 — ACTION ITEM**
 - A. Emergency Preparedness
 - B. Family Support Services
 - C. Guardianship Reform and Supported Decision Making
 - D. Children and Families
7. **Public Policy Issues — TAB 18**
 - A. Federal Policy Issues
 - B. State Supported Living Centers Update
 - C. State Policy Issues
8. **Other Discussion Items — TAB 15**

Adjourn

Council Meeting — Agenda

Sonesta Bee Cave Austin

Room: Colony Ballroom C

Friday, February 5, 2016, 9:00 AM – 11:30 AM

Call to Order

1. **Introductions of Committee Members, Staff and Visitors**
2. **Public Comments**
3. **Consent Items — ACTION ITEM**
 - A. Consideration of November 5-6, 2015, Minutes — **TAB 19**
 - B. Excused Absences of Council Members
4. **Chair's Report**
5. **Executive Director's Report**
 - A. Staff Updates
 - B. Other Updates
6. **Election of Council Vice-Chair — ACTION ITEM**
7. **Election of Self-Advocate Member of Executive Committee — ACTION ITEM**
8. **Review and Proposed Revisions to Texas Administrative Code — TAB 8 — ACTION ITEM**
9. **Future Activities for State Plan Implementation — ACTION ITEM**
 - A. Higher Education Collaborative — **TAB 13**
 - B. Promotion of Supported Decision-Making and Alternatives to Guardianship — **TAB 13**
 - C. Future Funding Priorities — **TAB 14**
10. **Position Statement Review — TAB 17 — ACTION ITEM**
 - A. Emergency Preparedness
 - B. Family Support Services
 - C. Guardianship Reform and Supported Decision Making
 - D. Children and Families
11. **TCDD State Plan Goals and Objectives — TAB 10 — ACTION ITEM**
12. **Executive Committee Report**
 - A. Grants Activities Reports
 - B. Grant Awards
 - C. TCDD Quarterly Financial Report
 - D. Conflict of Interest
 - E. Council Policy Revisions and Timelines
 - F. Other Discussion Items
13. **Project Development Committee Report**
 - A. Grants and Projects Report
 - B. Other Discussion Items
14. **Public Policy Committee Report**
 - A. Public Policy Issues
 - B. Other Discussion Items
15. **Announcements and Updates — TAB 20**

Adjourn

Executive Committee Meeting Minutes	Tab 1
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Background:

Minutes of the November 4, 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
NOVEMBER 4, 2015**

COMMITTEE MEMBERS PRESENT

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

COUNCIL MEMBERS PRESENT

John Thomas

STAFF PRESENT

Beth Stalvey, Executive Director	Cynthia Ellison Danny Fikac	Joshua Ryf Koren Vogel
Martha Cantu	Wendy Jones	
Joanna Cordry	Jessica Ramos	

GUESTS PRESENT

Kathy Holdway

CALL TO ORDER

The Executive Committee of the Texas Council for Developmental Disabilities convened on Wednesday, November 4, 2015, in the Limestone Room at the Horseshoe Bay Resort, 200 Hi Circle North, Horseshoe Bay, TX 78657. Council Chair Mary Durham called the meeting to order at 2:11 PM.

1. INTRODUCTIONS

Committee members and staff were introduced.

2. PUBLIC COMMENTS

Council Vice-Chair Kristen Cox discussed circumstances at Texas A&M University where her son attends that have relocated the Offices for Students with Disabilities to a part of the campus that is difficult for students to reach in a timely manner. She asked everyone to consider signing a petition through change.org which asks the university to move the office back to the main campus.

Public comments regarding the Building Community Capacity through Collaboration project from A Circle of Ten were deferred until the consideration of that project.

3. CONSIDERATION OF MINUTES

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

MOTION: To approve the minutes of the August 5, 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 reported the expected absences for the meeting which include Kristine Clark (Friday only), Andy Crim, Mateo Delgado, Stephen Gersuk, Dana Perry and representatives from Texas A&M University, Health & Human Services Commission (HHSC), Texas Education Agency (TEA)

Durham also reported that Amy Sharp, formally the alternate representative from Texas A&M Center on Disability and Development, was selected as Executive Director for the Texas Center for Disability Studies at the University of Texas and will now be the representative to the Council for that agency. Sharp also recently replaced Andy Crim on the Audit Committee who resigned due to work conflicts. Megan Sumner was selected as the alternate representative from Texas A&M and has been through Council orientation.

Department of Aging and Disability Services (DADS) representative Penny Larkin has recently moved to the alternate representative position and Donnie Wilson was appointed as the representative from that agency. He has also attended Council orientation.

TEA representative Cindy Swain has retired and a replacement has not been named although Barbara Kaatz continues to serve as the alternate.

Durham discussed her recent meeting with Executive Director Beth Stalvey and Gaby Fuentes of the Governor's appointments office. Fuentes reported that there are only 10-12 applications to serve on the Council and many do not meet the criteria. Stalvey and Durham expressed the need for increased cultural diversity on the Council as well as the need for representation from areas other than the IH-35 corridor, Houston and El Paso. It was also noted that any applications that were submitted under Governor Perry were archived when Governor Abbott took office so anyone who submitted prior to January 2015 would need to submit a new application.

5. EXECUTIVE DIRECTOR'S REPORT

Executive Director Stalvey reviewed stipend awards that were approved during the past quarter to the following applicants:

- Coalition of Texans with Disabilities: Speakers stipend for up to \$1,330 for the *12th Annual Cinema Touching Disability Film Festival & Short Film Competition* on November 6, 2015, in Austin.
- Texas Center for Disability Studies: Events stipend for up to \$6,000 for *The Texas Gathering* on November 5-7, 2015, in Arlington.

Stalvey provided an update on TCDD staff noting 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. Grants Management Specialist Susan Mihalik recently resigned and her final day with TCDD was November 3, 2015. All TCDD staff continue to contribute to cover additional tasks during this transition.

Stalvey recently attended the National Association of Councils on Developmental Disabilities (NACDD) Executive Directors meeting in Atlanta. Administration on Intellectual and Developmental Disabilities (AIDD) Commissioner Aaron Bishop presented on changes to the

federal structure that increase opportunities for collaboration. Staff from the Centers for Disease Control presented on disability data and resources. The directors also attended a tour of the Civil and Human Rights Museum which includes exhibits related to the disability rights movement and provided a background for discussion on Councils' role in addressing cultural competency and diversity.

Stalvey discussed dates and locations selected for FY 2016 meetings. She noted that the location of Horseshoe Bay Resort provides the best value from the proposals received and for the dates selected.

6. GRANTS ACTIVITIES REPORTS

Senior Grants Management Specialist Cynthia Ellison reported that the Culturally Competent Family Supports project from Light and Salt began during the quarter. She further noted that the Committee's request for clarification on the day programs in this project proposal was addressed with the grantee and the component is not the traditional day habilitation that the Council does not wish to fund. The Outreach and Development project from Nuevos Horizontes requested a reduction of their contributed match but are still above the required 25%. Ellison 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 projects from Texas SILC that show as pending are now complete.

Ellison reviewed the risk assessments for projects that are to be considered for continuation noting that the reasons for the increase in assessed risk for A Circle of Ten will be discussed when the continuation is presented.

Operations Director Martha Cantu discussed staff follow-up at the Committee's request regarding the award of \$50,000 to the Texas Center for Disability Studies (TCDS) to provide travel support to advisory committee members. She noted that options to continue funding this support would be to continue with TCDS but work to resolve the reporting compliance issues or terminate the funding and post a Request for Proposals (RFP) to find another organization who can distribute the funds. Posting a new RFP would result in a significant delay in providing travel funds for advocates who depend on this to attend their meetings. Cantu and Stalvey also met with Amy Sharp as the new Executive Director of that agency who is now aware of the reporting issues. It was determined that continuing to fund these activities through TCDS is the best course of action and improvement in the reporting process is expected.

7. CONSIDERATION OF CONTINUATION GRANT AWARDS

A Circle of Ten Executive Director Kathy Holdway provided public comments regarding the Building Community Capacity through Collaboration project. She discussed the history of the project noting that agency has developed a strategic plan and will complete the first year of project implementation in February 2016. Holdway expressed her feelings that the project's success is based on the trust and support of leaders who are subject experts but that collaboration is rarely easy and that changes to the project work plan were suggested by collaborating organizations. She acknowledged that the project did fail in that A Circle of Ten did not make clear in the work-plan that pilot projects belonged to collaborating partners and that allowances were not made for partners to withdraw or have complications. She felt they did not insist on enough guidance from TCDD and asked that the project be continued.

Executive Director Stalvey read a letter from Timothy Pylate who formerly served as the Executive Director of the Arc of the Gulf Coast and was a collaborating partner with A Circle of Ten. He reviewed his history with the project but also discussed his belief that funding amounts do not allow the project to be successful in implementing the collaborative pilot projects associated with it. Pylate asked that funding to A Circle of Ten be continued.

TCDD Grants Management Specialist Wendy Jones reviewed the executive summary for continuation funding to A Circle of Ten for Building Community Capacity through Collaboration. She first reviewed the intent of the RFP to build community capacity to prevent/reduce admissions to state supported living centers. She then discussed the specific project goals which include the development of a strategic plan based on community needs assessment; identify existing supports, services and programs and develop a resource list; research and partner with stakeholders to determine individuals with developmental disabilities and assess their needs; and implement five pilot projects aimed at addressing those needs. Jones noted that it was the implementation of these pilot projects that has caused conflict and confusion with the project and the grantee. She explained that the work-plan shows TCDD funds would be used to directly implement the projects but the intention according to the grantee is to use TCDD funds to leverage additional funds from other organizations to implement these projects. Chair Durham noted that the activity of leveraging additional funds was not included in the RFP and was not clearly presented in the grantee's strategic plan or the current work-plan. Jones further added that the measurable objectives were written to show specific numbers of individuals were trained in specific areas and these objectives have not been met. Jones discussed each pilot project noting that pilot projects were either not implemented due to problems with partners or were being implemented with funding sources that were not TCDD funds. Jones was unsuccessful in her efforts to establish links that showed TCDD funds were supporting specific activities with partners such as the Center for Autism and Developmental Disabilities at the University of Houston-Clear Lake and Texas Children's Hospital.

Jones noted that if funding is continued for the second implementation year, outcomes will need to be further defined to prevent confusion. Committee members questioned if funding the next year would essentially be funding activities that were expected from the previous year. Jones replied that outcomes would need to be defined as showing that TCDD funds were used to leverage additional funding to implement those projects. Durham noted that this was not the initial intent of the project but that TCDD funds should be used to implement specific activities. Members further questioned what TCDD funds were used for and Jones replied that funding went to personnel, travel, purchased services and equipment.

It was noted that grants staff have significant concerns regarding this project and do not recommend continuation funding. Committee members acknowledged that if funding were continued it would change the intent of the RFP and this would essentially require a new posting. Durham clarified that the mission of the Council is not to leverage funds from other organizations.

MOTION: To not approve continuation funding to the A Circle of Ten for the second implementation of the Building Community Capacity through Collaboration project.

MADE BY: Kristen Cox

SECOND: Gladys Cortez

Holdway asked the Committee to not make a decision today because A Circle of Ten is continuing to work on the activities and building partnerships. She expressed that capacity building grants are different than typical projects and asked for additional consideration.

The motion **passed** without opposition. Michael Peace abstained from voting.

Grants Management Specialist Jones reviewed the executive summary for continuation funding to Community Healthcore for year two implementation of Building Community Capacity through Collaboration project. This project established the East Texas Community Living Network (ETCLN) to enhance and expand community supports for people with developmental disabilities in order to reduce/prevent admissions to state supported living centers. Jones reviewed the goals of the project which include strengthening the capacity of community supports through Asset Based Community Development (ABCD) and to increase awareness of the ETCLN and existing resources. During the first year of implementation 18 people have been trained to facilitate Planning Alternative Tomorrows with Hope (PATH), 54 people attended Person-Centered Thinking trainings, 2 Leadership Academy groups were formed, and 2 community projects were started by members of the Leadership Academy but were later dissolved because they did not adhere to the ABCD model. Changes to the Leadership Academy are planned for the next year to better implement the curriculum. It was acknowledged that changes to key staff have occurred with this project but outcomes are expected to improve with new staff that are implementing the project. Jones noted that due to the staffing issues, the first year of this project was extended by three months so the continuation to be considered is actually for nine months. Durham clarified that despite the staff issues, the grantee conducted the agreed upon activities and that all positions have now been filled.

MOTION: To approve up to \$78,329 in continuation funding to Community Healthcore for the 2nd implementation year of a 5-year Building Community Capacity through Collaboration project.

MADE BY: Lora Taylor

SECOND: Kristen Cox

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

Senior Grants Management Specialist Ellison next reviewed the executive summary for continuation funding to Texas A&M University for the final 10 months of a five year Bridge to Career in Human Services higher education project. Ellison reviewed project accomplishments which include 42 students in a 5-week summer program for 2014 with 26 of those students continuing in an extended fall program and 18 graduating, 74 applications were received with 31 admitted for the 2015 academic year, Department of Assistive and Rehabilitative Services (DARS) funding has been approved for individuals to attend these programs, and training tracks have been added to include child care in addition to human services. The final project year will include additional recruitment and training of students. Staff do not have concerns and recommend continuation of this project

MOTION: To approve up to \$217,565 in continuation funding to Texas A&M University for the final year of a 5-year Higher Education project.

MADE BY: Lora Taylor

SECOND: Michael Peace

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

Grants Specialist Jones reviewed the executive summary for continuation grant funding to Texas Tech University for Project CASE higher education project. She noted that two executive summaries have been presented, one for the final seven months of the project and one for 12 months (additional 5 months past the end of the project) at the original funding amount. She noted that the original goal of the project was to have ten students graduated and found competitive employment at the end of the five year project. At this point, 12 students have graduated with 5 in competitive employment, 2 are working on 4-year degrees, 2 are pursuing masters degrees and working as research assistants, 2 have been accepted in graduate programs and 1 is working with DARS to find employment. 25 students are currently enrolled with 11 in paid internships and 5 in non-paid internships. The final seven months of the project would continue the current activities. The proposal for extending the project for 5 months would plan, design and hold a statewide conference to engage partners to collaborate in higher education activities for people with developmental disabilities or add a day to the Texas Transition conference for the same collaborative activities. Funding for the additional five months would not exceed the original allocated amount for the final year of the project.

MOTION: To approve up to \$222,924 in continuation funding to Texas Tech University for the final seven months of a 5-year Higher Education project and for an additional five months to include the establishment of collaborative activities with other organizations regarding higher education for people with developmental disabilities. These activities should be prioritized by adding to the Texas Transition Conference and then if funds are available, establish a second stand-alone conference.

MADE BY: Kristen Cox

SECOND: Gladys Cortez

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

Planning Coordinator Joanna Cordry discussed the success of the higher education projects and noted other community colleges and universities are looking at adding programs for students with developmental disabilities. She suggested the potential for a 2-5 year project that could combine the knowledge of the existing projects and provide education for other entities. Durham agreed and suggested it be addressed in Project Development Committee discussions for future funding ideas.

Durham also requested that project staff from Texas Tech University provide a presentation to the Council on the higher education project.

8. APPEAL OF FUNDING DECISIONS – HELPFUL INTERVENTIONS

Executive Director Stalvey reminded Committee members of decisions at the August meeting to fund Culturally Competent Family Support projects and that an application from Helpful

Interventions was not approved for funding. An appeal was received from Helpful Interventions on this decision and staff responded per policy acknowledging the appeal and then conducting an evaluation of the appeal with the results sent to the Executive Committee. Council policies do not allow appeals based on the content of the funding decision but only on the process of determining those decisions. It was found that TCDD staff and the Committee did follow the process in basing its decision to not award funding to Helpful Interventions.

MOTION: To uphold the Committee decision to the not award funding to Helpful Interventions.

MADE BY: Gladys Cortez

SECOND: Lora Taylor

The motion **passed** unanimously.

Stalvey further noted that Council policies may seem vague to the general public about what information can be considered in an appeal and language to clarify this could be considered in the future. Chair Durham agreed and directed staff to propose revisions when Council policies are considered.

9. **TCDD ADMINISTRATIVE RULES REVIEW**

Executive Director Stalvey reviewed the three levels of policy that govern TCDD and the process to review/amend that policy. The Texas Administrative Code defines the rules adopted by the agency and must be reviewed and re-adopted every 4 years. Council policies and procedures further define operations of the Council and revisions are subject to Council approval. TCDD staff policies and procedures provide details for the day-to-day operations of the agency. TCDD staff policies and procedures were recently evaluated as part of the internal audit activities conducted by Weaver and Tidwell.

The review of the administrative code is due in 2016 and guidelines for the review and/or revision of the code require posting for public comment in the Texas Register. As previously discussed with the Committee, staff drafted proposed amendments which would allow for payment withholding to a grantee that is non-compliant with reporting and documentation.

Stalvey discussed the details for withholding payment but noted that it will be defined in Council policies which will be considered at a future Council meeting.

Committee members discussed the payment withhold policy and offered recommendation for language in the Council policies. Stalvey reviewed draft language for this subject as well as for revisions to the appeal process. Members directed staff to use the language of "calendar days" to be consistent throughout the document.

MOTION: To recommend Council approval of posting TCDD rules in the Texas Administrative Code to the Texas Register for public comment to include the rule review and adoption of revisions to allow for payment withholding for a non-compliant grantee.

MADE BY: Lora Taylor

SECOND: Michael Peace

The motion **passed** unanimously.

10. TCDD REVIEW PANEL RECOMMENDATIONS

Planning Coordinator Joanna Cordry reported that independent review panels evaluated applications for three projects during the past quarter. Proposals were considered for RFPs for Understanding Employment Options and Supports, TCDD Policy Fellows, and Stakeholder Training on Guardianship Alternatives. Reviewers were asked to consider if the proposal met the intent of the RFP, the quality of the proposed plan, and if the organization can meet the desired outcomes of the project.

Cordry first discussed the Understanding Employment Options and Supports RFP and noted that the project would develop training for individuals to understand options enabling them to continue to receive SSI/SSDI while increasing income and assets through gainful employment. The review panel ranked the proposal from the National Disability Institute (NDI) as one of two top proposals noting that a comprehensive infrastructure through NDI already exists and that a similar program in Florida could be adapted to meet Texas' needs. Some review panel concerns are that Spanish language materials would not be available until the second year and that people with disabilities may not have access to technology needed for training. Staff acknowledged that due to the complexity of the topic, most individuals with disabilities would need support while being trained.

A proposal from Community Options, Inc. was determined to be the second top-ranked proposal. This is an established organization that would share resources to develop materials and a curriculum training manual to be shared with human services providers. It would establish peer advisors to enhance training and appear in training videos. Concerns of the review panel include the sustainability of the peer-advisors after TCDD funding ends and that the first phase of project appears to be overly ambitious in that more time would be necessary to complete the goals.

A third project from the University of North Texas was ranked behind the other two proposals and was not recommended for funding consideration due to multiple concerns. A fourth proposal was submitted but was incomplete and therefore not evaluated by the review panel.

MOTION: To award funding of up to \$150,000 per year for up to two years to the National Disability Institute for Understanding Employment Options and Supports project.

MADE BY: Mary Durham

SECOND: Lora Taylor (Attachment 4)

It was clarified that NDI is a non-profit. It was also recommended that contractors for Spanish translation of materials should be local to Texas.

The motion **passed** unanimously.

Cordry next reviewed review panel recommendations for TCDD Policy Fellows. The top ranked proposal was received from Texas Parent to Parent but a number of concerns were expressed. The proposal did not list a salary for the selected fellow but noted the individual would be paid with match funds. It was also noted that the fellow would be an individual with a disability or a

family member but the RFP made clear the need for a person with a graduate-level understanding of policy issues. The focus appeared to have the fellow developing training for self-advocates and would need to “master the continuum of disability policy issues”. Concern was also expressed that the fellow would be working with organizations that do not share the philosophies of the Council regarding integrated residential settings.

The second ranked proposal was from Easter Seals of Central Texas and also had significant concerns. The job description for the fellow was not well defined but seemed to be focused on an advocate training program. Support and training for the fellow was also not defined. Errors in the proposed budget were substantial.

The third ranked proposal was from the Providers Alliance for Community Services of Texas and also lacked a focus on training the fellow but indicated the fellow would work with a provider to help teach self-advocacy to the people they serve. The fellow would focus on long-term care which is a TCDD policy priority but concerns included the described job duties that were more outreach focused than policy oriented. Significant budget concerns including lack of funding for the supervision of the fellow were also noted.

Committee members expressed a dis-satisfaction with all of the proposals and noted that they did not feel the applications met the intent of the RFP.

MOTION: To not fund any of the received proposals for TCDD Policy Fellows.

MADE BY: Gladys Cortez

SECOND: Mary Durham

The motion **passed** unanimously. Durham directed staff to re-issue the RFP as soon as TCDD staff member schedules allow.

Cordry next reviewed the proposal from Disability Rights Texas for Stakeholder Training for Guardianship Alternatives. A second proposal was not complete. The review panel felt the proposal has the potential for a large impact by focusing on a variety of groups including individuals and families, legal professionals, educational professionals and others. The proposal supports individuals’ full inclusion in community and promotes self-determination. Disability Rights Texas has been engaged as a partner with the Texas Guardianship Reform and Supported Decision Making group. Concerns are that products should address diversity and be expanded to include more than English, Spanish, and American Sign Language. It was acknowledged that the project would not be sustainable past TCDD funding but wouldn’t be expected as such.

MOTION: To approve funding of up to \$40,000 per year for up to three years to Disability Rights Texas for Stakeholder Training on Guardianship Alternatives project.

MADE BY: Lora Taylor

SECOND: Michael Peace

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

11. TCDD QUARTERLY FINANCIAL REPORT

Operations Director Cantu reviewed the quarterly financial report noting that FY 2014 funds have been fully obligated and no funds are expected to remain from that budget year. FY 2015

funds have been obligated with \$765,478 still available to re-obligate for projects. FY 2016 funds are budgeted on projected basis equal to FY 2015 funds as the Notice of Grant Award is not expected from the federal government until February and there is expected to be an approximate \$750,000 balance after planned projects. Committee members asked that future budget reports be presented prior to the Committee making decisions on funding grant projects so that they are fully aware of the availability of funds. It was noted that when developing future projects, consideration should be given to higher funding amounts.

Cantu further reviewed operating expenses for FY 2015 and noted that although negative variances are noted for staff benefits the overall budget will not be exceeded. Operating expenses for FY 2016 were not presented as only one month has passed but will be reviewed at the next meeting.

A revised/condensed format of the funds allocated to current grantees was presented and Committee members were generally in favor of the proposed format. Revisions were suggested to include subtotals for each project year and indicate the project year.

12. CONFLICT OF INTEREST DISCLOSURES

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

ADJOURN

Chair Durham adjourned the Executive Committee at 5:38 PM.

Beth Stalvey
Secretary to the Council

Date

Attachments

**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 roughly 8 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:

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

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

Expected Results: Project CASE will create a replicable, sustainable higher education model that will build a collaborative partnership with the Burkhardt 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 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



TEXAS COUNCIL *for*
DEVELOPMENTAL
DISABILITIES

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

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TO: TCDD Executive Committee
FROM: Joanna Cordry, Planning Coordinator
SUBJECT: Summary of Review Panel Recommendations
DATE: November 4, 2015

TCDD staff convened review panels to evaluate proposals for three TCDD Request for Proposals (RFPs):

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

1. Understanding Employment Options and Supports RFP Goal: The grantee will make training and information available to people with developmental disabilities and their families so they can continue receiving SSI/SSDI and benefits while increasing income and assets through gainful employment. The effectiveness of the training must be evaluated with target audiences, finalized and packaged for later use by individuals and groups, and made available in a format that allows TCDD to include links to the training on the TCDD website. At least one product must continue to be updated after TCDD funding is completed.

Authorized funding amount per RFP: \$150,000 per year for up to 2 years

Reviewers had concerns about sustainability but found all three fundable if concerns were addressed. **The review panel ranked proposals as follows:**

1. National Disability Institute
1. Community Options, Inc.
2. University of North Texas

The review panel felt that the proposals from the National Disability Institute and Community Options, Inc., were of equal quality. One additional proposal was received but was incomplete and therefore not reviewed.

2. TCDD Policy Fellows RFP Goal: Up to two organizations will each hire and support a TCDD Policy Fellow to develop a deep understanding of policy affecting people with developmental disabilities and the skills to promote self-determination and self-advocacy, thus increasing the number of policy professionals in Texas who have the requisite skills, knowledge, and experience to engage in policy activities.

Authorized funding amount per RFP: \$67,500 per year, per project, for up to 2 years

The review panel ranked proposals as follows:

1. Parent to Parent
 2. Easter Seals Central Texas
-

3. Providers Alliance for Community Services of Texas

Not recommended for funding under this RFP: Texas State Independent Living Center

4. **Stakeholder Training on Guardianship Alternatives Goal:** The grantee will develop and provide training to promote the informed use of supported decision-making and other services, supports, and existing alternatives to guardianship that assist individuals to make their own decisions, maintain civil rights, and reduce the need for guardianship.

Authorized funding amount per RFP: \$40,000 per year for up to 3 years

The proposal submitted by Disability Rights, TX was recommended for funding.

One additional proposal was received but was incomplete and therefore not reviewed.

Summaries of review panel and staff follow. Summaries or review panel comments for proposals not recommended for funding by the panel are included for information purposes. These are not reviewed by staff.

Understanding Employment Options and Supports RFP

Organization: National Disability Institute (NDI)

Location of Main Office: Washington, D.C.

Funding Requested: \$150,000

Match: \$41,957

Strengths Noted by the Review Panel

- NDI has a comprehensive infrastructure with extensive national partnerships. The leadership, operational staff, and subject matter experts appear dedicated to the project and have exceptional qualifications.
- NDI operates an identical program in Florida that will be adapted to meet Texas' needs.
- NDI provides assistance and support to people with disabilities in saving and building financial supports through the FDIC money smart program, which would be a good support.
- NDI will provide information in "bites-sized" lessons and videos, which may be particularly helpful to people with intellectual disabilities (IDD). They will conduct beta-testing of the program.
- There will be cross-training with other relevant systems and CEUs will be available for professionals. This is an excellent way to promote materials and to sustain the project.
- The Real Economic Impact Network can raise public awareness, increase short- and long-term employment opportunities and supports/resources for long-term services, and improve retention of benefits. Connections made through the network and organizations that serve people should get the project started quickly.

Additional Strengths Noted by TCDD Staff

- In effect the curriculum has been field-tested and issues arising in the Florida implementation could inform the Texas version.
- Provided the project could establish relationships throughout Texas to help promote its curriculum, its reach could be statewide. This may be assisted by its association with 230 NDI Real Economic Impact Network members in Texas.
- NDI has extensive experience across many states and nationally.

Concerns Noted by the Review Panel

- It is unclear what role people with disabilities, partners located in Texas, and unserved and underserved individuals will have. Will they be involved in information gathering, in webinars or in short videos? The proposal should include a solid plan detailing outreach and inclusion of people with a range of disabilities and how more grassroots connections would be developed.
- Employers and employed individuals with DD should be included in all aspects of the work.
- Not all people with disabilities have access to technology that they can fully use. This method of providing information and training may not be entirely accessible. Directly reaching out to people with IDD to promote the project may be more effective.
- Materials in Spanish won't be available until year two. It isn't clear they will address other languages (note: translations into other languages is not usually required by TCDD).
- The first phase of the workplan may be too aggressive; NDI may need more time to collect and compile data, share it with the Project Advisory Committee, and prepare a training plan.

Additional Concerns Noted by TCDD Staff

- It is likely that the principal challenge with this project would be maintaining focus on Texas-specific issues and challenges, especially those relating to urban versus rural differences.
- The online course will be updated yearly. Will the videos that are designed to entice people to want to learn more via the online course also be updated so information is consistent?

Other Notes from the Review Panel

Expanding the webinar service to include download-able transcripts; allowing webinars to be downloaded; and having three minute videos in Spanish and ASL are all recommended.

Other Notes from TCDD Staff

- The applicant may consider creating a Facebook page solely for this project. Having a separate page will allow Facebook users to focus on the project and not have to sift through all of the messages of the organization to find relevant, project-focused information. At the conclusion of the project, the likes the page has could be absorbed into a pre-existing Facebook page.
- The applicant must ensure that the Spanish translation is in Spanish as it is commonly spoken in Texas.
- The proposals states 250 Texans receive their newsletter. There should be a strategy to grow this and an outreach plan to ask organizations and state agencies to share the resources they develop.

TCDD Stakeholder Training on Guardianship Alternatives RFP

Organization: Disability Rights Texas

Funding Requested: \$40,000

Location of Main Office: Austin, TX

Match: \$13,333

Strengths Noted by the Review Panel:

- The proposal supports individuals' full inclusion in the community, and it promotes self-determination and person centered planning.
- Disability Rights Texas has a positive reputation, superior talent and leadership, and skilled professionals. Project managers for this project are experienced. The workgroups have experience in addressing complex issues such as guardianship and alternatives to guardianship.
- The provision to provide a toolkit and products for people with intellectual and developmental disabilities and families is a crucial component of the plan. The project will develop interactive webinars and videos, including videos for individuals to share their stories.
- This proposal could have a large impact by focusing on a multi-tiered approach: individuals and families, legal professionals, educational professionals, and other supportive entities.

Additional Strengths Noted by TCDD Staff:

- Disability Rights Texas has been fully engaged as a partner with the Texas Guardianship Reform and Supported Decision Making group and TCDD to advance alternatives to guardianship and supported decision-making and began collaborating on training for judges, attorneys, families and people with disabilities as soon as the session ended.
- Disability Rights Texas intends to share the policy and program recommendations and information with TCDD so it can be used to develop policy actions and future projects.

Concerns Noted by the Review Panel:

- The project may not be sustainable after the grant ends.
- Addressing diversity and culturally appropriate products could be expanded to include more than Spanish and American Sign Language.
- A more global analysis of legal and educational professionals' perceptions of policy and decision making may be beneficial to inform training and program needs. An example would be a statewide demographic analysis and tracking the level of intervention offered and its result.
- Due to the increase in the percentage of guardianships over the past several years, it might be reasonable to add decreasing the overall percentage be a part of the stated goals of the project.

Additional Concerns Noted by TCDD Staff:

None

Other Notes from the Review Panel

- Recruitment activities seem to draw on previously established pools of individuals with intellectual and developmental disabilities instead of seeking out new individuals. Education of and outreach to school districts and administration is encouraged if possible due to guardianship discussions in Admission Review and Dismissal meetings.
- The organization could solicit more participation in the training/workshop component to build understanding by individuals, families, and the larger community.

Background:

- **Stipends Grants Applications Approved** - TCDD Policies provide for the Executive Director to approve applications for Events Stipends and Presentation Support Stipends. Seven (7) stipend applications were approved during the quarter to the following organizations. The summaries of each are enclosed.
 1. **Family to Family** for the *10th Annual Special Education Confernece & Resource Fair* March 6, 2016, in Houston. (Events Stipend)
 2. **The Arc of Texas** for the *23rd Annual Inclusion Works Conference* February 7-9, 2016, in Houston. (Events Stipend)
 3. **Attention Deficit Disorders Association – Southern Region** for the *28th Annual ADDA-SR Conference* February 27, 2016 in Houston. (Events Stipend)
 4. **Austin Travis County Integral Care** for the *Central Texas African American Family Support Confernce* February 25-26, 2016 in Austin. (Events Stipend)
 5. **Austin Travis County Integral Care** for the *Central Texas African American Family Support Confernce* February 25-26, 2016 in Austin. (Speakers Stipend)
 6. **Texas Statewide Independent Living Council** for the *Annual Texas Statewide Independent Living Conference* April 3-5, 2016 in San Antonio. (Events Stipend)
 7. **Children’s Disabilities Information Coalition** for the *27th Annual Children’s Disabilities Symposium* March 19, 2016 in El Paso. (Events Stipend)
- **APPR Summary** – Highlights of the 2015 Annual Program Performance Report (APPR) that show of summary of FY 2015 activities is included as a handout for members.
- **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: 11/4/15

Executive Director Review

ITEM: 1

Organization: Family to Family (Conference)
City, State: Houston, TX

Federal: \$ 4,500
Match: \$ 990

Event: Conference: 10th Annual Special Education Conference & Resource Fair
Date: March 5, 2016
Hotel: Houston Community College
City, State: Houston, Texas

Previously Funded: **Yes: 2014**

Comments: A one day conference that focuses on improving advocacy skills of family members & youth with disabilities to improve post school outcomes for youth and/or educate them about the variety of options in employment, post secondary education/training and independent living using a person centered approach.

Considerations: The conference sponsors propose to provide stipends to cover:
Registration - 150 individuals
(150 @ \$30.00) = \$4,500.00

Total cost (federal): = \$4,500.00

Applicant match covers conference materials:

Conference materials - 200 individuals
(200 @ \$2) = \$ 400.00

Refreshments - 200 individuals
(200 @ \$0.65) = \$ 130.00

Printing & Reproduction of Conference materials - 200 individuals
(200 @ \$2.30) = \$ 460.00

Total cost (match): = \$ 990.00

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

Approved: yes no _____ Date: _____

Approved: yes no Beth Stalvey

Digitally signed by Beth Stalvey
DN: cn=Beth Stalvey, o, ou, email=beth.stalvey@tcd0.texas.gov, c=US
Date: 2015.11.09 08:13:22 -0600

Date: 11/9/15

Comments: _____

CONSUMER STIPENDS PROPOSALS

Date: 11/10/15

Executive Director Review

ITEM:

Organization: The Arc of Texas
City, State: Austin, TX

Federal: \$ 6,000
Match: \$ 4,000

Event: Conference: The Arc of Texas 23st Annual Inclusion Works Conference
Date: February 7-9, 2016
Hotel: Royal Sonesta Hotel
City, State: Houston, Texas

Previously Funded: 2012, 2013, 2014, 2015
Comments: The Arc of Texas Inclusion Works Conference is an opportunity for education, administrators and parents to improve their skills. Conference participants will be offered information and education about researched-based practices, so that students can meet their education, employment and independent living goals.

Considerations: The conference sponsors propose to provide stipends to cover:
Lodging –40 individuals
(40 @ \$150.00/individual for 2 nights) = \$6,000.00
Total cost (federal): = \$6,000.00

Applicant match covers registration expenses:
Registration –40 individuals
(40 @ \$100.00/individual) = \$4,000.00
Total cost (match): = \$4,000.00

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

Approved: yes no _____ Date: _____

Approved: yes no Beth Stalvey

Digitally signed by Beth Stalvey
DN: cn=Beth Stalvey, o, ou, email=beth.stalvey@roddtexas.gov,
c=US
Date: 2015.11.17 10:00:43 -0500

Date: 11-17-15

Comments: _____

CONSUMER STIPENDS PROPOSALS

Date: 11/16/15

Executive Director Review

ITEM: 3

Organization: Attention Deficit Disorders Association-Southern Region

Federal: \$ 5,970
Match: \$ 1,098

City, State: Houston, TX

Event: Conference: 28th Annual ADDA-SR Conference
Date: February 22-23, 2016
Hotel: Double Tree Hotel
City, State: Houston, Texas

Previously Funded: Yes: 2015, 2014, 2013, 2012, 2011, 2010, 2009, 2008, 2006, 2005, 2004, 2003, 2002, 2001, 2000, 1999, 1996, 1995

Comments: This conference is designed for those with ADHD, family members and those who impact the lives of these children and adults. Those with this and related disabilities will learn life skills, consumer empowerment and community integration skills to improve their quality of life.

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

Registration –36 individuals
(36 @ \$125.00/individual/day for 1 day) = \$ 4,500.00
Lodging –30 individuals
(30 @ \$40.00/night + \$9 taxes double occupancy) = \$ 1,470.00
Total cost (federal): = \$ 5,970.00

Applicant match covers registration fees:
Registration – 8 individuals
(8 @ \$125.00/individual/day for 1 day) = \$ 1,000.00
Lodging – 2 individual
(2 @ \$40.00/night + \$9 tax for 1 nights) = \$ 98.00
Total cost (match): = \$ 1,098.00

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

Approved: yes no _____ Date: _____

Approved: yes no Beth Stalvey Digitally signed by Beth Stalvey
DN: cn=Beth Stalvey, o=ou, email=beth.stalvey@todd.texas.gov, c=US
Date: 2015.11.24 02:13:30 -0600 Date: 11-24-15

Comments: _____

CONSUMER STIPENDS PROPOSALS

Date: 12/1/15

Executive Director Review

ITEM: 4

Organization: Austin Travis County Integral Care
City, State: Austin, TX

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

Event: Conference: Central Texas African American Family Support Conference
Date: February 25-26, 2016
Hotel: Renaissance Austin Hotel
City, State: Austin, Texas

Previously Funded: **Yes: 2015, 2014, 2013**
Comments: The conference provides information and educational opportunities to consumers, families and the community about mental health, developmental and intellectual disabilities, chemical dependence, co-occurring disorders, and physical health issues.

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

Registration - 25 individuals (25 @ \$10.00/individual)	= \$ 250.00
Meals - 25 individuals (25 @ \$47.00/day for 2 days)	= \$2,350.00
Lodging - 25 individuals (25 @ \$169/night for 10 rooms for 2 days)	= \$3,380.00
Total cost (federal):	= \$6,000.00
Applicant match covers lodging and travel:	
Transportation - 60 individuals (60 @ \$7.08/person for 2 days)	= \$ 825.00
Meals - 55 individuals (55 @ \$47.00/day for 2 days)	= \$5,170.00
Total cost (match):	= \$6,000.00

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

Approved: yes no _____ Date: _____

Approved: yes no Beth Stalvey

Digitally signed by Beth Stalvey
DN: cn=Beth Stalvey, o=, ou=, email=beth.stalvey@traviscountytx.gov, c=US
Date: 2015.12.02 08:59:37 -0600

Date: 12-2-15

Comments: _____

CONSUMER STIPENDS PROPOSALS

Date: 12/2/15

Executive Director Review

ITEM: 5

Organization: Austin Travis County Integral Care
City, State: Austin, TX

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

Event: Conference: Central Texas African American Family Support Conference
Date: February 25-26, 2016
Hotel: Renaissance Austin Hotel
City, State: Austin, Texas

Previously Funded: **Yes: 2015, 2014, 2013**
Comments: The conference provides information and educational opportunities to consumers, families and the community about mental health, developmental and intellectual disabilities, chemical dependence, co-occurring disorders, and physical health issues.

Considerations: The conference sponsors propose to provide stipends to cover:
Speaker - 1 individual
(1 @ \$6,000, \$5,000 Speaker's Fee & \$1,000 travel, meals & lodging) = \$6,000.00
Total cost (federal): = \$6,000.00
Applicant match covers additional speaker fees, travel and lodging expenses for additional speakers:
Speaker - 1 individual = \$6,000.00
Total cost (match): = \$6,000.00

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

Approved: yes no _____ Date: _____

Approved: yes no Beth Stalvey

Digitally signed by Beth Stalvey
DN: cn=Beth Stalvey, o=ns_email-beth_stalvey@tccd.texas.gov, c=US
Date: 2015.12.02 09:03:11 -0600

Date: 12-2-15

Comments: _____

CONSUMER STIPENDS PROPOSALS

Date: 12/14/15

Executive Director Review

ITEM: 6

Organization: Texas State Independent Living Council
City, State: Austin, TX

Federal: \$ 6,000
Match: \$ 4,404

Event: Conference: Annual Texas Statewide Independent Living Conference
Date: April 3-5, 2016
Hotel: Hilton Hotel
City, State: San Antonio, Texas

Previously Funded: Yes: 2011, 2010, 2009, 2007, 2005, 2004, 2003, 2002

Comments: This three day event empowers attendees to learn about innovative services, and connect, collaborate, and create ideas to support Independent Living (IL) principles. A focus is on forming innovative solutions and strengthening the IL network to empower Texans with disabilities live and thrive independently.

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

Registration - 24 individuals (24 @ \$160.00)	= \$3,840.00
Lodging - 7 individuals (7 @ \$134.26/person for 2 days)	= \$1,880.00
Meals – 5 individuals (5 @ \$28/meal for 2 meals)	= \$ 280.00
Total cost (federal):	= \$6,000.00

Applicant match covers Meals and Lodging :	
Registration - 10 individuals (10 @ \$160.00)	= \$1,600.00
Volunteers – 8 individuals (8 @ \$21.91/hour for 16 hours)	= \$2,804.00
Total cost (match):	= \$4,404.00

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

Approved: yes no _____ Date: _____

Approved: yes no Beth Stalvey

Digitally signed by Beth Stalvey
DN: cn=Beth Stalvey, o, email=beth.stalvey@tsic.texas.gov, c=US
Date: 2015.12.14 11:24:06 -0600

Date: 12-14-15

Comments: _____

CONSUMER STIPENDS PROPOSALS
Executive Director Review

Date: 12/28/15

ITEM: 7

Organization: Children's Disabilities Information Coalition (CDIC)
City, State: El Paso, TX

Federal: \$ 2,000
Match: \$ 7,350

Event: Conference: 27th Annual Children's Disabilities
Date: Symposium March 19, 2016
Hotel: ESC-Region 19 Head Start
City, State: El Paso, Texas

Previously Funded: **Yes: 2015**

Comments: The Symposium is an annual, daylong event where families, professionals, and experts in the various fields of interest discuss the latest information concerning children with disabilities in El Paso and the surrounding areas through various workshop presentations.

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

Registration –200 individuals
(200 @ \$10.00/individual/day for 1 day) = \$2,000.00
Total cost (federal): = \$2,000.00

Applicant match covers rental, speaker fees:
Rental Fee for Symposium Space = \$5,500.00
(\$5,500 for 1 day)
Keynote Speaker Fee – 1 individual = \$ 500.00
(1 @ \$500.00 for 1 day)
Presenters – 24 sessions = \$1,350.00
(24 @ 1.25 hours @ \$45.00 for 1 day)
Total cost (match): = \$7,350.00

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

Approved: yes no Beth Stalvey

Digitally signed by Beth Stalvey
DN: cn=Beth Stalvey, o=CDC, email=bstalvey@cdci.org, ou=CDC
Date: 2015.12.29 12:56:38 -0700

Date: 12-29-15

Comments: _____

2015 Annual Program Performance Report (APPR)
Summary of Activities Submitted to AIDD
Project Activities: October 1, 2014 to September 30, 2015

2015 State of the State

- Texas is 1 of only 5 states to implement Community First Choice (CFC)
 - Entitlement; First managed care LTSS for people with DD
- Texas is 1st state in US to put supported decision making into law
- 13 State Supported Living Centers (SSLCs) with 3,186 residents
 - 35% reduction 2007-2015
- 102,037 individuals on Interest List for community based support
- Sunset Commission Recommendation: Consolidation of 5 Health and Human Service agencies to one agency by September 2017
- Sunset Commission Recommendation: Continue TCDD to 2027

Key TCDD Activities

- Tracking, summaries for 150 bills during 2015 legislative session
- Participation on 25 statewide workgroups
- Information and/or technical assistance to total of 218 organizations (4 years)
- Contacts with 15,000 in the general public
- 25% increase in website visits to 150,488
- Support and oversight to 31 organizations conducting 37 projects
- Released 7 RFPs and a Technology Contract
- Stipends to 17 organizations, 575 consumers and family members, 21 speakers
- Support 11 individuals, family members to serve on statewide boards and committees
- Lapsed funding –\$1,725 (0.036%)

Grant and Policy Highlights

- 3 Higher Education Programs (DARS Project HIRE/HIGHER, TTU Project CASE, TAMU Bridge to Career)
- 4 Employment Grants – (2 Technology; Project SEARCH- 6 sites; Employment First Taskforce)
- 10 Culturally Appropriate Projects
- 3 Health and Fitness Programs
- 2 Self-Advocacy Initiatives
- 4 Bills Passed on Guardianship
- ABLE Act Bill passed – Could impact 570,000 Texans

Public and Stakeholder Input

What TCDD Does Well:

- Providing unique input
- Scanning the environment for relevant information
- Investing in community development of advocates
- Helping grantees meet reporting requirements

- Compiling information in easy to understand and visually appealing forms
- Effectively advocating for policy that positively impacts people with DD
- Being very supporting of self-advocates

What TCDD Could Do Better:

- Provide more funding for self-advocate organizations
- Strengthen partnership with Centers for Independent Living
- More closely connect grant activities to public policy priorities
- Expand outreach to non-traditional partners and all parts of Texas
- Renew Partners in Policymaking program

**TCDD QUARTERLY COUNCIL MEETINGS
ATTENDANCE REPORT
February 2014 – November 2015**

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

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

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	6/30/2015	12/10/2015	BDO USA, LLP	None.	None/Done.
Region 17 ESC	8/31/2015	1/4/2016	Bolinger, Segars, Gilbert & Moss, LLP	None.	Forward for Desk Review.
Texas State Independent Living Council	8/31/2014	10/26/2015	Montemayor Hill Britton & Bender PC	None.	Forward for Desk Review.
Texas Tech University	8/31/2014	10/31/2015	State of TX	None.	None/Done.
Texas Tech University	8/31/2013	10/31/2015	State of TX	None.	None/Done.

Key: Audits were submitted to TCDD during the fiscal year (Oct. 1, 2015 – Sept. 30, 2016). 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 A&M University <i>(Higher Education)</i>	Follow-up	10/23/15	Supervisor and employee signatures required on PAR's; documentation of accrual basis accounting; clarification on use of TCDD funds for meeting with Disability Rights Texas and TCDD new council member orientation	Document requested: 9/22/15 Documents due: 10/23/15 Additional follow-up information requested: 10/29/15, 12/2/15 Documents received: 11/25/15, 12/2/15	Complete
VSA Arts of Texas <i>(Promoting Self-Advocates as Speakers)</i>	Follow-up	10/26/15	Supervisor signature required on project director PAR's; revised copy of travel reimbursement form fully complete and signed by all appropriate staff; appropriate signatures required on contracts for Nicole Cortichiato and Jennifer Krou; match documentation requires signatures and forms to be fully completed with all appropriate signatures	Documentation requested: 9/10/15 Documents due: 10/26/15 Additional follow-up information requested: 10/29/15, 12/1/15 Documents received: 11/25/15, 12/2/15, 12/4/15	Complete
A Circle of 10, Inc. <i>(Building Community Capacity through Collaboration)</i>	Follow-up	11/2/15	Additional information for PAR's submitted; current audit required; additional information for travel expenses; additional information for service agreements; additional information for materials and supplies; additional information for multiple sources of match	Documentation requested: 10/6/15 Documents due: 10/23/15 Additional follow-up information requested: 11/2/15 Documents received: 12/4/15, 12/7/15 Additional follow-up information requested: 1/7/16	Pending
Texas Tech University <i>(Higher Education)</i>	Follow-up	11/2/15	PAR's for one staff person; documentation for printing costs	Documentation requested: 9/28/15 Documents due: 11/12/15 Additional follow-up information requested: 12/9/15 Documents received: 12/9/15	Complete
Region 17 Education Service Center (ESC 17) <i>(Families in Schools)</i>	Follow-up	11/13/15	PAR's for three staff; current audit; computer lease documentation	Documentation requested: 9/28/15 Documents due: 11/12/15 Additional follow-up information requested: 12/9/15 Documents received: 12/11/15	Pending
Strategic Education Solutions, LLC <i>(Enabling Technology)</i>	Follow-up	11/30/15	Revised contract for Social Motion, Inc. required that provides end dates for the contract; additional information on match documentation submitted	Documentation requested: 11/30/15 Documentation due: 12/30/15 Additional follow-up information requested: 12/18/15	Pending

Date Revised: 6/24/15

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	Any Baby Can of San Antonio <i>(Health and Fitness)</i>	\$131,165	\$0	2	
B	Texas Statewide Independent Living Council <i>(Health and Fitness)</i>	\$230,000	\$395,079	2	
C	Department of Assistive and Rehabilitative Services <i>(Higher Education)</i>	\$226,000	\$499 mil	2	

RISK ASSESSMENT FOR NEW AWARDS

Item	Grantee	TCDD Funds	Other Fed Funds	Risk Activity	Risk Code
A	Disability Rights Texas	\$40,000	\$8mil	2	
B	National Disability Institute	\$150,000	\$2,481,931mil	TBD	TBD

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, 5	
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.	Texas Advocates (Self-Advocates Grassroots Community Organizing)	\$100,000	\$0	7/13/2015	2017	2, 5	
Moderate Risk							
16.	Light and Salt Association (Culturally Appropriate Family Support)	\$75,000	\$448,606	1/26/16	NA	2	
17.	Coalition of Texans with Disabilities (Developmental Disabilities Policy Fellows)	\$67,500	\$0	1/27/15	NA	2	
18.	The Arc of Texas (Developmental Disabilities Policy Fellows)	\$67,500	\$0	3/6/15	NA	2	
19.	Reaching Families Advocacy and Support Group (Culturally Appropriate Family Support)	\$79,606	\$0	TBD		2	
Monitor or Accept							
20.	Texas Parent to Parent (Public Policy Collaboration Activities)	\$50,800	\$97,500	7/2/2013	NA	2	

NA							
21.	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	2 – Awards within Award
3 – Funding Issues	4 – Compliance Issues
5 – Performance Issues	6 – Legal Actions
7 – Fiscal Office Out of State	8 – No Prior Audit

**TCDD RISK MATRIX
FY 2015**

<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

Background:

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

- **Summary of Funds FY 2014-2017** – 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 2016 Expense Budgets** – This report compares the approved budget for fiscal year 2016 (Oct. 1, 2015, thru Sept. 30, 2016) 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 amount approved by Council.
- **Current Grantees** –The current grantees represents all active grants and end dates in years 2016-2020.
- **Stipends Expenditures** – Provides a summary of funds awarded or expended for each stipend grant recipient, the number of speakers supported, the number of individuals supported to attend the conference or seminar, 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.

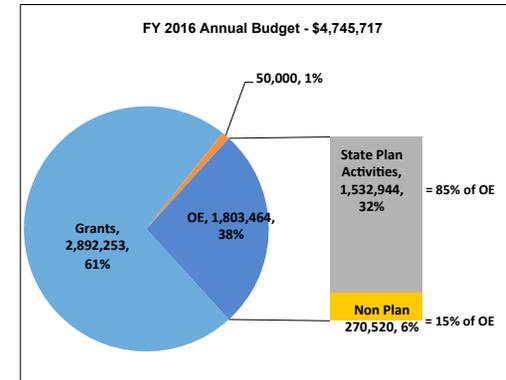
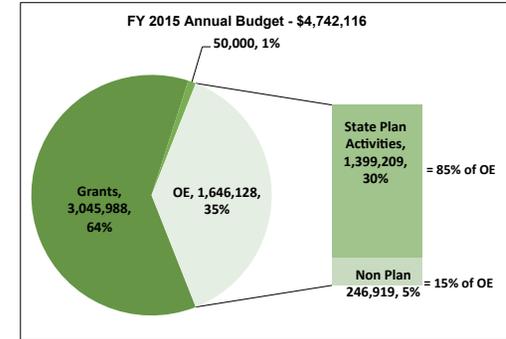
<p><u>Executive Committee</u></p> <p><u>Agenda Item 7.</u></p>	<p><u>Expected Action:</u></p> <p>The Executive Committee will review the information provided and may provide guidance to staff.</p>
<p><u>Council</u></p> <p><u>Agenda Item 12. C.</u></p>	<p><u>Expected Action:</u></p> <p>The Council will receive a report on the Executive Committee discussion.</p>

**Texas Council for Developmental Disabilities
Summary of Funds FY 2014 - 2017
January 2016**

Model Key				
Numbers in black represent budget numbers or actuals for the current or prior years.				
Numbers in blue represent forecast numbers.				
Line Item	10/1/2012-9/30/15 FY 2014	10/1/2013-9/30/16 FY 2015	10/1/2014-9/30/17 FY 2016	10/1/2015-9/30/18 FY 2017
REVENUES				
Federal Funds				
Estimate of Federal Award	\$4,804,064	\$4,742,116	\$4,745,717	\$4,745,717
Actual Award ¹	\$4,804,064	\$4,742,116	\$4,745,717	\$4,745,717
Prior year difference (Current FY Award - Prior FY Award)	\$9,324	(\$61,948)	\$3,601	\$0
EXPENDITURES				
Operating Expenses				
Approved by Council	\$1,678,208	\$1,696,128	\$1,853,464	\$1,872,000
Expenses	\$1,473,572	\$1,305,360	\$1,853,464	\$1,872,000
Balance of Operating Expense funds	\$204,636	\$390,768	\$0	\$0
Grants and Projects Expenses				
Available from Current Fiscal Year	\$3,330,492	\$3,436,756	\$2,892,253	\$2,873,717
Actual/Estimated Grant Awards ^{2 & 3}	\$3,330,486	\$2,212,954	\$1,916,165	\$1,935,000
Current Projects Difference (Available - Actual)	\$6	\$1,223,802	\$976,088	\$938,717
Prior Year Funds Available	\$0	\$0	\$1,068,802	\$1,289,890
BALANCE OF FUNDS AVAILABLE	\$0	\$0	\$2,044,890	\$2,228,607
Planned Projects ⁴	\$0	\$155,000	\$755,000	\$825,000
BALANCE AFTER PLANNED PROJECTS ⁵	\$6	\$1,068,802	\$1,289,890	\$1,403,607

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.

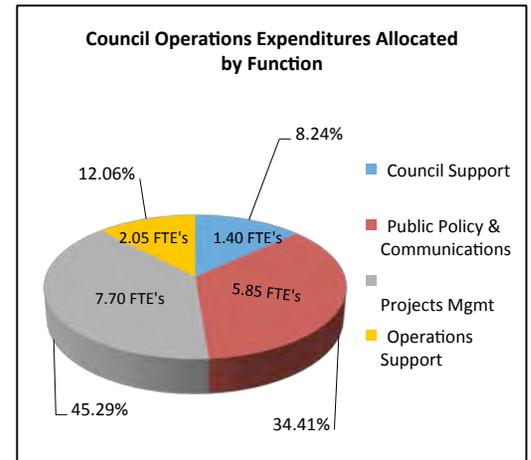
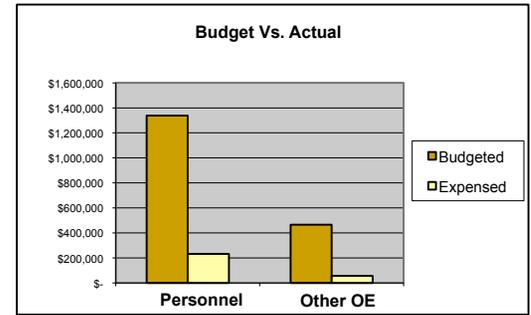


Texas Council for Developmental Disabilities FY 16 Admin & Expense Budget Oct. 1, 2015 thru Dec. 31, 2015

Expenses (Council Operations)	Budget	Year to Date Projected	Expended	Variance
Personnel (17 FTEs)				
Salaries	1,033,324	258,331.00	180,951	77,380
Benefits	304,784	76,196.00	51,483	24,713
Total Personnel	\$ 1,338,108	\$ 334,527	\$ 232,434	\$ 102,093
Operating				
Professional Services ¹	108,000	27,000.00	3,745	23,255
Out-of-State Travel ²	25,000	6,250.00	5,583	667
In-State Travel ³	58,000	14,500.00	13,647	853
Supplies	12,000	3,000.00	3,107	-107
Utilities	32,000	8,000.00	5,719	2,281
Rent - Building - Space	69,989	17,497.25	13,304	4,193
Rent - Computers - Equip ⁴	40,000	10,000.00	8,400	1,600
Capital Expenditures	-	-	-	-
Other OE ⁵	120,367	30,091.75	3,765	26,327
Total Operating	\$ 465,356	\$ 116,339	\$ 57,270	\$ 59,069
Total Expenses	Budget	YTD Budgeted	Actual	Variance
	1,803,464	450,866	289,704	161,162
Admin Reim to TEA	50,000	25.0%	16.1%	
TOTAL	\$ 1,853,464		\$ 339,704	
Expenditures by Function				
Council Support	Public Policy & Communications	Projects Mgmt	Operations Support	
\$ 42,414	\$ 136,438	\$ 162,539	\$ 51,740	

NOTES:

- ¹ Auditor - \$37,700/\$0; Peer Auditor - \$4,000/\$0; CPA Desk Reviews - \$8,000/\$0; Legal Svs - \$3,000/\$0
Web Hosting - \$1,800/\$300; Data Center Services - \$5,000/\$652
Other Professional Services - \$26,500/\$1,294; Reviewers - \$4,000/\$1,500; Temp Services - \$18,000/\$0
- ² Travel - Out-of-State Council - \$12,250 /\$3,510; Travel - Out-of-State Staff - \$12,250 /\$2,073
- ³ Travel - In-State Council - \$41,500 /\$8,718; Travel - In-State Staff - \$16,500 /\$4,929;
- ⁴ Computer lease - \$8,890/\$1,481; AV Equipment - \$26,500/\$6,150; Copier - \$4,610/\$756
- ⁵ Other OE - NACDD Dues - \$22,000/\$0, interpreter svs, registration fees, other training, maintenance, advertising, postage, printing, software, furniture, non-cap equip, security, and janitorial services-\$3,765.



CURRENT GRANTEES

Grantee Name	Project Period	Year of Project	Project Title	Awarded Amount	Expended Amount	Remaining Balance
Texas Parent to Parent	2/1/2011 - 1/31/2016	5 of 5	Public Policy Collaboration Activities	50,000	32,372	17,628
A Circle of Ten	1/1/2013 - 2/29/2016	2 of 7	Building Community Capacity through Collaboration Projects-1	114,000	99,512	14,488
Special Kids, Inc. (SKI)	6/1/2015 - 5/31/2016	1 of 1	Outreach & Development-15	10,000	7,340	2,660
Coalition of Texans with Disabilities	8/1/2014 - 7/31/2016	2 of 2	Developmental Disabilities Policy Fellows-1	67,500	27,715	39,785
The Arc of Texas	8/1/2014 - 7/31/2016	2 of 2	Developmental Disabilities Policy Fellows-2	67,500	18,384	49,116
Texas Tech University	10/1/2011 - 9/30/2016	4 of 5	Higher Education-1	220,998	148,106	72,892
Texas A&M University	1/1/2012 - 12/31/2016	4 of 5	Higher Education-2	225,000	211,059	13,941
Texas Center for Disability Studies	1/1/2014 - 12/31/2016	2 of 2	DADS PCT Training (Contract)	30,000	18,332	11,668
			SUBTOTAL-2016	784,998	562,820	222,178
Any Baby Can of San Antonio, Inc	3/1/2012 - 2/28/2017	4 of 5	Health & Fitness-1	174,887	135,385	39,502
Educational Programs Inspiring Communities, Inc.	4/1/2012 - 3/31/2017	4 of 5	Enabling Technology-1	225,000	87,345	137,655
Epilepsy Foundation Texas	4/1/2012 - 3/31/2017	4 of 5	Health & Fitness-2	250,000	90,732	159,268
Strategic Education Solutions, LLC	4/1/2012 - 3/31/2017	4 of 5	Enabling Technology-2	224,925	63,653	161,272
Texas State Independent Living Council	4/1/2012 - 3/31/2017	4 of 5	Health & Fitness-3	238,000	123,079	114,921
VSA Arts of Texas	5/1/2013 - 4/30/2017	3 of 4	Self-Advocacy as Speakers-1	125,000	64,175	60,825
Imagine Enterprises Inc	5/1/2013 - 4/30/2017	3 of 4	Self-Advocacy as Speakers-2	125,000	58,013	66,987
Texas Center for Disability Studies	11/1/2003 - 8/31/2017	9 of 12	Support for Advisory Committee Member Travel	50,000	2,417	47,583
Texas Tech University	10/1/2012 - 9/30/2017	4 of 5	Project SEARCH	174,656	9,723	164,933
Department of Assistive and Rehabilitative Services	1/1/2012 - 12/31/2017	4 of 5	Higher Education-3	225,000	81,336	143,664
			SUBTOTAL-2017	1,812,468	715,858	1,096,610
Texas Advocates	4/1/2015 - 3/31/2018	1 of 3	Self Advocate Community Organizing	100,000	40,222	59,778
Region 17 ESC	6/1/2013 - 5/31/2018	3 of 5	Families in Schools	300,000	49,032	250,968
Austin Ribbon & Computer Supplies Inc.	9/1/2015 - 8/31/2018	1 of 3	Targeted Online Training (Contract)	10,000	0	10,000
			SUBTOTAL-2018	410,000	89,254	320,746
Community Healthcore	2/1/2013 - 7/31/2019	3 of 7	Building Community Capacity through Collaboration Projects-2	78,329	0	78,329
Volar Center for Independent Living	1/1/2013 - 9/30/2019	3 of 7	Building Community Capacity through Collaboration Projects-3	150,000	0	150,000
Light & Salt Association	11/1/2015 - 10/31/2019	1 of 4	Culturally Appropriate Family Supports-1	75,000	1,931	73,069
			SUBTOTAL-2019	303,329	1,931	301,398
Reaching Families Advocacy and Support Group	2/1/2016 - 1/31/2020	1 of 4	Culturally Appropriate Family Supports-2	70,606	0	70,606
			SUBTOTAL-2020	70,606	0	70,606
			GRAND TOTALS:	3,381,401	1,369,863	2,011,538

TCDD Stipend Expenditures for Fiscal Years 2014 and 2015

Organization Name	Fiscal Year End Date	Month of Event	Dollars Expended	Number of People Served	Number of People Previously Served	Sponsored Speakers' Fee
Centro de Salud Familiar La Fe, Inc.	9/30/2015	October 2014	\$4,355	67	25	
Volar Center for Independent Living	9/30/2015	October 2014	\$6,000	65	29	no data
Helpful Interventions	9/30/2015	November 2014	\$6,000	2	0	Yes
Helpful Interventions	9/30/2015	November 2014	917	7	0	no data
NAMI Texas	9/30/2015	November 2014	\$3,520	16	0	
National Association for the Dually Diagnosed (NADD)	9/30/2015	November 2014	910	2	0	no data
ADDA-SR	9/30/2015	February 2015	\$5,428	35	0	
Austin Travis County Integral Care	9/30/2015	February 2015	\$6,000	2	0	Yes
Austin Travis County Integral Care	9/30/2015	February 2015	\$6,000	19	6	
The Arc of Texas	9/30/2015	February 2015	\$5,730	42	7	no data
Children's Disabilities Information Coalition	9/30/2015	March 2015	\$1,000	100	0	
Coalition of Texans with Disabilities	9/30/2015	March 2015	\$5,528	46	7	no data
Harris County Department of Education	9/30/2015	June 2015	\$4,714	6	0	Yes
Texas Parent to Parent	9/30/2015	June 2015	\$6,000	39	6	no data
American Association on Intellectual & Developmental Disabilities Texas Chapter (AAIDD-TX)	9/30/2015	July 2015	\$2,600	5	3	
Childhood Apraxia of Speech Association of North America	9/30/2015	July 2015	\$6,000	9	0	Yes
Texas Advocates	9/30/2015	July 2015	\$5,971	52	17	
University of North Texas	9/30/2015	July 2015	\$5,400	80	0	no data
Providers Alliance for Community Services of Texas (PACSTX)	9/30/2015	September 2015	\$6,000	2	0	Yes
TOTALS for Fiscal Year End Date September 30, 2015	9/30/2015	no data	\$86,246	596	100	21
ADDA-SR	9/30/2016	February 2016	\$5,970			
Austin Travis County Integral Care	9/30/2016	February 2016	\$6,000	no data	no data	no data
Austin Travis County Integral Care	9/30/2016	February 2016	\$6,000			Yes
Children's Disabilities Information Coalition	9/30/2016	March 2016	\$2,000	no data	no data	
Coalition of Texans with Disabilities	9/30/2016	November 2015	\$1,330	1	0	Yes
Family to Family Network Inc	9/30/2016	March 2016	\$4,500	no data	no data	no data
Texas Center for Disability Studies	9/30/2016	November 2015	\$1,400	5	0	
Texas State Independent Living Council	9/30/2016	April 2016	\$6,000	no data	no data	no data
The Arc of Texas	9/30/2016	February 2016	\$6,000			
Volar Center for Independent Living	9/30/2016	October 2015	\$6,000	55	18	no data
TOTALS for Fiscal Year End Date September 30, 2016	9/30/2016		\$45,200	61	18	1

Background:

Executive Summaries for three (3) current grant projects that are eligible for continuation funding are enclosed for consideration by the Committee (Items A-C). Grants monitoring strategies are noted under staff recommendations which follow the grants risk assessment report.

- A. Any Baby Can – *Health & Fitness*
- B. Texas SILC – *Health & Fitness*
- C. DARS – *Higher Education – Project HIRE*

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.

Executive Committee

Agenda Item 8.

Expected Action:

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

Council

Agenda Item 12. B.

Expected Action:

The Council will receive a report on Executive Committee decisions.

Texas Council for Developmental Disabilities`

Executive Committee

Date: 2/3/2016

Review of Proposed Activities & Budget

ITEM: A

Grantee: Any Baby Can of San Antonio **Year: 5 of 5**
Project Title: Health & Fitness for Individuals with Developmental Disabilities (Any Body Can)
Project Location: Atascosa, Bexar, Comal, Frio, Gonzales, Guadalupe, Medina, Uvalde, and Wilson Counties

Website: anybabycansa.org/services/health-wellness

TCDD RFP Intent:

The project intent is to demonstrate how appropriate supports may help people with developmental disabilities to participate in exercise and nutrition programs.

Authorized Funding: TCDD has approved up to \$250,000 for up to five years.

Expected Results: Grantees are expected to demonstrate how to: 1) Provide *individualized*, inclusive recreational fitness programs to people with developmental disabilities to assist them to reach their goals in fitness, recreation, and overall wellness and 2) Provide training and/or technical assistance to enable service clubs and volunteer organizations to, if necessary, alter their culture and activities to support full and equal participation by people with developmental disabilities in a way that will promote participation in recreational programs based on interest and wellness goals.

Project Goals and Accomplishments for Years 1- 4:

Goal: The achievement of optimal health, physical fitness, actualization and inclusion of individuals with developmental disabilities and the maintenance of a lifestyle conducive to physical fitness, as demonstrated by 80 families actively enroll and complete the 32-week program.

Accomplishments per goal:

The project participated in outreach activities such as the Mayor's Fitness Council and SiClovvia, at which staff gave live demonstrations of program exercises. The program features an 8 month curriculum with progress documented via pre- and post-program surveys. The curriculum, developed prior to program inception, has been certified by the National Strength and Conditioning Association, which allows Any Body Can staff to train YMCA and San Antonio Parks and Recreation staff on working with individuals with developmental disabilities. As of November 2015, 177 families have participated; the goal was to have 50 families per year participate the program. The grantee is confident that at least 18 more families will complete the program by the end of the current budget period. Participating families receive weekly consultations with a Registered Dietician, Physical Therapist, and adapted physical educators who help create a health and fitness plan. Families also have access to community fitness facilities. The program is conducted in 4 phases (Jump Start, Exploration, Inclusion, and Self Training) that guide families through the process of incorporating physical fitness and healthy eating into their lives.

Proposed Goals and Objectives for Year 5:

Goal: Same as above.

Objectives:

- 1) In year 5, the project will enroll 60 new families, of which at least 50 will complete the 32 week training.
 - 2) Ninety percent (90%) of participants will explore at least one new recreational/fitness activity within the first 12 weeks of enrollment.
 - 3) Community fitness venue staff will be familiarized with issues and behaviors of participating individuals and will be trained in appropriate strategies to promote a mutually successful experience.
 - 4) Fifty percent (50%) of participants will continue the chosen activity for at least 4 weeks following program completion, and
 - 5) Ninety percent (90%) of participants will have improved measures in at least two wellness areas and will report program satisfaction.
-

Council Considerations:

Public Policy Considerations: The grantee has repeatedly stated a goal of systemic inclusion of fitness for students with DD in school funding, yet no activities, outcomes or discussion are shown in this 5th year continuation request.

Grant Management Considerations: The goal of this project was to have at least 50 families participate in the program per year. This year's projections are 5 families short of that goal. No other compliance or programmatic issues are noted.

Staff Recommendation: TCDD staff recommends continued funding for this project

Continuation Budget Detail Summary			
	Federal	Match	Totals
Expended Year 1 (Consultant: \$17,800)	\$228,610/\$228,610	\$95,640/\$93,250	\$324,250/\$321,860
Expended Year 2 (Consultant: \$18,000)	\$228,610/\$228,610	\$76,203/\$76,203	\$304,813/\$304,813
Expended Year 3 (Consultant: \$16,400)	\$205,749/\$205,749	\$68,583/\$68,583	
Expended Year 4 (8 months)(Consultant: \$15,600 match)	\$120,123/\$174,887	\$38,974/\$58,296	\$274,332/\$274,332
Amount requested for Year 2 budget:			
I. Personnel services	\$130,506	\$43,361	\$173,867
II. Travel	659	0	659
III. Purchased services	0	0	0
IV. Property/Materials	0	361	361
V. Rental/Leasing	0	0	0
VI. Utilities	0	0	0
VII. Other (Indirect Costs)	0	0	0
Budget period totals	\$131,165	\$43,722	\$174,887

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

Date: 2/3/2016

Review of Proposed Activities & Budget

ITEM: C

Grantee: Department of Assistive & Rehabilitative Services (DARS)

Year: 5 of 5

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

Project Location: Hidalgo County

Website: <http://drsprojecthire.com>

TCDD RFP Intent:

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

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

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

Project Goals and Accomplishments for Years 1-4:

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:

Contracts were developed between DARS and the University of Texas-Pan American (UTPA), STC, Dr. Paul Wehman, Access Granted, and Dr. Lynn Fischer, who, with the project advisory committee (PAC), conducted program design and planning meetings. Cohort #1 consisted of 12 selected participants; followed by 15 in Cohort#2; 16 in Cohort #3; and 9 in Cohort #4. Educational coaches provided social skills and other supports. Bi-annual Person Centered Planning (PCP) meetings were conducted for all participants. Each participant has had a1-on-1 educational coach available in 1 or more classes. The project secured short to long-term business mentoring opportunities for 25 participants with various employers. DARS has presented at 5 state conferences and 4 national conferences over 4 grant years. A total of 8 project participants have graduated with various academic certificates degrees such as culinary arts, legal office specialist, mechanics, business management and multimedia specialist, with 5 of those graduates gaining employment in the field of their choice. An additional 4 participants are anticipated to graduate in December 2015.

Proposed Goals and Objectives for Year 5:

Goal: Create and demonstrate how to provide supports to students with DD how to provide supports to students with DD enrolled in an academic/vocational certificate program and graduate or certify a minimum of 10 individuals with DD to enable them to gain education and experience needed to meet their educational/ employment goals by 3/31/2017.

Objectives:

- 1) Select at least 5 participants for Cohort #5
- 2) Work with at least 5 new businesses, educational or service-related entities to help them gain a better understanding of the benefits of supporting students with DD in post-secondary education and employment settings
- 3) Collect data by Project Evaluator to create a "how-to" final report

Council Considerations:

Public Policy Considerations: PP staff look forward to receiving the "how to" (under development; due Spring 2016) tool for higher education institutions to develop their own programs for people with DD. As Project HIRE supports its replication in the El Paso Project HIGHER program, they are encouraged to highlight their media plan.

Job placement specialists report the benefits of time-limited internships, as they give employers an opportunity to get to know potential employees on a no-risk basis and have proven successful in leading to longer term placements. Project HIRE may want to further explore internships as a way to increase job placements for STC graduates. A comparison of students who were and were not placed after graduation might also yield insights not only for Project HIRE but also for others endeavoring to place persons with disabilities in competitive integrated jobs of their choice.

Grant Management Considerations: No compliance issues; no concerns.

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

Continuation Budget Detail Summary			
	Federal	Match	Totals
Expended Year 1 (Consultant: \$86,502)	\$225,000/\$225,000	\$32,093/\$31,425	\$257,093/\$256,425
Expended Year 2 (Consultant: \$81,326)	\$225,000/\$225,000	\$45,598/\$15,060	\$270,598/\$240,060
Expended Year 3 (Consultant: \$196,812)	\$213,404/\$225,000	\$51,164/\$15,060	\$264,568/\$240,060
Expended Year 4 (6 months)(Consultant: \$196,572)	\$58,836/\$225,000	\$72,312/\$22,500	\$131,148/\$247,500
Amount requested for Year 5 budget:			
I. Personnel Services	0	0	\$0
II. Travel	0	0	\$0
III. Purchased Services (Consultant: \$203,573)	204,545	22,500	\$227,045
IV. Property/Materials	0	0	\$0
V. Rental/Leasing	0	0	\$0
VI. Utilities	0	0	\$0
VII. Other (Indirect Costs)	20,455	0	\$20,455
period totals	225,000	22,500	\$247,500

Background:

Staff coordinated independent review panels to evaluate proposals received this quarter for two (2) Request for Proposals:

- Accessible Transportation Summits
- Leadership Development & Advocacy Training

The document behind this tab includes recommendations for the Accessible Transportation Summits. Information and recommendations for the Leadership Development and Advocacy Training proposals **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 9.****Expected Action:**

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

Council**Agenda Item 12. B.****Expected Action:**

The Council will receive a report of Executive Committee decisions.



TEXAS COUNCIL *for*
DEVELOPMENTAL
DISABILITIES

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

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(512) 437-5432

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TO: TCDD Executive Committee

FROM: Danny Fikac, Planning Specialist

SUBJECT: Summary of Review Panel Recommendations

DATE: February 3, 2016

TCDD staff convened review panels to evaluate proposals for two TCDD Request for Proposals (RFPs):

- Accessible Transportation Summits (1 project to be funded)
- Leadership Development and Advocacy Training (up to 4 projects can be funded)

This memo includes information and recommendations for the Accessible Transportation Summits. Information and recommendations for the Leadership Development and Advocacy Training proposals will be emailed to Executive Committee members prior to the meeting, and hard copies will be included in the meeting folder.

1. Accessible Transportation Summits RFP Goal: For this project, the grantee will coordinate and host at least three transportation summits for organizations and individuals who will actively collaborate with others in their community to address local transportation issues. The grantee will also provide support to the communities to develop, adapt, or revise plans to guide what they are doing at a local level, and they will share this information with other groups. The grantee will survey stakeholders to gather information about their experiences and goals, share this information with TCDD as well as share recommendations that can be used to develop further develop policy actions and future projects. During the posting period, TCDD received two proposals for this RFP.

Authorized funding amount per RFP: TCDD has made available up to \$150,000 per year, for the first, second, and third years; up to \$125,000 for the fourth year; and up to \$100,000 for the fifth year.

The review panel ranked proposals as follows:

1. Texas State Independent Living Center (SILC)

The review panel unanimously selected the proposed project from SILC. One additional proposal was received but was not recommended.

Summaries of review panel and staff follow. Summaries of review panel comments for proposals not recommended for funding by the panel are included for information purposes. These are not reviewed by staff.

Accessible Transportation Summits Proposal(s) Recommended for Funding

Organization: TX State Independent Living Center (SILC)

Funding Requested: \$150,000

Location of Main Office: Austin, TX

Match: \$50,000

Strengths Noted by the Review Panel:

- The Review Panel agreed that the proposal was well written and clear.
- The Panel acknowledged that transportation issues are statewide, and it is a positive that SILC has planned summits in four different areas of the state, including designated poverty counties.
- SILC has planned more transportation summits than the RFP required.
- The proposal demonstrates activities used to recruit, involve and support individuals' participation.
- SILC has demonstrated experience and knowledge about transportation and mobility issues and barriers and are qualified to perform the activities in the proposal.
- SILC has developed an accessible transportation network that includes the 27 independent living centers and a partnership with Texas Department of Transportation.
- The proposed project includes diverse traditional and nontraditional partners for the summits.
- As an incentive for participation, SILC offers continuing education credits.
- The continuation of the transportation summits appears to be possible due to SILC utilizing vendor fees.

Additional Strengths Noted by TCDD Staff:

- Each of the five transportation summits will include a unique transportation public policy issue.
- Each summit issue is relevant to the community in which it's being held. Issues to be addressed include: local ordinances; funding complexities; rural transportation connectivity; county or boundary line coordination; safe and accessible streets and sidewalks; technological solutions, ADA paratransit.
- There is also a summit dedicated to public policy advocacy.
- TX SILC will conclude with a final report that documents the project efforts and provides recommendations regarding accessible transportation and alternative funding sources to serve as a roadmap for system-wide expansion of accessible transportation projects.

Note: SILC should look into resources available from the National Aging and Disability Transportation Center, a new Federal Transit Administration technical assistance center that will: provide technical assistance, information and referral; develop and field training; implement an interactive communication and outreach strategy; and offer grant funding to support communities to assess needs and develop innovative transportation solutions.

Concerns Noted by the Review Panel:

- SILC already has summits planned and did not address performing pre-summit surveys to determine issues and barrier topics for the summits.
- The time between summits may not be enough to allow thorough follow up surveys and data collection.
- SILC plans to track 30 individuals after the summit to monitor their progress with understanding and knowledge about transportation and mobility issues. The Review Panel believes there should be a high number of tracked individuals. The performance measures that stated that 500 attendees would be trained in transportation and that 400 participants would be trained in transportation advocacy.

Additional Concerns Noted by TCDD Staff:

- The SILC's proposed budget needs clarification and revision.

Accessible Transportation Summits Proposal(s) Not Recommended for Funding

Organization: Community Options, Inc. (COI)

Funding Requested: \$150,000

Location of Main Office: Austin, TX

Match: \$50,000

Strengths Noted by the Review Panel:

- The proposal promotes the inclusion of individuals with disabilities.
- Review Panel members indicated that COI provided a clearly written proposal.
- The goals and objectives are clear with realistic timelines to accomplish them.
- COI emphasized their ability to collect stories and data to be shared with TCDD.
- COI is engaged in another grant project with Uber, and Uber is committed to participating in this project.
- The proposal promotes opportunities to increase public awareness about transportation needs and issues.

Concerns Noted by the Review Panel:

- COI has ample experience in providing employment and housing support for individuals, but COI does not appear to have significant experience with transportation services and issues, and the level of participation from individuals is unclear.
- Although there is inclusion of individuals, the COI transportation alliance does not clearly state how individuals will be included and how their feedback will be incorporated. This proposal should more clearly outline how individuals will be a part of the planning of the project and project activities.
- Although Uber will be involved in the project, COI's project would benefit from more nontraditional partners.
- COI has 10 offices in different states, but the Review Panel feel that the number of individuals COI serves in Texas appears to be low.
- COI highlighted already known transportation barriers and issues, but they did not identify new ideas and transportation barriers.
- Transportation and mobility is a statewide concern, and COI has focused their project on the Austin/Travis County area. They did not appear to utilize the surrounding rural areas.

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.

During the November 2015 meeting, the Council proposed amendments to be posted in the Texas Register for a 30-day public comment period. **No public comments were received following the December 3, 2015 posting.** The Executive Committee may make a final review of draft revisions and current rules and recommend Council approval of the final adoption of the amendments to TCDD rules.

Documents Include:

- **Texas Administrative Code (TAC)** – current rules and proposed revisions. The Committee will consider approval of TCDD rules which includes re-adoption of Title 40, Part 21, Chapters 876 and 877 and revisions to Chapter 877.

<p><u>Executive Committee</u></p> <p><u>Agenda Item 10.</u></p>	<p><u>Expected Action:</u></p> <p>The Executive Committee will review the information provided and may recommend Council approval.</p>
<p><u>Council</u></p> <p><u>Agenda Item 11.</u></p>	<p><u>Expected Action:</u></p> <p>The Council will consider Executive Committee recommendations on this subject.</p>

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.

Proposed Revisions to Council Policies and Procedures**Tab 8****Background:**

If revisions to the Texas Administrative Code are adopted regarding payment withholding, the Council will need to then adopt revisions to Council Policies that further define this process. Staff have drafted proposed revisions to Council policy on this subject as well as revisions to the grantee appeal process and clarification of Council membership. Revisions are also proposed to the Council Procedures regarding reimbursement rates for attendant or respite services provided for members during Council meetings.

The Executive Committee is asked to review the proposals and if approved, the proposed revisions can be presented to the Council for discussion and consideration at the May 2016 meeting.

Executive Committee**Agenda Item 11.****Expected Action:**

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

Council**Agenda Item 12. E.****Expected Action:**

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

Texas Council for Developmental Disabilities

Council Policies

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Texas Council for Developmental Disabilities

Council Policies

Adopted by Council November 10, 2000

Revisions Approved May 10, 2002, August 8, 2003, August 13, 2004, November 5, 2004; February 4, 2005; February 3, 2006, November 3, 2006, August 3, 2007, February 22, 2008, February 12, 2010 and May 6, 2011

III. MEMBERS *(Revised 11/03/06)*

- A. Membership. Members of the Council are appointed by the Governor in a manner consistent with federal (**Developmental Disabilities and Assistance Act**) and **Texas** state law. Members shall include individuals with developmental disabilities, parents of individuals with developmental disabilities, and representatives designated by the chief executive officer representing **the following federal and state programs.**
1. **The Individuals with Disabilities Education Act**
 2. **The Rehabilitation Act of 1973**
 3. **The Older Americans Act**
 4. **Title V of the Social Security Act**
 5. **Title XIX of the Social Security Act**
 6. **State Protection and Advocacy System funded under the DD Act**
 7. **University Center for Excellence in Developmental Disabilities (UCEDD at University of Texas)**
 8. **University Center for Excellence in Developmental Disabilities (UCEDD at Texas A&M University)**
 9. **Representatives of local and non-governmental agencies concerned with services for individuals with developmental disabilities**
 10. **Representatives of private non-profit groups concerned with services for individuals with developmental disabilities**
- B. Terms. Members of the Council serve staggered terms as specified in state statute.
- C. Council Member Expenses. Council members serve without salary but are entitled to receive reimbursement for actual expenses for all approved activities consistent with Council policies and state law.
- D. Conflict of Interest. Council members shall adhere to the Conflict of Interest Disclosure Policy as approved by the Council as Appendix I.

IX. TCDD GRANTS PROJECTS *(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 as **outlined in the Conflict of Interest policy**.
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:
 - (c) financial ability to perform services;
 - (d) state and regional needs and priorities;
 - (e) improved access for unserved or underserved areas and or groups of individuals;
 - (f) ability to continue services after conclusion of grant funding, if applicable; and
 - (g) 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 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 business days (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 calendar days but may partially restore payments for the any period beyond 60 calendar 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 calendar days. Reimbursements for any period of a payment withheld for more than 60 calendar days may be partially restored in the following manner:**
 - i. **Payments for the period from 60 – 90 calendar days will be restored at 90% of the requested amount.**
 - ii. **Payments for the period from 90 – 120 calendar days will be restored at 50% of the requested amount.**
 - iii. **Payments for the period longer than 120 calendar days past will not be restored.**
7. **A Notice of Grant Award for any project that is more than 60 calendar 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.**

K. Suspension of Grant Funding

1. 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.

2. 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.
3. 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.
4. 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.
5. 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.
6. 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.
- . 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.

COUNCIL PROCEDURES
Revisions Approved – May 2011
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COUNCIL PROCEDURE 11. MEMBER TRAVEL EXPENSE REIMBURSEMENT POLICY

1. **General.** State statute authorizes Council members to receive reimbursement for "actual expenses incurred in performing their duties, including travel, meals, lodging, and telephone long distance charges" (112.015 HRC, V.T.C.A.). Separately, language in the state appropriations act also directs agencies to conserve funds by maximizing economy and efficiency when planning travel, and stipulates that travel reimbursements are for "necessary and reasonable expenses" ... "only when the purposes of the travel clearly involve official state business..." It is therefore the policy of the TCDD that:
 - a. Council members are encouraged to stay at the hotel where rates have been negotiated by staff, or at a hotel with comparable state government rates. When group rates have not been negotiated, members are eligible for lodging expenses that are reasonably comparable to "state government rates" in that location. Reimbursement for lodging for Council members may not exceed twice the maximum rate for state employees.
 - b. Council members shall be eligible for reimbursement for actual expenses for meals, but not more than twice the maximum rate for state employees. An overnight stay is not required for reimbursement for actual meal expenses.
 - c. Council members are expected to attend the majority of the event for which travel reimbursement is requested. If the member also conducts non-Council business while in the same location, it is expected that travel expenses will be allocated accordingly to Council and non-Council business.
 - d. Council members may receive reimbursement for reasonable and necessary personal assistance services, including attendants and respite care. Reimbursement for travel expenses for personal attendants is limited to the same amounts as would apply to the Council member.
2. **Travel Advance.** Council members may request a travel advance to avoid financial hardship due to Council related travel expenses.
3. **Exceptions.** Recognizing that individual circumstances may require exceptions to the expense limitations noted above, the Chair of the Council is authorized to make final determinations of "reasonable and necessary expenses" which are in excess of these amounts.
4. **Travel Events.** Reimbursement for travel expenses will be authorized in the following situations:
 - a. Travel expenses to attend Council and Committee meetings are authorized in advance and do not require prior approval of the Chair except as noted below.
 - b. Travel expenses are also authorized in advance to attend meetings on behalf of the Council, to speak or testify on behalf of the Council, or to otherwise act as a Council representative at the request of the Council Chair or the Executive Director.
 - c. Council members may request approval to attend a conference, workshop or other event related to the Council's business, including events coordinated by TCDD grantees with funds awarded by the Council. In general, approval will be limited to no more than one such event per year for each Council member. The requesting member must demonstrate the importance to the Council of the event in the justification on the travel request form. The requesting member is responsible to **submit a travel request** form in advance and submit for consideration by the Chair.
5. **Agency Representatives:** Members who are representatives of State Agencies (or their alternates) are eligible for reimbursement for travel expenses in the same manner as all other Council members except that Council policy asks that their agency be responsible for travel expenses for the first Council or Committee meeting during the fiscal year. Otherwise, these guidelines are applicable to all Council members.

6. Exceptions.

- a. Council members are not eligible to receive reimbursement for travel expenses from TCDD funded stipends grantees.
- b. In general, Council members should not receive reimbursement from other TCDD funded grantees for travel expenses. Exceptions may be approved in advance by the Executive Director or Chair.

7. Travel Guidelines and Reimbursement Procedures.

- a. **State Contracted Travel Vendors.** State travel regulations require all persons traveling on state business, including Council members, to use the contracted state travel vendors and follow all state travel rules.
- b. **Air Transportation.**
 - i. TCDD staff will purchase airline tickets for Council members through a direct billing process. Please contact the TCDD Executive Assistant with the dates and times of travel so that she may make the appropriate arrangements. Confirmation will be e-mailed or faxed to the member.
 - ii. Even though airfare is charged directly, **airline receipts must be submitted** with a reimbursement request.
 - iii. First class airfare is not payable unless it is the only flight available to conduct Council business or is required as a reasonable accommodation.
 - iv. Cancellation charges are payable only if travel was canceled for a TCDD business-related reason.
 - v. If Council members depart from a location other than their home city and travel to conduct approved Council business, reimbursement is limited to the average coach airfare between their home city and destination or departure point and destination, whichever is less.
- c. **Lodging.**
 - i. Council members are **not** exempt from state, county, and local hotel/motel occupancy tax and will be reimbursed for these charges
 - ii. Original lodging **receipts** are required. If the receipt is lost, a copy of the receipt, a copy of the canceled check, a credit card slip or letter from the hotel/motel will be accepted as proof of payment. The receipt must include the following information:
 - Date(s) of travel
 - Name of traveler
 - Name of hotel/motel
 - Amount of lodging charge
 - Number of people occupying room
- d. **Meals. Receipts** are not required but meals should be itemized on back of travel expense record. Please note: reimbursement is not allowable for some items including liquor, tips, and entertainment.
- e. **Personally Owned Automobiles.** Members are entitled to be reimbursed for mileage incurred driving to meetings or to and from the airport, etc. Reimbursement may not exceed the actual number of miles traveled for business purposes and the current maximum mileage reimbursement rate. The number of miles allowable for reimbursement may not exceed the mileage for the most cost-effective reasonably safe route. And, the number of miles traveled may be determined by the vehicle's odometer reading or by an online mapping service such as mapquest.com

**COUNCIL PROCEDURES
REVISIONS APPROVED MAY 2011**

- f. Mileage is also reimburseable for travel if someone transports the member to the airport and picks them up upon their return. In those instances, the roundtrip mileage is allowable for both trips so long as it is less than the cost of parking the Council member's car at the airport. Parking fees incurred while on official state business are also an allowable expense.
- g. **Rental Cars.** The use of rental cars by Council members **must be approved by the Council Chair in advance.** In most instances, taxi or limousine services should be used since they are more economical than rental cars for Council business activities. Rental cars are also direct billed per state contracts so must be coordinated by the TCDD Executive Assistant. A receipt is required for rental cars.
- h. **Public Transportation.** The original receipts are required for airfare, bus, or trains but not for inner-city bus, taxi, shuttle, mass transit, and limousine fares. An itemized list of all claims showing destination, date, and amounts of each trip for public transportation must be shown on the Travel Voucher.

In all instances, Council members are expected to use the most economical method of transportation, considering all relevant circumstances.

- i. **Personal Assistance Services.**

- i. Council members with disabilities who require personal assistance services may pay and be reimbursed for fees and actual travel expenses of an attendant not to exceed the allowable travel expenses for Council members. Receipts for fees and all attendant travel expenses are required. Attendant services fees may not exceed \$20 per hour for a 12 hour day and not more than \$35/night if an overnight stay is required without prior approval.
 - ii. If assistance is obtained by the Council member, i.e., bell hop to aid with luggage, and monies are given in return for assistance, that amount may be claimed as an "attendant cost." A receipt is required.
 - iii. Council members who require respite care services for a child with a disability during the time they are away from home are eligible for reimbursement of fees for such services not to exceed \$20 per hour for a 12 hour day and not more than \$35/night if an overnight stay is required for those hours that are in addition to what the member would otherwise have paid during that time period. Receipts for respite services fees are required.
 - iv. Reimbursements for personal assistance services may not supplant other sources of funds that would have reimbursed similar services during the same time period. Family members living in the same home as the member are generally not eligible for reimbursement for providing personal assistance services but are eligible for other travel expenses incurred when providing assistance to a council member. However, individuals who are a certified waiver provider for their family member may be reimbursed for those expenses.
- j. **Travel Advances.** Travel advances are available to assist Council members to avoid financial hardship due to Council related travel expenses. Prior approval is required. Requests for travel advances must be received by TCDD staff at least 15 workdays prior to the departure date of travel. Please contact the TCDD Executive Assistant for further information about travel advances.
- k. **Miscellaneous Expenses.** Other TCDD business related expenses such as telephone calls, postage and copying costs incurred while in travel status are also reimbursable and should be included on the travel expense record. If any of these expenses are incurred while not in travel status, please submit receipts separately and a purchase voucher will be prepared.

COUNCIL PROCEDURES
REVISIONS APPROVED MAY 2011

- l. **Individual Circumstances.** Recognizing that individual circumstances may require exceptions to the expense limitations noted, the Chair of the Council is authorized to make final determinations of "reasonable and necessary expenses" which are in excess of these amounts.
- m. **Processing of Travel Vouchers.** Once a completed Travel Expense Record is received by TCDD staff, it takes about 5-10 workdays to process in the TCDD office and the TEA Travel Section before a state warrant to be mailed to the Council member. Checks will be direct-deposited for Council members employed by a state agency unless instructed otherwise. All questions regarding processing of travel vouchers can be addressed to the TCDD Executive Assistant. Council members are asked to submit all travel expense information within 10 workdays of when the travel occurred. Reimbursement for expenses after vouchers are submitted require special approval.

Revisions Approved April 8, 2010

Approved May 6, 2011

Background:

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

Discussion topics include:

- Statistics
- Top Facebook Posts
- Top 20 Webpages
- Information Requests and Distribution

Committee of the Whole

Agenda Item 5.

Expected Action:

The Committee will receive an update regarding recent public information activities and provide guidance as needed. No action is anticipated.

TCDD Public Information Report

February 2016

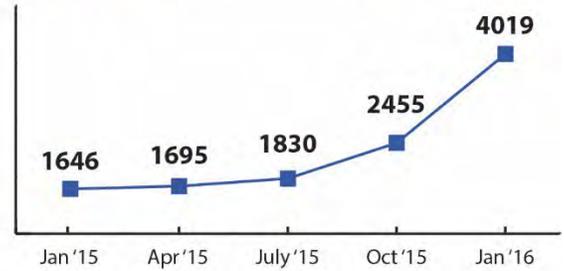
Overview



Email Subscribers



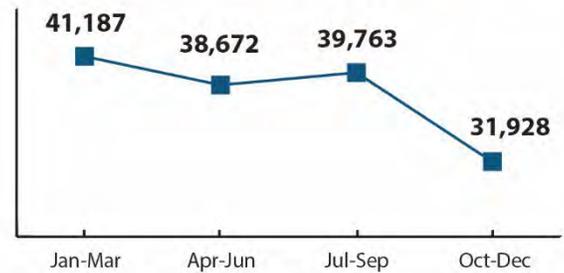
Facebook Fans



Twitter Followers



Website Visits



Social Media

Top Facebook Posts

Post Message	Total Reach
BREAKING: HHSC TO PRESERVE ACCESS TO THERAPY SERVICES	9,565
STUDENTS WITH DISABILITIES "TRUANT" IN TEXAS SCHOOLS	5,986
TEXAS LEADS THE WAY: THE FIRST SUPPORTED DECISION-MAKING AGREEMENT	5,434
THINGS TO REMEMBER THIS HALLOWEEN	4,775
HOTEL TO TRAIN & EMPLOY PEOPLE WITH DISABILITIES	4,694
COMMUNITY FIRST CHOICE: AN OPTION IN TEXAS	4,674
HEALTH INSURANCE BEYOND AGE 26	3,982
SUPPORTED DECISION-MAKING IN TEXAS	2,847
JUDGE DENIES FAMILY'S DESIRE TO PLACE MAN UNDER GUARDIANSHIP	2,518
10 THINGS TO KNOW ABOUT ABLE ACCOUNTS	2,464

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

Website

Top 20 Webpages Visited (Oct. 1, 2015 – Dec. 31, 2015)

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

Webpage	Number of Pageviews
Total pageviews for quarter	31,928
Home Page	4,041
People First Language	3,175
Updated Texas Service Dog Law 14 Facts for 2014	2,551
Texas Legislature	1,570
Supported Decision-Making	888
Guardianship Alternatives	781
Funding Available for Grants	619
Jobs	517
What is a Developmental Disability?	483
Publications and Multimedia	397
Current Grant Projects	352
Grants	324
Medicaid Waiver Foster Payments Become Tax Exempt	304
Staff Directory	300
Legislative Advocacy Tips	287
About Us	276
News and Information	259
Contact Us	228
Resources	226
Workplace Bullying: Know Your Rights	220

Information Requests & Distribution

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

- TCDD Council & Committee Meetings: November 4-6, 2015
- TCDD Seeks Grant Specialist
- 84th Texas Legislature Interim Committee Charges
- TCDD Seeks Public Input on State Plan & Texas Administrative Code Proposals
- Public Hearing: House Human Services Committee (Dec. 15)
- Learn About STAR Kids at an Information Session

I&R Requests: Staff responded to 44 requests for information and referral.

Printed TCDD Materials Distributed

- Annual Report: 2 English, 1 Spanish
- 2014 Biennial Disability Report: 2 English, 1 Spanish
- Higher Ed Guide (English): 5
- People First Language Handout: 251

Background:

In November of 2015, the Committee of the Whole approved draft goals and objectives to be posted for public input.

Behind this Tab are the following documents:

- A summary of public comments that suggest changes to goals and objectives or that relate to the implementation of the plan
- The draft goals and objectives as posted

In the Committee of the Whole, Planning Coordinator Joanna Cordry will facilitate a Council discussion to determine what changes the Council might wish to make to the draft goals and objectives based on the public input received. Staff recommend that the discussion focus on the substance of the goals and objectives, and that members provide any suggestions for detailed edits prior to the meeting.

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.

Texas Council for Developmental Disabilities Draft FY 2017-2021 Plan

State Plan Guiding Principles

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

- Evolution versus revolution of the 2012-2016 State Plan, building on strategies that further advance the work of the Texas Council for Developmental Disabilities (TCDD).
- Alignment with the mission of the Council and purpose of the Developmental Disabilities Assistance and Bill of Rights Act of 2000 (DD Act).
- Consistency with the strengths, weaknesses, opportunities, and threats analysis of TCDD as an organization.
- Ease of comprehension.
- Consistency with proposed measures and reporting requirements set by the Administration on Intellectual and Developmental Disabilities (AIDD).
- Consistency with input from self-advocates, family members, and allies.
- Consistency with person-centered practices.

1. TCDD creates and supports 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.
 - 1.1. 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.
 - 1.2. 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.
 - 1.3. 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.
 - 1.4. Provide training and information to people who have developmental disabilities and their families on financial literacy and to better understand SSI/SSDI and health benefits by 1/1/2021.
 - 1.5. 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.
 - 1.6. 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.
 - 1.7. Create at least one new promising community-based person-centered practice that ensures that people with complex medical and/or behavioral health, including mental health, receive appropriate, timely services that by 9/30/2021.
 - 1.8. 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.

- 1.9. Create and pilot at least one promising practice that supports organizations, agencies, groups, or individuals who provide services to the general public to fully include and be responsive to the needs of people with developmental disabilities by 9/30/2021.
 - 1.10. Create and evaluate at least three projects that address specific needs of individuals with developmental disabilities who identify with a specific minority culture(s) by 9/30/2021.
 - 1.11. By 9/30/2021, create and pilot at least one promising practice that addresses the needs of individuals with developmental disabilities who are aging and their caregivers.
2. Community-based systems make improvements and/or expand to better support people with developmental disabilities or families of children with developmental disabilities to achieve goals identified as important to them by 9/30/2021.
 - 2.1 Promote systems that will sustain the policies and projects that demonstrate success in helping people reach their goals by 9/30/2021.
 - 2.2 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.
 - 2.3 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.
 - 2.4 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.
 - 2.5 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.
 - 2.6 Each year, advocate for legislative/policy change to improve educational outcomes for people with developmental disabilities by 9/30/2021.
 - 2.7 Collaborate with others to expand the appropriate use of alternatives to guardianship by 9/30/2021.
 - 2.8 Collaborate with Disability Rights Texas, the University of Texas Center for Disability Studies, and the Texas A&M Center on Disability and Development (the DD Act network partners) and others to promote the use of person centered practices by 9/30/2021.
 - 2.9 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.
 - 3.1 Provide self-advocates opportunities to develop public speaking skills by 9/30/2017.
 - 3.2 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.

- 3.3 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.
 - 3.4 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.
 - 3.5 Support people with developmental disabilities to provide peer supports to people with developmental disabilities each year by 9/30/2021.
 - 3.6 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.
 - 3.7 Support people with developmental disabilities to conduct community organizing by 9/30/2021.
 - 3.8 Build the capacity of and support at least one statewide self-advocacy organization run by people with developmental disabilities by 9/30/2021.
 - 3.9 Support self-advocates and family members to participate on cross-disability, culturally diverse leadership coalitions each year by 9/30/2021.
 - 3.10 Develop and support at least one leadership development and advocacy skills training for youth with disabilities by 9/30/2021.
 - 3.11 Develop and support at least one sibling network by 9/30/2021.
 - 3.12 Work with DD Act network partners and others to support collaborative public policy advocacy activities by 9/30/2021.
 - 3.13 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 people with developmental disabilities have greater control over their own lives by 9/30/2021.
 - 3.14 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.
 - 3.15 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.
 - 4.1 Each year of the plan, provide public policy input regarding emerging issues that are determined to impact the lives of people with developmental disabilities and their families.
 - 4.2 Each year of the plan, organize and conduct communications activities to further the Council's mission and increase outreach.
 - 4.3 Each year of the plan, support the Council to review policy, new ideas, and outcomes of grant projects and to implement initiatives that will further the Council's mission and reach state plan goals.
 - 4.4 Each year of the plan, engage in continuous quality improvement activities that benefit the Council and other organizations.

2017-2021 State Plan Goals and Objectives [Proposed]
Public Comment Received December 2015 - January 2016

GOAL 1 Create and Support Promising Practices	Suggestions for Changes to Objectives	Suggestions for Implementation
<ol style="list-style-type: none"> 1) Review public/stakeholder input 2) Monitor, report on existing projects (education, employment, health and fitness) 3) Create/support/evaluate practices that demonstrate: <ol style="list-style-type: none"> a) People with developmental disabilities can have jobs of their choice and keep benefits b) Full inclusion in education (include higher education) c) Support for people with complex medical or behavioral health needs d) Community-based non-work activities e) Full inclusion in community organizations f) How to address needs of diverse groups/cultures g) How to address needs of people with developmental disabilities and caregivers who are aging 	<ul style="list-style-type: none"> • Support healthy relationships, including healthy sexuality • Include caregivers • Teach children with disabilities about God • Develop reliable, accountable service to do paperwork, service seeking and monitoring for adult with disability • Add point to point rides on campus at state universities • Improve the housing situation • Develop alternate supported housing or group home models for people with dual diagnosis • Inform the justice system on state services that allow people with developmental disabilities to live in their communities • Create community-based person-centered practices in the Coastal Bend • Define "promising practice" and state how it will be determined • Rewrite goals/objectives with less jargon and to be more measurable (example: create and pilot are two actions requiring two distinct end dates. How would you monitor action accomplishment?) • Rephrase "goals identified as important to them" - it could be misleading 	<ul style="list-style-type: none"> • (Re: Obj. 1) Provide more information on how individuals with disabilities will be contacted and their input documented (mentioned four times). It appears that projects have already been designed without collected input. • Publicize efforts • Make training on accessing benefits and how easy it is to lose them more universal • (Re: Obj. 3.a) Ensure that families can access the training and information • Realize that people need more understandable materials and individualized, in-person help • Partner with the 22 ADRCs across the state (2) • Increase the number of up-to-date studies about people with IDD who are aging <p>Question: Will objectives be prioritized?</p>

*A number in parenthesis [e.g. (2)] indicates how many times this issue or item was suggested.

*65 comments on Goal 1 were provided; 28 expressed general support of the goal or specific objectives.

2017-2021 State Plan Goals and Objectives [Proposed]
Public Comment Received December 2015 - January 2016

GOAL 2 Improve and Expand Existing Community Based Systems	Suggestions for Changes to Objectives	Suggestions for Implementation
<ol style="list-style-type: none"> 1. Promote sustainable ways to expand successful initiatives 2. Support people with disabilities to improve transportation planning 3. Expand capacity to prevent unwanted institutionalization and help people leave institutions 4. Expand access to medical, behavioral health services 5. Advocate for policy to: <ul style="list-style-type: none"> • Remove barriers to employment • Improve education policy 6. Collaborate to expand use of Alternatives to Guardianship 7. Collaborate to promote use of Person Centered Thinking 8. Collaborate to reduce cultural and linguistic barriers to services 	<ul style="list-style-type: none"> • Add point to point rides on campus at state universities • Collaborate and advocate for Person Centered Planning (PCP) • (Re: Obj 3) Include examples of how to avoid institutionalization • Assist communities that have very few providers; support new providers • Use "science-based, data driven" efforts to improve services based on data and not opinion or political orientation • Address housing needs, including supported housing (housing mentioned three times) • Specify that reducing the waiting lists for Medicaid Waiver programs will be addressed • Provide funding for families to visit legislators • Address needs in rural areas • Promote defined and appropriate nurse/client ratios • Rephrase "goals identified as important to them" - it could be misleading • Name collaborators • Be more specific and write all objectives to be measurable 	<ul style="list-style-type: none"> • Consider how for-profits (insurance companies, managed care, etc.), faith-based, and local authorities fit in • Develop partners in rural areas to build community capacity • Use local I&R programs (211) to coordinate services • Partner with social workers from DSHS Children with Special Health Care Needs • (Re: Objective 5a) Collaborate with employers of people with IDD • Promote improvements to trauma informed care • Increase medical and behavioral services for people enrolled in Medicaid • Increase access to in-home or over-the-phone behavioral health intake and in-home services <p>*Importance of addressing transportation was mentioned approximately 12 times</p>

***A number in parenthesis [e.g. (2)] indicates how many times this issue or item was suggested.**

***56 comments on Goal 2 were provided; 21 expressed general support of the goal or specific objectives.**

2017-2021 State Plan Goals and Objectives [Proposed]

Public Comment Received December 2015 - January 2016

GOAL 3 Self-Advocates and Advocates Influence Policy and Practices	Suggestions for Changes to Objectives	Suggestions for Implementation
<ol style="list-style-type: none"> 1. Provide opportunities for people with dd to improve public speaking 2. Provide access to leadership and advocacy training and networking: <ol style="list-style-type: none"> a) Provide training to self-advocates, families, allies b) Provide advanced training c) Self-advocates train other self-advocates d) Self-advocates provide peer supports e) Peers mentor people in institutions f) Self-advocates organize communities g) Support a statewide self-advocacy organization h) Train youth i) For siblings (a network) 3. Self-advocates serve on diverse leadership groups 4. Collaborate on public policy 5. Fund TCDD fellowships 6. Outreach to rural, minorities 7. Provide information to advocates 	<ul style="list-style-type: none"> • Create more things to do or places to go in the summer • Give some sense of how many people you plan to help 	<ul style="list-style-type: none"> • Partner with others to publicize efforts • Collaborate with DSHS social workers and the Texas Chapter of the National Association of Social Workers • Ensure policy fellows have disabilities • Include the independent living philosophy in administering policy fellows grants • Develop policy professionals for rural areas • Increase the number of outreach workers to rural areas and minority groups • Implement activities across the state • Implement activities in non-urban areas • Start by looking at the Arc self-advocacy groups & the Sibshop program • Include adults supporting and adult family member in sibling groups • (Re: Obj. 1) Consider trying webinars • Expand one-on-one collaboration to make information less overwhelming • Provide large grants to a few organizations - small grants don't affect systems change • Consider only working on objectives 2.d, 2.f, and 2.g.

*A number in parenthesis [e.g. (2)] indicates how many times this issue or item was suggested.

*48 comments on Goal 3 were provided; 26 expressed general support of the goal or specific objectives.

2017-2021 State Plan Goals and Objectives [Proposed]
Public Comment Received December 2015 - January 2016

GOAL 4 Identify and Engage in Emerging Issues and Opportunities	Suggestions for Changes to Objectives	Suggestions for Implementation
<ol style="list-style-type: none"> 1. Provide public policy input on emerging issues 2. Use strategic communication to increase outreach 3. Review policy, new ideas, grant project outcomes to develop innovative new initiatives 4. Engage in activities for continuous quality improvement 	<ul style="list-style-type: none"> • Get input from people with disabilities and family members to identify emerging issues (3) • Address and provide information on all issues • Inform people about Community First Choice • Monitor and score managed care organizations • Create best practice policies, procedures and guidelines for managed care organizations • Increase funding for vocational training and higher education programs • Develop more events for children. • Provide futures planning for parents of children with disabilities • Provide more training • Study the pattern of fraud by providers • Note that TCDD also provides input on issues that are not “emerging” • Consider stating the mission and priorities in this goal • Make objectives more specific and consider including dates 	<ul style="list-style-type: none"> • Continue to promote, support and implement new ideas and initiatives based on past grant projects (“this has been a successful approach) • Address issues related to the aging of persons with disabilities • Address issues related to dual diagnosis • Collaborate with universities on curriculum

***A number in parenthesis [e.g. (2)] indicates how many times this issue or item was suggested.**

***45 comments on Goal 4 were provided; 20 expressed general support of the goal or specific objectives.**

Background:

Minutes of the November 5, 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, NOVEMBER 5, 2015
FINAL DRAFT MINUTES**

COMMITTEE MEMBERS PRESENT

Gladys Cortez, Chair	Jennifer Kaut	Rick Tisch
Kimberly Blackmon	Scott McAvoy	Brandon Pharris
Mary Durham, Council Chair	David Taylor	
Ivy Goldstein	John Thomas	

COMMITTEE MEMBERS ABSENT

Andrew Crim	Barbara Kaatz, TEA	Dana Perry
Mateo Delgado		

STAFF PRESENT

Martha Cantu	Fernando Rodriguez	Josh Ryf
Joanna Cordry	Danny Fikac	Beth Stalvey
Cynthia Ellison	Linda Logan	

STAFF ABSENT

Sonya Hosey	Wendy Jones
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GUEST PRESENT

Isabel Evans	Darryl Powell
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CALL TO ORDER

The Project Development Committee (PDC) met on Thursday, November 5, 2015, at the Horseshoe Bay Resort at 200 Hi Circle North, Horseshoe Bay, Texas 78657. Chair Gladys Cortez called the meeting to order at 02:17 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 August 6, 2015, Project Development Committee meeting.

MOTION: To approve the minutes of the August 6, 2015, Project Development Committee.

MADE BY: Scott McAvoy

SECOND: John Thomas

The motion **passed** unanimously.

4. CHAIR’S REMARKS

Chair Cortez thanked John Thomas for attending the Executive Committee meeting and for the questions and thoughts offered during the meeting.

5. MEMBER UPDATES

Rick Tisch provided an update on his activities and involvement with The Center in Houston Texas. This organization is doing a bike ride fundraiser and asked for TCDD Council member support or help. Tisch will provide further information at a later date.

Chair Cortez shared her involvement with the Rio Grande Down Syndrome Association Awareness Walk, which has been successful and continues to grow in participation and financial support.

6. STAFF REPORTS

A. Status of New Projects

Cynthia Ellison, Senior Grant Specialist, reported that a new grant issued to Light and Salt Association started on November 1, 2015.

B. Projected Available Funds

Martha Cantu, Operations Director, reported that TCDD has funds in both FY15 and FY16 that need to be used. All planned grants have been funded, and there is funding available for multiple projects. Cantu expressed that TCDD does not want to have to return funding to federal government.

There was a discussion on how funds are allocated and obligated. TCDD can redistribute funding so money that needs to be spent this fiscal year will be used to fund projects that are ending. New projects are funded with money from the current fiscal year. Council Chair Durham indicated that it would take an estimated one year to take a grant from a Request for Proposals (RFP) to awarding of funds. Staff suggested that the Higher Education projects might be supported to create a network across the state. Additionally, providing statewide training on alternatives to guardianship is potentially a large project.

There were no additional questions for Cantu.

C. Other Updates

Partners in Policymaking (PIP)

The committee discussed when Partners in Policymaking (PIP) would begin. There is work to be done to determine if TCDD should hire an employee or contractor and/or

develop an RFP for the management of PIP. There are several issues to be considered. Cordry indicated that there would be further discussion at the February 2016 Council Meeting. A cost analysis should be ready by the next Council meeting which will determine the pros and cons of either having PIP as in-house process vs. having a grantee manage PIP.

State Plan Goals and Objectives

The committee discussed the draft of FY2017-2021 State Plan found behind Tab 10 of the Council Binder. The committee determined that there are currently no major changes to propose. The committee recognized that, as presented, the current State Plan goals and objectives are inclusive, well written and ready for public comment. Tisch agreed to present to the goals and objectives at the Council meeting on Friday.

Possible Future Activities

Higher Education

The current Higher Education projects are successfully demonstrating how to support individuals with intellectual and developmental disabilities to earn degrees and certificates. The programs will most likely be sustainable and one may be expanded. Staff recommend the Committee consider developing a network to develop strategies to expand programs like these across the state. The committee discussed how schools might include training in self-advocacy and improve the Admission Review Dismissal (ARD) process, such as promoting student-led ARDs.

Guardianship Alternatives

Disability Rights Texas will develop a project to train people, including attorneys, judges, and others, about alternatives to guardianship. Staff suggested development of a project to provide statewide training to larger audiences. Committee members suggested that staff research a personal supports network similar to a program in Canada and noted that Parent to Parent may already be developing a model. Information about this could be included in the training.

Staff Activities

Joanna Cordry, Planning Coordinator, updated the Committee on her activities and her participation on the planning committee for the Center for Elimination of Disproportionality and Disparities' Annual Summit. In addition, Cordry reported that three Request for Proposals (RFPs) were posted during this quarter:

- Stakeholder Training on Guardianship Alternatives
- Leadership Development and Advocacy Training
- Accessible Transportation Summits

The TCDD Executive Committee awarded funding to the following organizations:

- Understanding Employment was awarded to National Disability Institute

- Stakeholder Training Guardianship Alternatives was awarded to Disability Rights Texas

None of the proposals submitted in response to the Policy Fellow RFP were funded, and the Executive Committee requested that staff reissue the RFP. There are proposals submitted for two new RFPs that will be reviewed:

- Leadership and Development
- Transportation

Staff is working with Nuvola-Network to develop various different types of interactive accessible online training templates. Staff will learn how to design effective curriculum. They will also be offering recommendations related to technology that TCDD might acquire in order to be able to hold video conferences that will meet the needs of the various stakeholders. TCDD staff is interested in webinar modules for training of grantee on the grants process.

Staffing Updates

Cordry informed the committee that Susan Mihalik, Grant Specialist, tendered her resignation and that TCDD is actively looking for a replacement.

7. FUTURE PROJECT FUNDING PRIORITIES

The Committee reviewed the current list of projects and added the newly approved project Partners in Policymaking to the top of the list as the #1 priority. There were no additional changes to the list. Several of the priorities are ending and are coming off.

MOTION: To approve the Future Project Funding Priorities as currently listed with the addition of Partners in Policymaking project to the top of the list as the #1 priority and maintaining the list as currently ordered.

MADE BY: Ivy Goldstein

SECOND: Scott McAvoy

The motion **passed** unanimously.

8. SELECTION OF TCDD NOMINATING COMMITTEE MEMBER

Chair Cortez lead a discussion on the importance and role of the Nominating Committee members. David Taylor agreed to be the Project Development Committee representative on the Nominating Committee.

MOTION: To approve David Taylor as the Project Development Committee representative on the Nominating Committee.

MADE BY: Scott McAvoy

SECOND: John Thomas

The motion **passed** unanimously.

9. WORK PLACE BULLYING

Council Member Brandon Pharris addressed the PDC on the development of a project that would hold employers responsible for not taking action on bullying in their workplace. This idea was originally presented to the Public Policy Committee and it was recommended that Pharris present his idea to the PDC.

The committee discussed the potential development of resources that people can use to prevent bullying and to continue to promote awareness and action across community networks. The committee also discussed possible action by the Council. Pharris is interested in an RFP to provide training on this issue and advocacy to increase awareness in schools. Staff suggested the possibility of adding a section on bullying to future Leadership and Advocacy RFPs. Pharris would like to see the strengthening of current laws and passage of new laws. Current Texas law on the workplace bullying is vague and does not use the term “bullying.”

Josh Ryf, Communication Coordinator at TCDD, suggested that this resource could be broken up into smaller modules and that TCDD can retool the current bullying in the workplace blog post.

The committee is interested in getting more information on this topic. There were several comments that bullying in the workplace is also a transition issue. The committee is interested in seeing more research data, the development of anecdotal information as an educational tool and the creation of a position statement that could be added to any informational resources developed by TCDD. It was brought to the committee’s attention that DARS does free trainings for businesses on bullying. Council Chair Durham informed the committee that bullying is also covered under Title IX and 504. Chair Cortez reminded the committee that no one on the council can personally benefit from TCDD grants.

10. SUPPORT FOR A STATEWIDE SELF-ADVOCACY ORGANIZATION

The committee discussed the idea to support a Statewide Self-Advocacy Organization. This would be a new activity for TCDD and there are several concerns. The committee considered the option of providing funding and networking opportunities for advocate agencies. One of the concerns is that the supported organization would expect the funding and support from TCDD to be ongoing. The committee directed staff to do research over this topic.

11. OTHER DISCUSSION ITEMS

The committee discussed how TCDD could support and/or develop a project for additional training to provide transition counselors with education on Guardianship Alternatives and the issues associated with bullying. The committee discussed the issues and process involved in transitions, the role of transition counselors and transition specialists, and how this type of training could reduce bullying.

ADJOURN

There being no further business, Chair Gladys Cortez adjourned the meeting at 04:14 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 a selected current TCDD funded project. This quarter, highlights from the Texas Tech University *Higher Education* project will be presented by the grantee 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. (found under 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. (found under Tab 4)

<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. A.</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 Leadership and Advocacy Project Highlights
February 2016

Grantee: Texas Tech University
Higher Education

Project Title: Project CASE (Connections for Academic Success & Employment) Year: 5 of 5

Project Location: Statewide

TCDD Budgeted: \$222,924

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.

Accomplishments: Project CASE will create a replicable, sustainable higher education model that will build a collaborative partnership with the Burkhart Center, TX Tech University, South Plains College, the Byron Martin Advanced Technology Center, DARS, and the business community to identify, recruit, and retain individuals with developmental disabilities across Texas, ages 18-25, who are seeking to further their education beyond high school and securing meaningful paid employment in their field of choice. As of the end of 2015:

- 25 students were actively enrolled in Project CASE
- 100% of Cohorts 1 and 2 have participated in one or more internships
- Cohort 3 students 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 Degree (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
- In the final year, Project CASE will work toward increasing access and the capacity of individuals with intellectual and other developmental disabilities (I/DD) to attend post-secondary educational training programs across Texas. The project director has volunteered to lead a planning committee for a conference to bring together all of the programs across Texas that are currently supporting individuals with developmental disabilities beyond what typical student disability services staff can offer on a college campus. This could possibly be done in conjunction with the Texas Transition Conference or even as a stand-alone conference.

Background:

Staff have prepared executive summaries for two proposed projects: *Higher Education Collaborative* and *Promotion of Supported Decision-Making and Alternatives to Guardianship*.

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

Project Development Committee

Agenda Item 7.

Expected Action:

The Committee will consider the Executive Summary and may recommend Council approval for funding.

Council

Agenda Item 9. A-B.

Expected Action:

The Council will consider recommendations from the Committee.

Executive Summary

Higher Education Collaborative

Project Goal

The Texas Council for Developmental Disabilities (TCDD) will fund a project to create a statewide expansion of best practices that support students with developmental disabilities to succeed in post-secondary programs that were originally designed for students without disabilities. The project will develop a sustainable Higher Education Collaborative that will include TCDD's "Higher Education for Employment" grantees and other post-secondary programs that have demonstrated success in fully including students with developmental disabilities. The collaborative would provide technical assistance and disseminate resources to develop similar programs at other institutions.

Relationship to TCDD State Plan Goals

TCDD's FY 2012 - 2016 State Plan includes Objective 2.1 to "implement a program that provides supports and on-the-job learning opportunities to students with developmental disabilities in a post-secondary program that results in at least 80 percent of students who participate for two or more years in the program gaining jobs related to their desired careers within six months of completing their education."

The TCDD FY 2017 – 2021 Draft State Plan includes a proposed objective to support students with developmental disabilities to be more fully included in educational programs.

This project will assist TCDD to reach its goal that students with developmental disabilities have access to and benefit from post-secondary education.

Funding and Duration

One project will be funded for up to five years.

Each organization proposing a project will include the funding amount needed to achieve the expected outcomes. TCDD will ensure the proposed funding is appropriate for the staffing, consulting, travel, materials development, evaluation, and other activities or resources needed to meet the expected outcomes and achieve sustainability. Grantees will be expected to provide match per TCDD guidelines.

Background

"Education is not a problem. Education is an opportunity" –Lyndon B. Johnson 36th U.S. President

Education provides an individual with an opportunity to increase their understanding about themselves, their families, friends, peers, and their community. Additionally, post-secondary education opens the door to expected and unexpected opportunities, such as increased employment opportunities and development of personal connections and relationships that allow one's world to grow.

TCDD currently funds three highly-successful higher education projects to develop, demonstrate, and evaluate inclusive models of post-secondary education through which students with developmental disabilities receive needed supports to succeed in post-secondary education programs designed for students without disabilities. Examples of the support services provided include, but are not limited to: implementing a summer program to prepare enrolled students for school before the school year starts; providing individualized supports to assist and encourage the student to remain in the program and/or to be able to attend classes; collaborating with other schools and the Department of Assistive and Rehabilitation Services; and partnering with businesses to provide internships. Texas Tech University, Texas A&M University, and the Texas Department of Assistive and Rehabilitation Services received grants to implement these projects. Below are short summaries of the programs funded by TCDD.

Texas Tech University Project CASE (Connections for Academic Success and Employment)

Project CASE served students attending institutions of higher education, including both a university and a local community college. As of December 2015, Project CASE had served a total of 48 students and graduated 14 students. Ten have been competitively employed since their graduation, and five students are in non-paid internships. Two students completed their Associate's Degree, transferred to Texas Tech University, and are now working towards their Bachelor's degree. Four students who completed a Bachelor's Degree at Texas Tech have been accepted into graduate programs in psychology, architecture, computer programming systems, and mass communications.

Texas A&M University Bridge to Career in Human Service

Texas A&M's (TAMU) Bridge to Career in Human Services created a summer program that provides training and support for students to learn the skills needed to be successful in TAMU's PATH program, which is a two semester certificate program that prepares graduates to be *Direct Support Professionals*. The summer program also teaches students what they need to know and do in order to be successful in their practicums. In the summer of 2014, 42 students were admitted to a 5-week summer program; 26 of these students continued in the fall program. For the 2015 academic year, the project received 74 applications, and 31 students were admitted. In May 2015, 18 of the students from 2014 graduated from the program. All 18 students are either employed, enrolled in other post-secondary education programs, in the process of being interviewed for employment, and/or are volunteering. Another institution of higher education, Blinn College, reviewed the course modules and selected the modules for the PATHS curriculum that will transfer as college credit at Blinn College.

TX Department of Assistive and Rehabilitation Services Project HIRE (Helping Individuals Reach Employment)

The Department of Assistive and Rehabilitative Services' (DARS) Higher Education Project HIRE (Helping Individuals Reach Employment) project supports individuals with developmental disabilities to complete post-secondary education at South Texas College (STC). Vocational Rehabilitation (VR) supports are supplemented with wrap-around services. At the end of the fall semester, the GPA for all Project HIRE participants remained at a 2.7 cumulative GPA. Four students graduated in December 2014 with STC Certificates in office management, culinary arts, mechanics, and multi-media specialist. Business mentoring continued for 15 Project HIRE participants.

With the support of DARS, Project HIRE's replication efforts successfully resulted in the launch of Project HIGHER at the El Paso Community College (EPCC) in the summer of 2015. Project HIGHER partners include DARS, EPCC, Region 19, University of Texas El Paso (UTEP), and Volar Center for Independent Living. UTEP Master-Level Educational Coaches provide the one-on-one support for six EPCC students with disabilities to help the students meet their post-secondary educational goals. DARS assists with the funding to pay for the coaches.

Project Description

The Higher Education Collaborative will provide educational resources, technical assistance and infrastructure development allowing for universities, colleges, and technical schools to recruit, retain, graduate, and transition students with disabilities into employment and/or meaningful day activity. The selected entity will support at least ten other campuses across the state to replicate the best practice models (models that have evidence they achieve the intended outcomes) and evaluate their success.

The collaborative will be expected to ensure that new programs recruit and support students from diverse cultures.

TCDD expects the grantees to meet the goals and outputs identified above and also to:

- Develop a Higher Education Collaborative to expand post-secondary options for students with developmental disabilities. The grantee should partner with TCDD's Higher Education for Employment grantees and other programs that support students with developmental disabilities to take classes at post-secondary institutions.
- Gather information about gaps and system changes that are needed to support successful transitions of people with disabilities to post-secondary programs.
- Provide technical assistance to and support at least ten institutions to implement innovative approaches and program models that provide post-secondary education for people with disabilities. (Texas has 101 four-year universities/colleges; 32 of these belong to one of the six university systems. This does not include technical institutes or two-year community colleges in Texas community colleges.)
- Plan and implement approaches to increase public awareness about post-secondary education options. This may involve developing "How To" manuals, a website, or other materials that assist students with disabilities complete enrollment process such as entrance exams, financial assistance applications and continuations.
- Develop and implement an evaluation plan to measure the outcomes of students after leaving the post-secondary programs developed.
- Ensure the sustainability for the collaborative and make recommendations for the sustainability of the programs developed.

There are other programs in a few areas of the state that support students to participate in classes at post-secondary institutions. Some of these programs have created partnerships, such as the "Texas Consortium for Post-Secondary Opportunities for People with Intellectual and Developmental Disabilities." Although they have had a positive impact on many students, have developed legislative support, and are promoting increased higher education options for students with developmental disabilities, they do not have sufficient funding and resources to be able to conduct the activities needed to achieve the outcomes noted above. They would be eligible to apply for this grant and, if selected, could build on what they have already established.

Other Considerations

The Federal Higher Education Opportunity Act of 2008 included provisions to assure equal college opportunities for students with disabilities. Specifically, the Act:

- Establishes a national center to provide support services and best practices for colleges, students with disabilities, and their families.
- Helps colleges recruit, retain, and graduate students with disabilities and improves education materials and facilities
- Expands eligibility for Pell Grant scholarships and other need-based aid for students with intellectual disabilities.

While the Act does not appear to have resulted in a significant increase in programs in Texas, the national center and the expanded eligibility for Pell Grant scholarships might provide resources that could significantly benefit the programs developed. The grantee should be (or become) familiar with the Act.

Executive Summary

Promotion of Supported Decision-making and Alternatives to Guardianship

Project Goal

The Texas Council for Developmental Disabilities (TCDD) will collaborate with others to develop and implement in-depth training across the state for individuals with developmental disabilities, their family members, providers of services and support, educators, and other community members who are likely to be involved in guardianship processes or in promoting supported decision-making and other alternatives to guardianship.

Relationship to TCDD State Plan Goals

TCDD's FY 2012 - 2016 State Plan includes Objective 5.5 to "develop opportunities to partner with people who have developmental disabilities, families, providers, medical schools, licensing and certification boards, agencies, and/or community-based organizations to provide or develop training and/or practice guidelines that include knowledge related to disability and incorporate components of successful TCDD projects."

The TCDD FY 2017 – 2021 Draft State Plan includes a proposed objective to collaborate with others to expand the appropriate use of alternatives to guardianship.

This project will assist TCDD to reach the objectives included in both state plans.

Proposed Funding Contribution

This will be determined when collaborators and their respective roles have been identified. TCDD would be significantly involved in this project.

Proposed Duration

Five years.

Background

The vast majority of people with disabilities, including those with developmental disabilities are able to make important decisions, independently or with support, without the need for a guardian. Decision-making is a learned skill – people with developmental disabilities, need the opportunity, experience and support to learn to make well informed decisions. Supported decision-making services, long term services and supports and other alternatives to guardianship can be essential legal ways to assist people with decision-making that do not restrict, limit or remove individual rights.

The Guardianship Reform and Supported Decision-Making (GRSDM) workgroup is an ad hoc collaboration of organizations; individuals with physical, mental, intellectual and other developmental disabilities; seniors; social workers; and representatives from the legal community. GRSDM was a driving force behind the significant changes adopted by the 84th Texas Legislature that became law in September 2015. TCDD and the other Texas DD Network Partners - Disability Rights Texas (DRTx), the

University of Texas Center for Disability Studies (CDS), and the Texas A&M Center on Disability and Development (CDD) - have been actively engaged with the GRSDM.

GRSDM developed seven policy proposals related to advancing alternatives to guardianship, enacting supported decision-making, providing rights and protections for people under guardianship and implementing person first language in guardianship.

The 84th Texas Legislature enacted five of the proposals advancing alternatives to guardianship and supported decision-making. These changes significantly advance the rights and protections for individuals with disabilities. To achieve the goals of guardianship reform there must be statewide monitoring, accessible and useable information, training and technical assistance provided to individuals with disabilities, families, courts, attorneys, guardians, educators, medical providers and state and local providers of services and supports.

TCDD recently awarded a grant to DRTx for \$40,000 per year for up to three years to provide training to target audiences, including, but not limited to: probate and county court judges, and probate attorneys. DRTx will develop outreach plans and training materials tailored to each audience. The materials will include information about alternatives to guardianship, such as: limited guardianships, Medical Power of Attorney, Durable Power of Attorney, HIPPA releases, and supported decision-making agreements. DRTx will also provide training to the groups noted above and to individuals with disabilities and family/supporters as they are able. However, the small funding amount does not allow for the in-depth training that individuals with developmental disabilities and family members may need to be able to understand and enter into supported decision-making agreements, nor does it allow for training across the state, particularly in rural areas.

Project Description

This project would provide:

- Statewide training that is relevant and easily accessible to individuals with developmental disabilities and family members. This may require training in small groups, provided over a period of time and/or reinforced through repetition.
- Statewide training for educational personnel, service providers including those providing medical services, social workers, and other pertinent audiences.
- Statewide training to enable individuals around the state to continue to train and support self-advocates and family members on a one-on-one basis, if needed, so that they can fully understand and implement supported decision-making and other alternatives to guardianship.

The project would develop the curricula and necessary materials to support training, which could include videos or interactive web-based instruction, and conduct evaluation activities to ensure that the training successfully imparts the understanding and skills expected.

Other Considerations

The Administration on Intellectual and Developmental Disabilities requires DD Network Partners to collaborate on planned, meaningful activities. The Texas DD Partner Network have a strong history of successfully collaborating, as is evidenced by the success of their work on this issue. TCDD believes that this project would be well-suited to be implemented by the DD Partner Network, and staff have approached the Network to discuss the possibility. Should the DD Network Partners collaboratively implement this project, specific roles for each Partner would be identified. Each Partner will contribute their organization's expertise and resources to the whole.

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 8.

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 5, 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 3/4/2016	8/1/2014 9/1/2016	7/31/2016 8/31/2018
1	Partners in Policymaking up to TBD yrs.	TBD	TBD	11/6/2015	TBD	TBD	TBD
2	Understanding Employment Options and Supports Conference up to 2 yrs.	1	\$150,000/yr.	10/25/2013	6/26/2015	3/1/2016	2/28/2018
3	Culturally Appropriate Family Supports up to 4 yrs.	5	\$75,000/yr.	10/26/2012	4/10/2015	2/1/2016	1/31/2020
4	Stakeholder Training on Guardianship Alternatives Up to 3 yrs.	1	\$40,000 /yr	2/7/2015	TBD	2/1/2016	1/31/2019
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

5. 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.

Workplace Bullying

Tab 15

Background:

The Public Policy and Project Development Committees will discuss the topic of workplace bullying during the consideration of “other discussion items” on the agendas. The included document provides updates regarding actions taken to address workplace bullying, as well as recommended next steps.

Project Development Committee

Agenda Item 9.

Expected Action:

The Committee will discuss the topic and may provide guidance to staff.

Public Policy Committee

Agenda Item 8.

Expected Action:

The Committee will discuss the topic and may provide guidance to staff.

UPDATE: BULLYING DISCUSSION OUTCOMES

At the August and November 2015 Council meetings, members discussed the following options:

1. **Highlight bullying in the workplace during the October National Disability Employment Awareness Month (NDEAM) via social media.**
 - TCDD staff developed and published the blog post “Workplace Bullying: Know Your Rights” on the TCDD website (tcdd.texas.gov/workplace-bullying/).
 - The blog post was shared on TCDD’s Facebook and Twitter accounts, where it reached 1,229 and 2,387 people, respectively. The blog post was also featured in an anti-bullying e-newsletter.
 - TCDD featured two additional workplace bullying articles via social media.
 - The TCDD blog post was made available to participants in a national webinar on “Workplace Bullying, Harassment, and Disability,” by the Yang-Tan Institute on Employment and Disability, Cornell University, on January 13, 2016.

2. **Share the issue with fellow advocates and include references to the issue in formal and informal TCDD public input.**

Bullying was referenced in the following TCDD public input:

 - Comments on the Texas Workforce Investment Council (TWIC) System Strategic Plan FY 2016-2023;
 - Joint Public Comments with Disability Rights Texas to the Texas Juvenile Justice Department relating to secure juvenile detention and correctional facilities; and
 - Public Comments on Curriculum of the Texas Commission on Law Enforcement on School Resource Officer training required by HB 2684.

Staff distributed TCDD blog post at the last Employment First Task Force meeting.

3. **Revise TCDD Employment Position Statement to include workplace bullying.**

4. **Support Brandon Pharris and other interested Council members’ advocacy efforts on this issue during the 2017 legislative session.** Staff will:
 - Assist Pharris with a request to specifically identify people with disabilities in the HB 3226 refile in meeting with Representative Coleman and/or staff;
 - Assist Pharris with education efforts with other legislators and their staff; and
 - Monitor the refile of HB 3226 in 2017.

5. **Reach out to other agencies (DARS, TWC) and private employers.** TCDD will encourage the inclusion of workplace bullying prevention in individual and employer education and outreach efforts currently undertaken by responsible state agencies and identify opportunities to encourage the inclusion of workplace bullying prevention in existing awareness initiatives.

Recommendation: After the conclusion of the 2017 Texas Legislature, the Project Development Committee may consider whether further action is necessary based on the session outcomes. At that time, the Committee can take into account emerging legislative direction and changes that would need to be considered to address awareness, education, and training needs.

Background:

Minutes of the November 5, 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
NOVEMBER 5, 2015**

COMMITTEE MEMBERS

PRESENT

Lora Taylor, Chair
Hunter Adkins

Kristen Cox
Elaine Eisenbaum, UT- CDS
Mary Faithfull, DRTx
Ruth Mason

Michael Peace
Brandon Pharris
Donnie Wilson, DADS
April Young, HHSC

STAFF PRESENT

Belinda Carlton

Ashley Ford
Linda Logan

Jessica Ramos
Joshua Ryf

GUESTS PRESENT

Shiloh Gonzalez, DARS
Chris Masey, Developmental Disability Fellow (DD Fellow)
Megan Morgan, DD Fellow
Darryl Powell

CALL TO ORDER

The Public Policy Committee convened on Thursday, November 5, 2015, in the Cottonwood Room at the Horseshoe Bay Resort, 200 Hi Circle North, Horseshoe Bay, TX 78657. Public Policy Committee Chair Lora Taylor called those present to order at 2:30 p.m.

1. INTRODUCTION

Chair Taylor asked the Committee members, staff, and guests to introduce themselves and to share their favorite season or holiday.

2. PUBLIC COMMENTS

No public comments were offered to the Committee.

3. CONSIDERATION OF AUGUST 6, 2015, MINUTES

The Committee reviewed the minutes from the August 6, 2015, Public Policy Committee meeting.

MOTION: To approve the minutes of the August 6, 2015, Public Policy Committee meeting, as presented.

MADE BY: Michael Peace

SECOND: Elaine Eisenbaum

The motion **passed** unanimously.

4. CHAIR'S REMARKS

Chair Taylor reminded everyone that November is National Epilepsy Awareness Month and the designated epilepsy awareness ribbon color is purple. Taylor also noted that purple is the color of political bipartisanship and is inspired and encouraged by the collaboration she has seen between legislators and policy staff. Taylor emphasized the importance of working together to create laws that effectively serve people.

5. MEMBER UPDATES

Hunter Adkins updated the Committee about her recent personal accomplishments. Elaine Eisenbaum announced the appointment of Amy Sharp to serve as executive director for the Texas Center for Disability Studies at the University of Texas.

Per Council Chair Mary Durham's direction, 2017-2021 State Plan Goals and Objectives were discussed. Public Policy Director Jessica Ramos explained that motions to change the State Plan would be considered on an individual basis by the Council on Friday, but that the Committee could discuss their thoughts and potential recommendations. Taylor asks for comments about the proposed State Plan. Eisenbaum discussed the language of goal 2, item d and suggested adding "mental health" to "medical and/or behavioral health" services access to acknowledge mental health as a distinct issue. Mary Faithfull further explained the complexity of the issue and suggested amending the line to say "medical, behavioral, and mental health services." In addition, Developmental Disability Fellow Chris Masey emphasized the importance of financial literacy training beyond understanding benefits in relation to employment. Committee members discussed changing the language of goal 1, item c to add financial literacy to training and information provided to people with developmental disabilities and their families. The Committee agreed that both items should be amended.

6. SUPPORT FOR STATEWIDE SELF-ADVOCACY ORGANIZATION

Chair Taylor asked members for input about TCDD supporting a statewide self-advocacy organization and what characteristics a successful statewide self-advocacy organization would have. Ramos explained support can be given in non-monetary ways including administrative support to ensure success. She discussed the impact self-advocacy organizations can have on public policy and the significance of disability network partners' collaboration. Faithfull recommended that establishing a timeframe for organizational self-sufficiency and independence should be determined prior to initiating funding because historically the Council has not provided long-term funding. The Committee noted that the Council's role is not to be sustainers and that it would be difficult to end funding.

7. SELECTION OF NOMINATING COMMITTEE MEMBER

Chair Taylor explained that Council policies provide for a Nominating Committee to be established each year at the fall Council meeting. Taylor asked the Public Policy Committee to nominate one of its members to the Council's Nominating Committee. Brandon Pharris nominated himself.

MOTION: To approve Brandon Pharris as the designated member of the Nominating Committee.

MADE BY: Hunter Adkins

SECOND: Michael Peace

The motion **passed** unanimously.

8. TCDD POSITION STATEMENT REVIEW

Ramos presented the Position Statement Review Schedule and explained the process and the purpose of reviewing the position statements. Ramos stated that an e-mail containing current position statements with instructions for providing independent review and editing notations would be sent to members soon. Taylor emphasized the importance of members completing an independent review promptly so that recommended changes can be added prior to the Committee's group review process in February. The Committee considered the Position Statement Review Schedule.

MOTION: To approve the Position Statement Review Schedule dates as listed.

MADE BY: Michael Peace

SECOND: Kristen Cox

The motion **passed** unanimously.

9. PUBLIC POLICY ISSUES

Public policy staff provided updates regarding public policy activities including an update on State Supported Living Centers (SSLC) data, the Senate's 84th Interim Charges, and daytime terminology and activities available

to people with developmental disabilities including day habilitation, sheltered workshops, and community-based non-work.

Ramos explained that information is routinely made available regarding State Supported Living Centers (SSLCs) by the Department of Aging and Disability Services (DADS) and the Promoting Independence Advisory Committee (PIAC). Ramos referenced the SSLC Fact Sheet handout provided to the Committee featuring census, return rate, referral, and barriers to transition data. The Committee discussed the referral outcomes in detail and noted the decrease in referrals resulting in transition for FY 2015.

Ramos referenced the Senate's 84th Interim Charges handout and the Committee reviewed the charges. Ramos highlighted the charges that could impact TCDD's Public Policy Priorities which included guardianship requirements, Medicaid reform, and the Medicaid renewal process.

Public Policy Assistant Ashley Ford presented the day terminology document in the binder provided to the Council. Ford explained that day activities for people with disabilities are complex and have various meanings and definitions. Understanding terminology is the first step in determining how policy is put into practice. Ford noted that a clear understanding of what day activity terms mean can impact the quality of life and level of independence for people with disabilities. The Committee discussed their experiences with day habilitation and sheltered workshops. Public Policy Specialist Linda Logan discussed what she learned at a recent conference she attended in Vermont. Logan noted the process of phasing out sheltered workshops in Vermont presented new challenges to fill the gap regarding how people with disabilities spend their day. Logan noted that having meaningful day activities, whether it is day habilitation or community-based non-work, is very important for people leaving sheltered workshops. Ramos explained that day habilitation facilities are widely regarded as not compliant under the Federal HCBS Settings Rule and referenced the day habilitation document in the binder. To bring Texas day habilitation facilities into compliance, community integration must be addressed. Ramos noted that achieving compliance presents an opportunity to change day activities and that community-based non-work could be a good solution to facilitate community integration and independent living. Although day habilitation programs are segregated under the parameters of the HCBS Settings Rule, staff sought guidance regarding the Committee's support to put resources in improving current day habilitation services and/or testing new models. The Committee indicated that they did not have enough information to provide support for future resources in this area and requested that staff provide the committee with models for further consideration to achieve best practices and HCBS compliance that could be implemented in Texas.

10. OTHER DISCUSSION ITEMS

Pharris discussed his presentation on workplace bullying to the Project Committee and noted the progress made during National Disability Employment Awareness Month.

ADJOURN

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

Beth Stalvey
Secretary to the Council

Date

Background:

The Council periodically reviews TCDD’s Position Statements. This quarter, TCDD staff asked Council members to review and recommend updates for the following Position Statements: Children & Families, Emergency Preparedness, Family Support, and Guardianship Reform & Supported Decision-Making.

The following Position Statement documents are included for your review:

- A. Emergency Preparedness - Current Position Statement with Markups*
- B. Family Support - Current Position Statement with Markups*
- C. Guardianship Reform & Supported Decision-Making
 - 1. Current Position Statement with Markups*
 - 2. Position Statement with Recommendations Accepted
- D. Children & Families
 - 1. Current Position Statement with Markups*
 - 2. Position Statement with Recommendations Accepted

* **PURPLE** Council Member input; **RED** Staff input.

<p><u>Public Policy Committee</u></p> <p><u>Agenda Item 6.</u></p>	<p><u>Expected Action:</u></p> <p>The Committee will consider suggested changes to four position statements and may recommend revisions to the Council.</p>
<p><u>Council</u></p> <p><u>Agenda Item 10.</u></p>	<p><u>Expected Action:</u></p> <p>The Council will consider any recommendations offered from the Committee.</p>



Emergency Preparedness Position Statement

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

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

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

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



Family Support Position Statement

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

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

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

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

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

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

Approved ~~August 8, 2014~~



Guardianship and Supported Decision-Making Position Statement

The Texas Council for Developmental Disabilities supports increasing opportunities for, and protecting the civil rights and well-being of, people with developmental disabilities. The vast majority of people with disabilities, including those with intellectual and developmental disabilities are able to make important decisions, independently or with support, without the need for a guardian. ~~With the provision of supports and services, most persons with disabilities are capable of making important decisions such as where they want to live without the need for a full or limited guardian.~~

Guardianship is a legal ~~tool proceeding~~ which ~~allows a person to make decisions for another person. It also~~ removes the civil rights and privileges of a person by assigning control of ~~their~~ his or her life to someone else. ~~Although state law in Texas directs a court to encourage the development or maintenance of maximum self-reliance and independence, it is not uncommon for courts to create full guardianships that deprive individuals with disabilities of the right to make fundamental decisions about their lives.~~ The broad definition of incapacity in Texas Estates Code has a discriminatory impact by enabling a court to appoint a guardian if an adult has a physical or mental condition and is substantially unable to provide food, clothing, or shelter, to care for their physical health, or manage their own financial affairs. Even though individuals with a disability may need supports and services or assistance from others to provide for such needs, they should still be afforded able to maintain the right to make choices about these aspects of their lives.

Recent legislative changes promoting alternatives to guardianship, including supported decision-making and a bill of rights for individuals under guardianship, provide the opportunity to significantly advance the rights and protections for individuals with disabilities. To achieve the goals of guardianship reform there must be statewide monitoring and accessible and useable information, training and technical assistance provided to individuals with disabilities, families, courts, attorneys, guardians, educators, medical providers and state and local providers of services and supports.

The Texas Council for Developmental Disabilities supports ~~the following~~ changes to the guardianship system in Texas that would promote the self-determination, well-being and ~~protect the rights of people~~ individuals with disabilities:

- A person should not be presumed to need a guardian because of advanced age or the presence of a physical or mental disability.
- ~~Courts should consider alternatives to guardianship before creating a guardianship. People with disabilities should be given the opportunity to avoid or limit guardianship through a variety of alternatives including supported decision-making. Supported decision-making would allow a person with a disability to select a person or persons to help the person with disability to understand and make decisions about their own lives.~~
 - The definition of incapacity in state law should be revised to consider the person's everyday functioning, values, preferences and cognition rather than their medical diagnosis. ~~The definition of incapacity should also require the consideration of the various proactive measures that have been taken or could be taken, including the use of available supports and services, to~~

~~maximize the ability of that individual to function, and to make and communicate informed decisions.~~

- ~~o The physical examination and documentation for incapacity should be based on functional abilities with or without services and supports.~~
- ~~o Guardianship based solely on the diagnosis of intellectual disability should be prohibited.~~

- ~~□ Attorneys ad litem should be knowledgeable of alternatives to guardianship and supports and services that assist or could assist individuals to make their own decisions and minimize the need for guardianships.~~
- ~~□ A person under a guardianship should receive a copy of their guardianship orders and be informed in a manner accessible to the individual about how they may raise complaints or concerns about their guardian or guardianship to the court, including resources for further assistance.~~
- ~~□ A The court should be required to explain the bill of rights for persons under guardianship ~~that delineates all rights, responsibilities and privileges granted under state and federal laws should be adopted in state law~~ in a manner accessible to the individual.~~
- ~~□ People who have guardians should, when possible, be able to make decisions about where they live.~~
- ~~□ The term “ward” should be ~~revised~~ changed to “person individual under guardianship” in state law and supporting materials.~~
- ~~□ A guardian should be required to meet with the person ~~under guardianship and the person’s~~ and their physician before consenting to the administration of psychoactive medication for that individual except in a medication-related emergency ~~as defined by the Section 574.101(2), Texas Health and Safety Code.~~~~

Approved ~~May 9, 2014~~



Guardianship and Supported Decision-Making Position Statement

The Texas Council for Developmental Disabilities supports increasing opportunities for, and protecting the civil rights and well-being of, people with developmental disabilities. The vast majority of people with disabilities, including those with intellectual and developmental disabilities are able to make important decisions, independently or with support, without the need for a guardian.

Guardianship is a legal proceeding which removes the civil rights and privileges of a person by assigning control of his or her life to someone else. The broad definition of incapacity in Texas Estates Code has a discriminatory impact by enabling a court to appoint a guardian if an adult has a physical or mental condition and is substantially unable to provide food, clothing, or shelter, to care for their physical health, or manage their own financial affairs. Even though individuals with a disability may need supports and services or assistance from others to provide for such needs, they should still be able to maintain the right to make choices about these aspects of their lives.

Recent legislative changes promoting alternatives to guardianship, including supported decision-making and a bill of rights for individuals under guardianship, provide the opportunity to significantly advance the rights and protections for individuals with disabilities. To achieve the goals of guardianship reform there must be statewide monitoring and accessible and useable information, training and technical assistance provided to individuals with disabilities, families, courts, attorneys, guardians, educators, medical providers and state and local providers of services and supports.

The Texas Council for Developmental Disabilities supports changes to the guardianship system in Texas that would promote the self-determination, well-being and rights of individuals with disabilities:

- A person should not be presumed to need a guardian because of advanced age or the presence of a physical or mental disability.
 - The definition of incapacity in state law should be revised to consider the person's everyday functioning, values, preferences and cognition rather than their medical diagnosis.
 - The physical examination and documentation for incapacity should be based on functional abilities with or without services and supports.
 - Guardianship based solely on the diagnosis of intellectual disability should be prohibited.
- The court should be required to explain the bill of rights for persons under guardianship in a manner accessible to the individual.
- The term "ward" should be changed to "individual under guardianship."
- A guardian should be required to meet with the person and their physician before consenting to the administration of psychoactive medication for that individual except in a medication-related emergency as defined by the Texas Health and Safety Code.

Approved



Children and Families Position Statement

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

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

The Texas Council for Developmental Disabilities supports the position that:

- All children can and should live in a family. ~~All children need a family~~ to best grow, develop and thrive. ~~All children deserve the love, nurturing and permanency that are unique to family life.~~
- ~~Families come from many cultures and are multidimensional.~~ No matter its ~~composition makeup~~ or cultural background, a family ~~is the best chance for a~~ offers a child to have a home ~~and a lifelong commitment to~~ love, belonging and permanency. Parents with disabilities ~~are capable of can~~ and do provide loving ~~families and~~ homes to children.
- ~~All Families, including parents with disabilities, families~~ should have ~~available~~ the level of supports and services needed to keep their children with and without disabilities in their own homes. Family support services should include, but are not limited to, respite ~~care~~, ~~provision of~~ rehabilitation, ~~habilitation~~ and assistive technologies, personal assistant services, parent training and counseling, ~~vehicular vehicle~~ and home modifications, and assistance with ~~extraordinary~~ expenses associated with disabilities. ~~In addition, s~~
- ~~Since the vast majority (over 85%) of individuals with disabilities reside live~~ with families ~~in their own households, families of children with disabilities need they need~~ access to appropriate child care and ~~to before-~~ and after-school programs ~~with the necessary accommodations to their disability provided in the same settings as other children. Child care for children with disabilities should be affordable, safe, appropriate and in the most integrated setting.~~
- Providers of family support services must have education and training that will prepare them to work with people with disabilities in inclusive settings to achieve this goal.

- ❑ ~~To be effective and beneficial,~~ Supports and services must be easy to access, family-driven, individualized, flexible to changing needs and circumstances, culturally sensitive-appropriate and based on functional needs rather than categorical labels.
- ❑ When children with disabilities cannot remain in their own families, for whatever reason, the first priority should be to reunite the family ~~through the infusion of~~ by offering the necessary services and supports they need to continue to be a family. When ~~that reunification~~ is not possible ~~and the family can remain actively involved in the child's life,~~ the ~~natural~~ family should be an active participant in the child's care plan and a key participant in selecting an alternate family situation for their child, including foster families, co-parenting and adoption.
- ❑ When families cannot be actively involved in their children's lives, permanency planning must occur to allow each child to live in a family.
- ❑ School districts and health and human services agencies are integral sources of information and training for parents. Coordination among school districts and outside agencies is critical-necessary to provide parents with accurate, timely information regarding-about services and eligibility-requirements-supports to help their child stay in the home and transition to independent adult life.
- ❑ It is essential to guarantee that all children are safe from abuse and neglect. Support of the families of children with disabilities from this system is critical to make sure children remain in a safe, family environment and are not unnecessarily removed from families due to the absence of necessary services and supports.

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

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

Approved August 8, 2014



Children and Families Position Statement

The Texas Council for Developmental Disabilities supports the position that all children belong in families where they feel loved and cared for and have the supports and opportunity to learn to be independent and successful. Children with disabilities are no different from other children in their need for the benefits that come only from growing up in a loving permanent family. All children are enriched by being part of a family and community that promotes their physical, social, and intellectual well-being and leads to independence and self-determination.

Families of children with disabilities often need supports and services to keep their children at home and included in the community. Family support services are meant to support the family to continue as primary caregiver, maintain family unity and prevent expensive and isolating out-of-home placement of individuals with disabilities.

The Texas Council for Developmental Disabilities supports the position that:

- To best develop and thrive, children can and should grow up in families.
- No matter its makeup or cultural background, a family is the best chance for a child to have a home, love, belonging and permanency. Parents with disabilities can and do provide loving homes to children.
- All families should have the supports and services needed to keep their children with and without disabilities in their own homes. Family support services should include, but are not limited to, respite, rehabilitation, habilitation and assistive technologies, personal assistant services, parent training and counseling, vehicle and home modifications, and assistance with expenses associated with disabilities.
- Since the vast majority (over 85%) of individuals with disabilities live with families they need child care and before- and after-school programs with the necessary accommodations to their disability provided in the same settings as other children.
- Providers of family support services must have education and training that will prepare them to work with people with disabilities in inclusive settings to achieve this goal.
- Supports and services must be easy to access, family-driven, individualized, flexible to changing needs and circumstances, culturally appropriate and based on functional needs rather than categorical labels.
- When children with disabilities cannot remain in their own families, for whatever reason, the first priority should be to reunite the family by offering the necessary services and supports they need to continue to be a family. When reunification is not possible the family should be an active participant in the child's care plan and a key participant in selecting an alternate family situation for their child, including foster families, co-parenting and adoption.
- When families cannot be actively involved in their children's lives, permanency planning must occur to allow each child to live in a family.

- ❑ School districts and health and human services agencies are integral sources of information and training for parents. Coordination among school districts and outside agencies is necessary to provide parents with accurate, timely information about services and supports to help their child stay in the home and transition to independent adult life.
- ❑ It is essential to guarantee that all children are safe from abuse and neglect. Support of the families of children with disabilities from this system is critical to make sure children remain in a safe, family environment and are not unnecessarily removed from families due to the absence of necessary services and supports.

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

Approved

Background:

A. Federal Policy Issues

TCDD Public Policy staff will provide an overview of the status and implementation of federal legislative initiatives that could impact people with disabilities.

Discussion topics include:

- AUCD Federal Budget Summary
- Affordable Housing Resources for People with Disabilities

B. State Supported Living Centers Update

The Committee will receive updated data about children residing in institutions.

C. State Policy Issues

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

Discussion topics include:

- Home & Community Based Services (HCBS) Survey Comments
- System Improvement Recommendations
- Texas Commission on Law Enforcement (TCOLE) School Based Law Enforcement Training Comments

<p><u>Public Policy Committee</u></p> <p><u>Agenda Item 7.</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>

**Association of University Centers on Disabilities
In Brief Special Report: Final Appropriations for Fiscal Year 2016**

On Friday, December 18, President Obama signed the \$1.8 trillion Omnibus Appropriations Act soon after it was passed by both houses of Congress, ending the threat of a government shutdown. The current continuing resolution was set to expire on Dec. 22. The bill provides full-year appropriations consistent with the Bipartisan Budget Act of 2015, which provided significant temporary relief from sequestration for both defense and non-defense programs.

The bill passed the House on an overwhelming vote of a 316-11 followed by the Senate vote of 90-10. AUCD is pleased that the final bill provides modest increases for AUCD network programs as well as other important research, education, prevention and family support programs, and all of the cuts that were proposed in the Senate committee-passed bill are restored in the final bill.

Following is a table and summary highlights of the funding provided in the text of the overall omnibus bill for programs within the Departments of Health, Human Services and Education that impact people with disabilities and families.

FY 2016 Appropriations for the Departments of Labor, HHS, Education and Related Agencies

HEALTH AND HUMAN SERVICES	FY 2015 Enacted	President's FY16	FY 16 Final	Final vs. FY 15
Administration for Community Living	no data	no data	no data	no data
University Centers for Excellence in DD	37.8	38.6	38.7	+1.0
DD Councils	71.7	71.9	73.0	+1.0
Protection & Advocacy Systems	38.7	38.7	38.7	0.0
Projects of National Significance	8.9	14.5	10.0	+1.1
Family Support Project	0.0	15.0	0.0	0.0
Lifespan Respite Care Act	2.4	5.0	3.4	+1.0
Family Caregiver Support Services	145.6	150.6	150.6	+5.0
NIDILIRR	104.0	108.0	104.0	0.0
Independent Living	101.1	106.1	101.1	0.0
State Assistive Technology Programs	31.0	31.0	34.0	+4.0
Aging and Disability Resource Centers	6.1	20.0	6.1	0.0
Voting Access	5.0	5.0	5.0	0.0
CAPTA child abuse prevention	93.8	113.8	98.1	+4.3
Health Resources and Services Administration	no data	no data	no data	no data
Maternal & Child Health Block Grant	637.0	637.0	638.2	+1.2
Autism and Other DD	47.0	47.0	47.0	0.0
Leadership Education in Neurodevelopmental & Related Disabilities (LEND)	28.0	28.0	29.0	+1.0
Universal Newborn Hearing Screening	17.8	17.8	17.8	0.0
Centers for Disease Control and Prevention	no data	no data	no data	no data
Center on Birth Defects & DD, Disability and Health	131.8	131.8	135.6	+3.8
National Institutes of Health	30,084.0	31,084.0	32,084.0	+2,000.0
Nat Institute of Child Health and Hum. Dev.	1,286.6	1,318.1	1,339.8	+53.2
EDUCATION	no data	no data	no data	no data
Special Education (IDEA)	no data	no data	no data	no data
Part B State and Local Grants	11,497.8	11,672.8	11,912.8	+415.0
Preschool Grants	353.2	403.2	368.2	+15.0
Part C Early Intervention	438.5	503.5	458.5	+20.0
Part D National Programs				
State Personnel Development	41.6	41.6	41.6	0.0

HEALTH AND HUMAN SERVICES	FY 2015 Enacted	President's FY16	FY 16 Final	Final vs. FY 15
Technical Assistance and Dissemination	51.9	61.9	54.4	+2.5
Personnel Preparation	83.7	83.7	83.7	0.0
Parent Information Centers	27.4	27.4	27.4	0.0
Technology and Media	28.0	28.0	30.0	+2.0
Rehabilitation Services and Disability Research	no data	no data	no data	no data
Voc. Rehabilitation State Grant	3,335.1	3391.8	3,391.8	+56.7
Supported Employment State Grant	27.5	30.5	27.5	0.0
Higher Education Act				
Postsecondary Program for Students with ID (TPSID)	11.8	11.8	11.8	0.0
Institute for Education Sciences (IES)				
Research in Special Education (IES)	54.0	54.0	54.0	0.0
Special Education studies and evaluations (IES)	10.8	13.4	10.8	0.0
LABOR				
Office of Disability Employment Policy	38.5	38.2	38.2	-0.3

Administration for Community Living (ACL)

The final Omnibus Appropriations Act provides a \$1 million increase for the University Centers for Excellence in Developmental Disabilities (UCEDD) program for a total of \$38.7 million. The accompanying report language directs that funding for technical assistance for the UCEDD network shall be no less than the previous fiscal year. The DD Councils also receive a \$1 million increase to a total of \$73 million. Protection and Advocacy programs received level-funding.

Projects of National Significance also receive a \$ 1million increase; however, this increase is intended to fund a transportation assistance initiative for older adults with disabilities. These funding amounts are a significant victory, especially given that the Senate Committee bill had significantly cut all DD Act programs (\$2 million cut to UCEDDs; \$3 million cut to Councils; and \$2 million cut to the P&A programs).

AUCD is also pleased to see increases in the final bill for family support programs. The Lifespan Respite Care Act program receives a \$1 million increase to \$3.4 million. While still way below authorized levels, this increase will help to provide additional resources to states to develop or enhance existing respite programs. The National Family Caregivers Support Program, authorized under the Older Americans Act, will receive an additional \$5 million in the final bill for FY 2016.

New report language under ACL notes the nationwide trend towards deinstitutionalization in favor of community living. The appropriations bill language directs the Department of HHS to factor in the “needs and desire of patients, their families, caregivers, and other stakeholders, as well as the need to provide proper settings for care, into its enforcement of the DD Act.”

The Assistive Technology Act grant program receives a significant \$4 million increase. However,

\$2 million at the increase is targeted to support existing and new alternative financing programs that provide for the purchase of AT devices as directed by the House Appropriations Committee report language.

Health Resources Services Administration (HRSA)

The Autism and other Developmental Disabilities line item that funds research and training programs authorized by the Autism CARES Act receives level-funding at \$47 million in the final bill. However, the report language included in the final bill directs an additional \$1 million of that amount to be used “to initiate LEND programs in States that do not currently have an established program, yet have a high incidence rate of Autism spectrum disorders.” This amount could fund up to two new LEND programs

this year. AUCD had advocated for a \$5 million increase in the overall “Autism and other DD” line item related to HRSA Autism Cares Act activities and a \$2 million increase for LEND programs. Since the overall increase was not provided, any increase to the LEND program could be taken from other HRSA CARES Act initiatives. AUCD will continue to advocate for an overall increase of the CARES Act programs within HRSA.

In other good news, the HRSA Title V Maternal and Child Block Grant received a \$1.2 million increase bringing the program to \$638 million. The final bill reverses cuts proposed in the Senate earlier this year to the Special Projects of Regional and National Significance.

Centers for Disease Control and Prevention (CDC)

The final bill includes \$135.6 million for the CDC Center on Birth Defects and Developmental Disabilities (CBDDD), a \$3.8 million increase over the previous fiscal year. Within that total, \$22 million is targeted to the state Disability and Health program.

National Institutes of Health

The measure would provide a sizable increase to the NIH of \$2 billion above current enacted levels, to the Senate-proposed level of \$32 billion, its highest ever. From this amount, the Eunice Kennedy Shriver National Institutes of Child Health and Human Development (NICHD) that funds the Intellectual and Developmental Disabilities Research Centers (IDDRC) would receive a \$53 million increase to \$1.3 billion.

Also of note is that within the \$2 billion increase, the bill includes the President’s budget request of \$200 million for the new Precision Medicine Initiative (PMI); an increase of \$350 million for Alzheimer’s disease research; an increase of \$85 million for the Brain Research through Application of Innovative Neurotechnologies (BRAIN) Initiative; and an increase of \$100 million for research to combat Antimicrobial Resistance.

The bill report language commends the efforts of NIH to work with the community to begin to address concerns related to the follow on to the National Children’s Study. The bill includes \$165 million for this purpose.

The bill also continues to fund the 2nd year of the 10-year the Gabriella Miller Kids First Act pediatric research initiative at \$12.6 million. The report language encourages NIH to prioritize research related to childhood cancer.

Education

The omnibus bill provides some important increases for special education programs. First, the bill increases state grants under the Individuals with Disabilities Education Act (IDEA) by \$415 million to a total \$11.9 billion. The bill also provides increases for IDEA’s Preschool Grant program by \$15 million and Part C Early Intervention program by \$20 million.

In addition, the bill provides an additional \$2 million for IDEA’s Education, Technology, Media, and Materials program with report language describing the success of this program allowing more than 320,000 students free access to more than 280,000 books in digitally accessible formats. The additional funding is intended to reach an additional 120,000 K-12 students with a focus on underserved areas.

Within the Institutes of Education Sciences, the bill report language acknowledges the importance and need for more research related to infant and toddler care and education and encourages the IES to make grant funding available for such research.

Within higher education funding, support is continued for the Transition to Postsecondary Program for Students with Intellectual Disabilities (TPSID) at \$11.8 million in FY 2016. There is no additional report language concerning this program.

Department of Labor

While the final bill continues funding for the Office of Disability Employment Policy (ODEP) at current levels, the bill's report language discusses the future possibility of incorporating ODEP into the Employment and Training Administration and directs the DOL to evaluate and report on any organizational or programmatic challenges that such integration might create.

Conclusion

Now that the final omnibus funding bill has been passed, we can look forward to a short break over the winter holiday, before the beginning of the Fiscal Year 2017 process starts with President Obama's last budget scheduled to come out on time the second week of February. Since the Bipartisan Budget Act has already set the overall discretionary budget amount for FY 2017, no joint budget resolution will be needed, eliminating one in the in the next cycle. AUCD will continue to advocate for sufficient federal investments in research, education, training, and community supports and services for people with disabilities and families.



AFFORDABLE HOUSING FOR TEXANS WITH DISABILITIES

Deeply Affordable Rental Subsidies

- **Section 8 Housing Choice Vouchers (HCV)** are a federal Housing and Urban Development (HUD) program administered by public housing authorities (PHA) to provide rental assistance. The HCV recipient pays rent equal to about 30 percent of adjusted income and the PHA pays the remainder directly to the property owner. Not all PHA's administer HCV's. Find PHA's on HUD's list of Texas Public Housing Agencies, 211 Website or call 211.
- **Tenant Based Rental Assistance (TBRA)** Texas Department of Housing and Community Affairs (TDHCA) funds local governments, PHA's, and nonprofits, such as independent living centers, wishing to provide rental subsidies for up to 24 months while the household engages in a self-sufficiency program and up to five years for certain individuals with disabilities on a waiting list for a Section 8 HCV.
- **Public Housing** is also funded by HUD and administered by PHA's. Tenants are required to pay a minimum of \$50 or 30% of adjusted income. Around 32% of public housing residents are people with disabilities.
- **Homeless Housing Assistance** for homeless, at-risk of homeless or fleeing domestic violence is provided through state and local programs with federal assistance from HUD. Check your local housing agencies and 211.

Assistance To Leave Institutions Using Section 8

- **The Project Access program** uses HCV's or TBRA administered by TDHCA to assist low-income persons with disabilities and serious mental illness in transitioning from institutions to affordable housing.
- **Section 811 Project Rental Assistance program** at TDHCA, in partnership with HHSC, provides rental assistance in integrated housing for extremely low-income persons with wish to leave nursing homes and institutions, those with serious mental illness facing housing instability, and youth with disabilities existing foster care. Texas 811 Project assistance is limited and available only in the seven Texas Metropolitan Statistical Areas.

Traditional Affordable Housing

- **Multi-Family Affordable Housing** TDCHA administers the HOME Program and Low-Income Housing Tax Credit program (LIHTC). These programs fund PHA's, nonprofits, and private developers for new construction or rehabilitation of low-income multifamily units or single resident units. Low-income means rents are no more than 80% of area median income. TDHCA's Help for Texans lists affordable housing by city and county.

Home Ownership

- **Texas Bootstrap Program** is for very low and extremely low-income people to build a new home or rehabilitate one. This is a self-help program where a person arranges 65% of the labor in exchange for a zero interest loan up to \$45,000 for total costs not to exceed \$90,000. Community non-profits, like Habitat for Humanity, may assist the family. TDCHA must allocate \$3 million per year to Bootstrap (Chapter 2306.7581 Texas Government Code).

Barrier Removal

- **Amy Young Barrier Removal Program (AYBR)** Persons with disabilities and seniors up to 80% AMFI can receive necessary accessibility modifications and rehabilitation in homes they own or rent up to a total of \$20,000. The modifications are **free to eligible persons. Look under home repair and home modification in Help for Texans to see if you have a local AYBR.** And, many city and counties have sources for home access barrier removal.

More Children Growing Up In Families

Texans have made significant progress in the past 13 years to ensure that children and young adults with disabilities have a chance to grow up in a family



Senate Bill 368 (2001) required the Texas Health and Human Services Commission (HHSC) to monitor all child placements and ensure ongoing **permanency plans** for each child with a developmental disability residing in an institution.

Permanency plans involve families and children to help **identify options and develop services and supports necessary** for the child to live in a family setting.

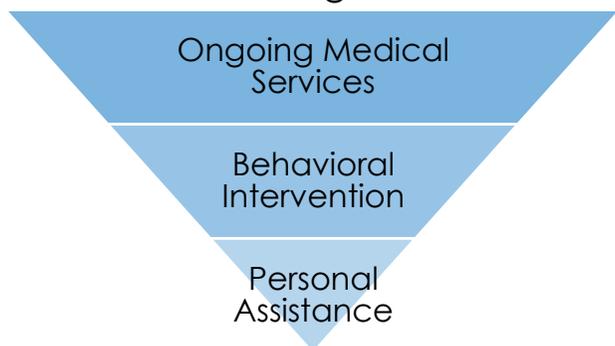
Families and caretakers choose family-based care instead of institutional care when family support is available in **Medicaid waiver programs**.

in · sti · tu · tion

instə't(y)ōōSH(ə)n/ noun

Residential congregate care facilities that are segregated and are not community-based. Using SB 368's definition, institutions regulated by the Department of Aging and Disability Services (DADS) include nursing facilities, community ICFs (small, medium, and large), State Supported Living Centers (SSLCs), and 3 or 4 bed group homes in the Home and Community-based Services (HCS) waiver program. Institutions regulated by the Department of Family and Protective Services (DFPS) for children with intellectual and developmental disabilities are general residential operations (GROs).

Most Needed
Community Supports Identified for
Children Moving Into Families



The HCS waiver allows Texas to offer family-based alternatives through a host family where specially trained alternative families in the community provide homes for children who cannot live with their birth families.



The Texas Council for Developmental Disabilities supports the position that services to children should be provided in their family setting. When children cannot remain with their families, they must be cared for using principles, policies and processes akin to those of permanency planning and have access to family-based alternatives that ensure enduring and nurturing relationships.



FORMER TCDD PROJECT!

HHSC's family-based alternatives contractor, EveryChild, Inc. works to increase awareness of alternatives to placing children in large facilities and to increase the state's capacity to offer family-based alternatives to children with disabilities who live in institutions.

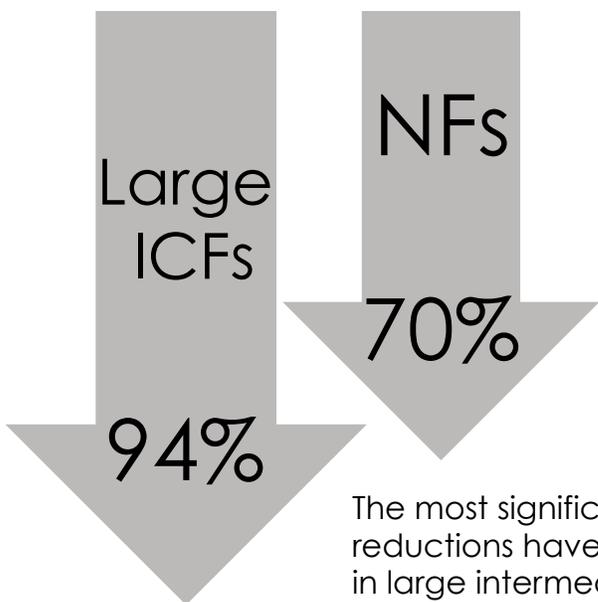
2002:
1,269 children in institutions



2015:
519 children in institutions



(Totals above reflect children residing in DADS and DFPS facilities without HCS)



The most significant reductions have been in large intermediate care facilities (ICFs), with a decrease of 94 percent, followed by a 70 percent decrease in nursing facilities (NFs).

Breakdown of Children in Institutions (2/28/15)

Institution Type	Ages 0-17	Ages 18-21	Total
Nursing Facility	45	26	71
Small ICF	34	144	178
Medium ICF	4	41	45
Large ICF	0	16	16
SSLC	86	86	172
DFPS-Licensed ID	30	7	37

Data taken from the July 2015 Legislative Report on Permanency Planning and Family-Based Alternatives, which can be found at the link below.
[July 2015 Legislative Report on Permanency Planning and Family-Based Alternatives](#)



TEXAS COUNCIL *for*
DEVELOPMENTAL
DISABILITIES

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Via email Medicaid_HCBS_Rule@hhsc.state.tx.us

December 7, 2015

Texas Health and Human Services Commission
P.O. Box 13247
Mail Code H-600
Attn: Kristine Dahlmann
Austin, Texas 78711-3247

RE: Public Comment on HCBS Setting Rule Surveys

Thank you for the opportunity to provide comments on the first draft of the Home and Community Based Services (HCBS) Settings Rule surveys. The Texas Council for Developmental Disabilities (TCDD) is established in federal law in the Developmental Disabilities Assistance and Bill of Rights Act and is governed by a 27 board members, appointed by the Governor, 60 percent of whom are individuals with developmental disabilities or family members of a person 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 HCBS Settings Rule transition process represents the state's most significant opportunity to understand the current status of the HCBS system and ensure that programs are being implemented as intended. We continue to support the state's assertion that Texas HCBS programs, by rule, largely comply with HCBS Settings Rule. It is the interpretation and implementation of those rules, policies and procedures at the individual and provider level that represent our greatest opportunity for improvement.

Field Test

The participant surveys were tested with a number of program participants who indicate that there is much room for improvement. Many of the participant survey questions include too many concepts (and words!). We recommend that the final participant survey drafts should be field tested (20 people) and modified accordingly. Please feel free to call upon us to support you in this effort.

Plain Language

As a general comment, it appears that the surveys were authored by different state agency staff for different audiences. They would all be improved by a single person editing the documents so that similar questions are asked using plain language for all audiences. Surprisingly, the language used in the residential provider survey was far more accessible than the participant residential and day program surveys. Many of the questions in the HCBS surveys are similar to those used in the National Core Indicators survey. We encourage the survey leads to review the NCI questions

and to use NCI formatted questions whenever possible and/or use them as a model in the next draft. The NCI survey is widely field tested and would allow state level comparisons.

Equity

The providers' survey includes opportunities for open ended responses in seemingly every single section queried, while there are absolutely no opportunities for program participants to provide open ended responses. Because this was such a significant oversight, we strongly recommend that program participants, too, have opportunities to provide open ended responses and that they be aggregated according to standard survey methods.

Surveyor Requirements

We understand that the Health and Human Services Commission intends to contract with the same entity responsible for gathering input for National Core Indicators. We recommend that those surveyors enter into a formal relationship with the Texas A&M Center on Disability and Development to provide Person Centered Thinking training and guidance on the structure of the questions and other survey strategies.

We expect contract requirements to include guidance to interviewers to report identified incidents of abuse, neglect and exploitation. Interviewers should also be required to help program participants to contact the service coordinator if the person indicates that they want to live elsewhere or seek different day services, as this survey process could be the first time that a person becomes aware of their control and choice.

Results and Outcomes

There have been varying messages from CMS and HHSC with regard to what will be done with the survey responses. We know the surveys are intended to identify and address systemic issues in HCBS settings. It appears to advocates that CMS has indicated that the purpose of surveying both program participants and their providers is to ensure that participants are experiencing what providers are reporting. Therefore, comparing the experience of participants and their specific providers would seem necessary for a review of specific settings. However, we understand that HHSC staff have claimed in open forums that the state will not be identifying and addressing location specific deficiencies. We continue to request clarity with regard to what will be done with the results of the surveys. We understand that this is a significant and daunting process, but the potential for shifting the balance of control of these program to the individuals and expand community integration opportunities should not be lost.

Provider Accountability

The participant survey suggests that the program participant will be identifiable, but it is unclear who would be responding for the survey at the provider level. We understand that provider operations are different across the state and that the task would not be assigned at the same staff level across the board. However, the instructions should be clear that staff with knowledge of the person(s) living in the home would be involved in the survey process and not solely dependent on provider central administration staff. That person or persons should be identifiable.

Generally, we are concerned that providers appear to be permitted to respond that they ‘don’t know’ to too many questions. What level of ‘don’t knows’ will be permitted for response compliance and what level will be remitted for repeat completion?

Day Activities

It appears that the survey is designed to minimally address issues in day habilitation rather than address issues relating to providing meaningful day activities. Employment assistance is not referenced by name in any of the surveys despite the fact that it is a defined service in each of the HCBS waivers and the fact that Texas is an Employment First state. We suggest that not adequately addressing employment assistance is a missed opportunity.

Personal Spending

Program participants in residential settings have no expectation of access to minimal personal spending in rule, policy or practice. Advocates have identified this issue as one that should be addressed in the transition plan, yet it is not addressed in the survey, nor has it been identified in the State Transition Plan. We suggest that not addressing access to personal spending in the surveys is another missed opportunity.

Attached we’ve included the surveys that were provided by Department of Aging and Disabilities staff at the November 5th TCDD Committee of the Whole meeting, comments regarding survey content, and comments provided by a Council member regarding survey method improvements.

Thank you for your work on the HCBS Settings Rule Surveys. Please feel free to call upon TCDD to support you in this important effort.

Sincerely,

Jessica Ramos
Public Policy Director

Attachments: Survey Drafts Provided to TCDD
Survey Comments (content specific)
Survey Comments (survey methods)



SYSTEM IMPROVEMENT RECOMMENDATIONS

Recommendation 1:

Allow people who are deafblind in medium and large intermediate care facilities (ICFs) and state supported living centers (SSLCs) to access to the waiver that most appropriately meets their needs via Promoting Independence.

Why?

The Promoting Independence Initiative for people in SSLCs limits waiver access to only the Home and Community-based Services (HCS) program. More appropriate waiver programs, like those that include intervener services, are available and should be explored. Specifically, allowing access to the DBMD or CLASS waivers offers a simple solution to a persistent problem for people who are deafblind in institutions.

Recommendation 2:

Reduce conflict of interest in the Community Living Options (CLO) process for people in medium and large ICFs by transferring responsibility for the CLO from the ICF provider to the Local Intellectual and Developmental Disability Authorities (LIDDAs).

Why?

Expand the Community Living Options Information Process function of the Local Intellectual and Developmental Disabilities Authorities (LIDDAs) to include people in private medium and large ICFs. LIDDAs are already paid to provide this service for SSLC residents.

Recommendation 3:

Ensure that HCS waiver participants have access to a minimum Personal Needs Allowance (PNA) which is not currently required for people who pay for room and board with their Social Security Income (SSI)/Social Security Disability Insurance (SSDI).

Why?

Minimum requirements do not exist for personal spending and community integration provisions covered by the PNA for people using HCBS waiver services. In contrast, all people receiving institutional services are required to receive a minimum of \$60 in personal spending and are not subject to requirements around community integration.

Recommendation 4:

Meaningfully include people with developmental disabilities (DD) on statewide councils, workgroups, and committees concerning their health and human services by developing a pool of contracted direct support professional to address the personal care and habilitation needs of people during their work.

Why?

People with DD should be supported to meaningfully participate in councils, workgroups and committees that impact their service system. However, achieving meaningful inclusion in these processes is complicated. Although health and human services agencies in Texas

are appointing people with DD to statewide bodies, the supports to ensure their meaningful participation as valued stakeholders are inadequate. Some people with DD require advance support to review materials and prepare comments in addition to support during the meeting to provide prompts regarding appropriate timing for their input. In addition, making the structure, format, and setting accessible to all people with disabilities requires an accessibility framework that includes sensory and cognitive adaptations.

Recommendation 5:

Prohibit state use program contractors from paying people with disabilities subminimum wage.

Why?

Other states have successfully implemented supported and integrated employment opportunities for people with disabilities to earn a competitive wage. By establishing financial assistance and incentives for employers who eliminate segregated settings and subminimum wages for people with disabilities, these states foster equality and independence. Texas implement best practices used by other states and prohibit the practice of allowing the payment of subminimum wages to people with disabilities by state use program contractors.



TEXAS COUNCIL *for*
DEVELOPMENTAL
DISABILITIES

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December 21, 2015

Delivered via public_comment@tcole.texas.gov

Mr. Kim Vickers
Texas Commission on Law Enforcement
6330 East Highway 290, Suite 200
Austin, TX 78723

RE: School-Based Law Enforcement Training Draft, December 2015

Dear Commissioner Vickers and Members of the TCOLE Commission:

The Texas Council for Developmental Disabilities (TCDD) is pleased to provide comments concerning the School-Based Law Enforcement Training Draft released by the Texas Commission on Law Enforcement (TCOLE) pursuant to the requirements of HB 2684, Regular Session, 84th Texas Legislature, 2015. TCDD is established by federal law and is governed by 27 board members, appointed by the Governor, 60% of whom are individuals with developmental disabilities or family members of individuals with disabilities. The Council'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.

We were heartened that the curriculum included discussions of positive behavior interventions and supports (PBIS) and restorative justice.

We concur with all of the comments jointly submitted by the American Civil Liberties Union of Texas, Texans Care for Children, Texas Appleseed, and other cosigners to the document submitted to you on December 17, 2015.

TCDD has additional comments. The next draft of the curriculum would be improved with a greater focus on students with intellectual and developmental disabilities, as they clearly constitute the subset of students most often involved in SRO-related incidents. According to United States Department of Education statistics for Texas in 2011-2012:

- Students with disabilities total 9% of the school population but comprise 79% of those physically restrained at school.¹
- Students with disabilities are more than twice as likely to receive an out-of-school suspension (13%) than students without disabilities (5%).²
- Students with disabilities represent 26% of students arrested and 21% of those referred to law enforcement, even though they are only 9% of the overall student population.³

¹ Data Snapshot: School Discipline. US Department of Education Office for Civil Rights. Washington, DC: March 2014, p. 19. Accessed at ocrdata.ed.gov/Downloads/CRDC-School-Discipline-Snapshot.pdf, December 18, 2015.

² Data Snapshot: School Discipline, p. 17. Accessed at ocrdata.ed.gov/Downloads/CRDC-School-Discipline-Snapshot.pdf, December 18, 2015.

³ Civil Rights Data Collection. US Department of Education Office for Civil Rights. Accessed at ocrdata.ed.gov/StateNationalEstimations, December 18, 2015.

Further, a prevalence rate of emotional disorders of up to 50% has been reported for children with intellectual disorders.⁴ The reasons for this have been cited as reduced capacity to manage social and cognitive demands, problem-solving difficulties, poor social judgment, and communication limitations, and related biological, psychological, and social risk factors.⁵ The curriculum needs to acknowledge the special needs of students who are dually diagnosed and provide not only education to officers about behaviors, but also strategies on how to intervene and prevent unnecessary suspensions and arrests.

With respect to the curriculum on mental illness, we recommend correcting substantial inaccuracies, such as listing **only** “Heredity—Mental illness runs in families” under the heading “Causes of Mental Illness.” Not all mental illness is hereditary.

Another area of importance requiring more discussion is the effect of trauma on students, especially individuals with intellectual and developmental disabilities. Students with intellectual and developmental disabilities experience abuse, neglect, institutionalization, restraint and seclusion, abandonment, bullying, and other forms of maltreatment at higher rates than the general population. The trauma associated with these experiences can result in challenging behavior that, without informed intervention, leads to new trauma. The National Child Traumatic Stress Network⁶, SafePlace (Austin)⁷, the ChildTrauma Academy (Houston)⁸, and other resources should be accessed to provide practical guidance to SROs.

It may be helpful to note that Senate Bill 133, Regular Session, 84th Legislature, 2015, amended the Health and Safety Code to expand the categories of school district employees eligible to receive training in Mental Health First Aid training through a Department of State Health Services (DSHS) grant program beyond educators alone and includes school resource officers. This training has been in effect for two years. The coordination of how to most efficiently achieve the joint objectives of SB 133 and HB 2684 needs to be considered.

We respectfully recommend that a stakeholder group of students, family members, advocates, public school officers, general and special education teachers, mental health authorities, contract providers of Mental Health First Aid, and other subject matter experts be convened to jointly review the draft document and recommend changes. Such an action will go far to ensure that the curriculum meets the intentions of HB 2684 and is responsive to the concerns that prompted its passage.

We stand ready to serve as a resource to you in the work ahead, especially with respect to issues involving students with intellectual and developmental disabilities, including students who are also diagnosed with mental illness. Please do not hesitate to call on us.

Sincerely,

/s/

Linda Logan, MPAff

⁴ Including Individuals with Intellectual/Developmental Disabilities and Co-Occurring Mental Illness: Challenges that Must Be Addressed in Health Care Reform. National Association for the Dually Diagnosed. Accessed at thenadd.org/wp-content/uploads/2013/10/NADD-Position-Statement-on-letterhead1.pdf, December 18, 2015.

⁵ Wergas D. “The Other Dual Diagnosis: Intellectual Disability and Mental Illness.” NADD Bulletin, Volume X, Number 5, Article 2. Accessed at thenadd.org/modal/bulletins/v10n5a2~.htm, December 18, 2015.

⁶ nctsn.org/resources/audiences/school-personnel, accessed December 18, 2015.

⁷ safeaustin.org/safeplace/, accessed December 18, 2015.

⁸ childtrauma.org/, accessed December 18, 2015.

Background:

The Council will review the minutes from the November 6, 2015, Council meeting and November 5, 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
NOVEMBER 6, 2015**

COUNCIL MEMBERS PRESENT

Mary Durham, Council Chair	Mary Faithfull, DRT	David Taylor
Hunter Adkins	Ivy Goldstein, DSHS	Lora Taylor
Kimberly Blackmon	Ruth Mason	Rick Tisch
Gladys Cortez	Scott McAvoy	John Thomas
Kristen Cox	Michael Peace	Donnie Wilson, DADS
Elaine Eisenbaum, UT CDS	Brandon Pharris	

COUNCIL MEMBERS ABSENT

Kristine Clark	Stephen Gersuk	Dana Perry
Andrew Crim	Barbara Kaatz, TEA	Nancy Walker, HHSC
Mateo Delgado	Jennifer Kaut, DARS	Dalun Zhang, A&M CDD

STAFF MEMBERS PRESENT

Beth Stalvey, Executive Director	Cynthia Ellison	Jessica Ramos
Martha Cantu	Danny Fikac	Koren Vogel
Joanna Cordry	Ashley Ford	

GUESTS PRESENT

Isabella Evans	Alyssa Martin
Dan Graves	Darryl Powell

CALL TO ORDER

The Texas Council for Developmental Disabilities convened on Friday, November 6, 2015, in the Ballroom F-H of the Horseshoe Bay Resort, 200 Hi Circle North, Horseshoe Bay, TX 78657. Council Chair Mary Durham called the meeting to order at 9:05 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 November 6, 2015, Council meeting & November 5, 2015, Committee of the Whole meeting and the excused absences of Kristine Clark, Andrew Crim, Mateo Delgado, Stephen Gersuk, Barbara Kaatz – TEA, Jennifer Kaut – DARS, Dana Perry, Nancy Walker - HHSC and Dalun Zhang - A&M CDD.

MOTION: To approve the minutes of the November 6, 2015, Council meeting and November 5, 2015, Committee of the Whole meeting as well as the excused absences as noted.

MADE BY: Brandon Pharris

SECOND: Michael Peace

The motion **passed** unanimously.

4. CHAIR'S REPORT

Chair Durham reported on her recent meeting with Executive Director Beth Stalvey and Gaby Fuentes of the Governor's appointments office. They discussed current vacancies and members with expired terms who are not eligible for re-appointment. Members continue to serve until another individual is named in their place. At this point, Fuentes reported there are only 10-12 applications and many of them do not meet the requirements to serve on the Council. Durham and Stalvey expressed the need for increased cultural diversity on the Council as well as the need for representation from areas other than the IH-35 corridor, Houston and El Paso. It was also noted that any applications that were submitted under Governor Perry were archived when Governor Abbott took office so anyone who submitted prior to January 2015 would need to submit a new application. Members were asked to encourage individuals who would be interested to apply.

5. EXECUTIVE DIRECTOR'S REPORT

Executive Director Stalvey reminded members of the TCDD Conflict of Interest policy. Members are not to have financial gain from Council activities meaning members should remove themselves from detailed discussion and abstain from voting if they or their organization would receive direct funding or financial gain from a project or policy. The conflict of interest policy does not preclude members from suggesting ideas or taking part in initial discussions. Members were reminded that everyone has an equal stand in voting on subject matter and only need to abstain if a financial conflict exists.

Stalvey provided an update on TCDD staff to note that Grants Management Director Sonya Hosey continues to work from home as her health allows. Grants Management Specialist Susan Mihalik resigned from her position and her final day with the agency was November 3, 2015. The position has already been posted for applications.

Stalvey reported that she recently attended the National Association of Councils on Developmental Disabilities (NACDD) Executive Directors meeting in Atlanta. Administration on Intellectual and Developmental Disabilities (AIDD) Commissioner Aaron Bishop presented on changes to the federal structure that increase opportunities for collaboration. Staff from the Centers for Disease Control presented on disability data and resources. The directors also attended a tour of the Civil and Human Rights Museum which includes exhibits related to the disability rights movement and provided a background for discussion on Councils' role in addressing cultural competency and diversity.

6. SELECTION OF NOMINATING COMMITTEE MEMBER

Project Development Committee Chair Gladys Cortez reported that David Taylor was selected to serve as that Committee's representative on the Nominating Committee. Public Policy Committee Chair Lora Taylor reported that Brandon Pharris was selected to serve as that Committee's representative on the Nominating Committee. Council members were advised that a third member from the Council was needed to complete the Committee.

MOTION: For Rick Tisch to serve as the third member of the Nominating Committee

MADE BY: David Taylor

SECOND: Brandon Pharris

The motion **passed** unanimously.

7. APPROVAL OF INTERNAL AUDIT REPORT & INTERNAL AUDIT PLAN

Audit Committee Chair Kristen Cox reported that the Audit Committee met on October 13, 2015 and that draft minutes of this meeting were available for members in the handout folder. The Committee received reports of internal audit activities conducted by Weaver & Tidwell, LLP and reviewed the reports of those activities as well as proposed changes to the Internal Audit Plan. Cox introduced Dan Graves and Alyssa Martin of Weaver & Tidwell, LLP to present their findings.

Martin reviewed the Internal Audit Report on Procedures and Controls. Copies of the report were provided for all members as part of the Council meeting materials. She noted that the scope of the audit activities included grant administration, agency communications, planning and program development, compliance and compliance reporting, public policy and operations. The objectives were to 1) verify that Council policies and procedures are complete, up-to-date, and align with the significant processes of the agency; and 2) verify that TCDD has appropriately designed controls in place to address risks associated with the significant processes of the agency.

Graves presented the recommendations based on the findings which include an update of policies and procedures and to formalize the performance of controls. TCDD staff acknowledged that many of the specific recommendations have already been implemented and others are in progress.

Graves discussed the Annual Internal Audit Report that is submitted annually to the State Auditor's Office (SAO). It was determined to not be required by law but TCDD management plans to continue submitting this report of internal audit activities to the SAO in the interest of agency transparency. This report is a summary of the year's activities including the Procedures and Controls report and the planned activities for FY 2016.

Graves further discussed the 3-year Internal Audit Plan that was approved by the Council at the February 2015 meeting. After conducting the procedures and controls audit and receiving input from staff, the recommendation is to change the order of future audit activities. The suggestion is now to review Website Maintenance in FY 2016 and Grants Administration in FY 2017. This will lessen conflicts for communications staff during the 2017 legislative session and will allow grants management staff to implement recommended procedures before the review.

After Graves and Martin completed their report, Cox continued to report on Audit Committee discussion. She noted that Andy Crim stepped down from the Audit Committee prior to the October 13, 2015 meeting due to repeated scheduling conflicts. Amy Sharp replaced Crim on the Committee. Cox also expressed her opinion that this was an exceptional audit although the designation of the report is "satisfactory" because the findings were minor and have already been addressed.

Council members discussed the risk rating for activities and clarified the designations of moderate vs. high risk. Graves reviewed the criteria to assign the ratings and noted that high ratings would require extensive levels of senior management involvement to correct the findings.

MOTION: To approve the Internal Audit Report

MADE BY: Kristen Cox for the Audit Committee (Motions from Committee do not need a second)

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

MOTION: To approve the recommended changes to the Internal Audit Plan to review Website Maintenance in FY 2016 and Grants Administration in FY 2017

MADE BY: Kristen Cox for the Audit Committee

The motion **passed** unanimously.

8. FUTURE ACTIVITIES FOR STATE PLAN IMPLEMENTATION

Chair Durham reminded members of the Committee of the Whole discussion regarding advanced leadership and advocacy training in the form of a Partners in Policymaking© program.

MOTION: To approve the Executive Summary for implementation of a Partners in Policymaking© program and to increase the amount of funding for the planning year to \$150,000 with funding levels for implementation years at \$225,000 (year 2), \$250,000 (year 3), and \$300,000 (years 4 & 5) and to grant flexibility to TCDD staff (with Council Chair approval) to increase funding for years 2-5 and on the implementation of the project.

MADE BY: Mary Durham for the Committee of the Whole

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

Project Development Committee Chair Cortez reported that the Project Development Committee reviewed the Future Funding Priorities list and following the Committee of the Whole discussion agreed to list the Partners in Policymaking© project as the first priority. The remaining projects stay in the same order

MOTION: To approve revisions to the Future Funding Priorities, placing Partners in Policymaking© in the first position.

MADE BY: Gladys Cortez for the Project Development Committee

The motion **passed** unanimously.

9. TCDD ADMINISTRATIVE RULES REVIEW

Executive Director Stalvey reviewed the three levels of policy that govern TCDD and the process to review/amend that policy. The Texas Administrative Code defines the rules adopted by the agency and must be reviewed and re-adopted every 4 years. Council policies and procedures further define operations of the Council and revisions are subject to Council approval. TCDD staff policies and procedures provide details for the day-to-day operations of the agency. The review of the

administrative code is due in 2016 and guidelines for the review and/or revision of the code require posting for public comment in the Texas Register. With direction from the Executive Committee, staff drafted proposed amendments which would allow for payment withholding to a grantee that is non-compliant with reporting and documentation. The Council will consider revisions to Council Policies at a future meeting.

MOTION: To approve posting for public comment, the TCDD Texas Administrative Code Rule Review and revisions regarding payment withholding.

MADE BY: Mary Durham for the Executive Committee

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

10. STATE PLAN GOALS AND OBJECTIVES

Project Development Committee Chair Cortez reported that the Project Development Committee did not have any recommended changes to the draft FY 2017 – FY 2021 State Plan Goals and Objectives.

Public Policy Committee Chair Taylor reported that the Public Policy Committee offered suggested revisions to *Goal 2, item d* to include the language of mental health in addition to medical and behavioral health. The Public Policy Committee also offered suggested revisions to *Goal 1, item c* to include the language of financial management in the training goals of the objective. Council members contributed to a discussion of needed training regarding financial management, SSI/SSDI benefits and personal assets. Following the discussion the consensus was that *Goal 1, item c* should remain as presented in the draft document but the following item should be added to the goals: “Provide training and information to people who have developmental disabilities and their families on financial literacy and to better understand SSI/SSDI and health benefits by 1/1/2021.”

MOTION: To authorize staff to make language changes to the FY 2017 – FY 2021 State Plan to reflect Council input and to post the plan for public comment.

MADE BY: Rick Tisch

SECOND: Gladys Cortez

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

11. 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 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 three projects were approved for continuation grant funding including the Building Community Capacity through Collaboration project from Community Healthcore and the higher education projects from Texas A&M and Texas Tech Universities. A Building Community

Capacity through Collaboration project from A Circle of Ten was not granted funding for continuation. New grant projects were approved to the National Disability Institute for Understanding Employment Options and Supports ant to Disability Rights Texas for Stakeholder Training on Guardianship Alternatives.

Operations Director Cantu reviewed the Quarterly Financial report noting that FY 2014 funds have been fully obligated and no funds are expected to remain from that budget year. FY 2015 funds have been obligated with \$765,478 still available to re-obligate for projects. The notice of grant award for FY 2016 has not been received for FY 2016 but budgets are based on level-funding. Cantu also presented a new design to portions of the financial report that provide details on grant projects. The Executive Committee approved this change with minor revisions and future reports will be presented in this format.

Conflict of Interest disclosure reports were reviewed by the Executive Committee and no concerns were noted. Members were encouraged to submit updates.

12. PROJECT DEVELOPMENT COMMITTEE REPORT

Project Development Committee Chair Cortez reported on Committee discussions of potential activities to promote education around bullying in the workplace and activities to support state-wide self-advocacy organizations

13. PUBLIC POLICY COMMITTEE REPORT

Public Policy Committee Chair Taylor reported that the Public Policy Committee received updates on State Supported Living Center data and TCDD staff comments to the Department of Assistive and Rehabilitative Services on the Autism Program. The Committee had a discussion on day habilitation models and community-based standards as well as support for state-wide self-advocacy organizations.

12. ANNOUNCEMENTS AND UPDATES

Council members discussed dates and locations of future meetings of February 3-5, 2016 (Sonesta Bee Caves), May 4-6, 2016 (Doubletree Arboretum), August 3-5, 2016 (Horseshoe Bay Resort) and November 2-4, 2016 (tentative date).

ADJOURN

Council Chair Durham adjourned the meeting at 10:41 AM.

Beth Stalvey
Secretary to the Council

Date

Attachments

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.

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.

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.

**COMMITTEE OF THE WHOLE
DRAFT MINUTES
NOVEMBER 5, 2015**

COUNCIL MEMBERS PRESENT

Mary Durham, Council Chair
Hunter Adkins
Kimberly Blackmon
Kristine Clark
Gladys Cortez
Kristen Cox
Elaine Eisenbaum, UT CDS

Mary Faithfull, DRT
Ivy Goldstein, DSHS
Jennifer Kaut, DARS
Ruth Mason
Scott McAvoy
Michael Peace
Brandon Pharris

David Taylor
Lora Taylor
John Thomas
Richard Tisch
April Young, HHSC
Donnie Wilson, DAD

COUNCIL MEMBERS ABSENT

Mateo Delgado
Andrew Crim

Stephen Gersuk
Barbara Kaatz, TEA

Dana Perry
Dan Zhang, A&M CDD

STAFF MEMBERS PRESENT

Beth Stalvey,
Executive Director
Martha Cantu
Belinda Carlton
Joanna Cordry

Cynthia Ellison
Danny Fikac
Ashley Ford
Linda Logan
Jessica Ramos

Fernando Rodriguez
Joshua Ryf
Koren Vogel

GUESTS PRESENT

Isabel Evans
Chris Masey

Megan Morgan
Darryl Powell

CALL TO ORDER

The Committee of the Whole of the Texas Council for Developmental Disabilities convened on Thursday, November 5, 2015, in the Ballroom F-H of the Horseshoe Bay Resort, 200 Hi Circle North, Horseshoe Bay, TX 78657. Council Chair Mary Durham called the meeting to order at 9:33 AM.

1. INTRODUCTIONS

Council members, staff and guests introduced themselves.

Council Chair Durham reviewed member absences to include Andy Crim, Mateo Delgado, Stephen Gersuk, Dana Perry and representatives from Texas Education Agency and the Center on Disability and Development at Texas A&M University.

2. PUBLIC COMMENTS

Council Vice-Chair Kristen Cox discussed circumstances at Texas A&M University where her son attends that have relocated the Offices for Students with Disabilities to a part of the campus that is difficult for students to reach in a timely manner. She asked everyone to consider signing a petition through change.org which asks the university to move the office back to the main campus.

3. CHAIR AND EXECUTIVE DIRECTOR REMARKS

Chair Durham invited the representatives from the state agencies to provide updates on agency activities.

April Young discussed Texas Health and Human Services Commission (HHSC) activities in response to Senate Bill 7 from the 84th Legislature. HHSC is working to implement STAR Kids, the Medicaid managed care program for children receiving Supplemental Security Income (SSI) Medicaid or who are enrolled in the Medically Dependent Children Program (MDCP), by field testing the assessment portion of the program. Contracts to provide these services have been awarded to ten managed care organizations throughout the state and preliminary outreach activities are expected to begin in early 2016. HHSC is also working on the IDD Pilot which is a Medicaid managed care model for individuals with intellectual and/or developmental disabilities that will increase access to long-term services and supports and improve quality of care. In response to Senate Bill 1226, HHSC is working to implement Employment First policies throughout all the health and human services agencies and incorporate this philosophy into all programs. HHSC began the Community First Choice (CFC) program on June 1, 2015 which provides home and community-based attendant services for individuals who need an institutional level of care. Person-Centered Planning training is being conducted for providers of CFC services. Young also reported on the HHSC website that allows members of the public to sign up for email alerts related to Sunset transition activities. A new advisory committee structure for the consolidated HHSC has been proposed and is posted in the Texas Register for public comment.

Texas Department of Aging and Disability Services (DADS) representative Donnie Wilson provided copies of proposed surveys to evaluate 1115 Waiver services. The surveys include self-assessments for residential providers and non-residential providers as well as compliance programs assessments, resident surveys and day program participant surveys. Another survey on employment assistance and supported employment is proposed for participants in waiver programs. The surveys are posted to receive public comment on the draft and will be administered to their respective audiences after they are finalized. DADS work on employment initiatives include a Money Follows the Person (MFP) Employment pilot that involves three providers that created best practices to move individuals out of day programs into supported employment of their choosing as well as training programs on Employment First principles.

Ivy Goldstein provided an overview of the services provided by the Children with Special Health Care Needs division in which she works. She noted that program is undergoing a transformation mandated by federal partners and will have two primary objectives: transition for youth with special health care needs to adult medicine and medical homes of coordinated family-based care. Goldstein described the contracts throughout the state that are administered by her division to provide these services as well as the coordination of the Medical Home Workgroup and resources that are provided to the public by her agency.

Texas Department of Assistive and Rehabilitative Services (DARS) representative Jennifer Kaut provided an update on the Workforce Innovation and Opportunity Act (WIOA) that requires DARS funding for pre-employment services such as internships, applied behavior analysis, autism spectrum disorder (ASD) supports in the home. She stressed this is new for the agency in that all prior services from vocational rehabilitation program had to lead to permanent employment goals. She discussed a pilot project with Leander Independent School District that provides these transition

services so that students are employed prior to graduation. Kaut further discussed services for individuals with autism spectrum disorders as well as an environmental work assessment that can evaluate the variables to determine the most productive work environment.

Council member Lora Taylor discussed the implementation of the laws (84th Texas Legislature) allowing for cannabidiol (CBD oil) to treat seizures. She noted that because CBD oil is considered a schedule 1 drug, only four doctors in Texas will be allowed to prescribe it and school nurses will not be allowed to administer it if prescribed. The four doctors are pediatric epileptologists and therefore any adult such as Taylor's daughter will not be able to be put on the registry for treatment. Taylor plans to continue her advocacy work in this area on the federal level and will ask for CBD oil to be moved to a schedule 2 drug so that it can be more widely prescribed and research will not be as restricted. Taylor also discussed epilepsy awareness events for the month of November.

Council Chair Durham briefly reviewed the process to establish the TCDD Nominating Committee which will take place during the meetings. The Committee will consist of three members with one selected from the Project Development Committee, one selected from the Public Policy Committee and one selected from the Council. The Committee will select its Chair and conduct business by teleconference during the interim when it will select a nominee for Council Vice-Chair and a nominee for the self-advocate member to the Executive Committee, then present those selections to the Council at the February meeting. Council members were reminded that those who serve on the Nominating Committee cannot have their name submitted by the Committee for either position and that agency representatives are not eligible to serve as the Council Vice-Chair but are eligible to serve on the Committee.

Executive Director Beth Stalvey reported on the recent National Association of Councils on Developmental Disabilities (NACDD) Executive Directors meeting in Atlanta. Administration on Intellectual and Developmental Disabilities (AIDD) Commissioner Aaron Bishop presented on changes to the federal structure that increase opportunities for collaboration. Staff from the Centers for Disease Control presented on disability data and resources. The directors also attended a tour of the Civil and Human Rights Museum which includes exhibits related to the disability rights movement and provided a background for discussion on Councils' role in addressing cultural competency and diversity.

4. DD POLICY FELLOWS UPDATE

TCDD Public Policy Director Jessica Ramos introduced DD Policy Fellows Megan Morgan of the Arc of Texas and Chris Masey of the Coalition of Texans with Disabilities (CTD). Ramos invited the fellows to review their advocacy activities during the 84th Texas Legislature and discuss plans for the remaining year (Year 2 of 2) of their fellowship.

Morgan described her growth as an advocate during the past year noting she had very little experience with public policy work or with disability issues prior to beginning her fellowship. She began her fellowship by attending meetings and conferences and developing relationships with advocates and other mentors enabling her to gain knowledge of various disability issues. She also conducted focus groups throughout the state to determine issue areas that needed attention. During the legislative session she attended hearings, worked on "one-pagers" to provide information to legislators on issues such as state supported living centers and supported decision making, and assisted self-advocates as they made visits to legislative offices. She described her

highlight of the session in assisting a self-advocate to prepare and provide testimony on guardianship alternatives and supported decision making. She noted that attending the Guardianship Reform and Supported Decision Making workgroup and working on this topic has become a passion for her and will be her focus for rest of the fellowship. She will monitor the implementation of the laws passed on this topic as well as provide education on those laws. She will continue to develop and distribute educational material on guardianship reform. She hopes to put together an advocacy tool-kit for self-advocates and families to use in future legislative sessions.

Masey described the beginning of his fellowship as getting up to speed on various disability issues to prepare for the legislative session. He noted that the Coalition of Texans with Disabilities (CTD) conducted surveys prior to the session and although the number of responses was not as great as was hoped, the comments that were provided allowed for valuable input and helped in the development of a report on disability issues. He assisted in the training and support of self-advocates during the session. Masey further discussed the issues on which he gained knowledge such as supported decision making, the Texas ABLE Act, and dual diagnoses of mental health and developmental disabilities. His second year will be focused on implementation of legislative reform in areas such as palliative care and involvement in the advisory committees to oversee HHSC consolidation. He has been very involved in education and advocacy for the Texas ABLE Act and will serve on the advisory committee as the law is implemented.

Morgan and Masey both expressed their appreciation to the Council for this project and the work that it has enabled them to do.

5. GRANT PROJECT HIGHLIGHTS

TCDD Senior Grants Management Specialist Cynthia Ellison provided highlights of the Meaningful Relationships project from SafePlace. She noted that this project has worked with seven service providers to provide opportunities and supports for 82 people with developmental disabilities to participate in healthy relationships education. SafePlace has worked with three partner agencies to develop or revise policies to better support people with developmental disabilities to form relationships by engaging in community life and activities. A 16-lesson curriculum for future trainings is being developed and fundraising to allow project sustainability is being conducted.

6. PUBLIC INFORMATION REPORT

TCDD Communications Coordinator Joshua Ryf provided an update on public information activities during the past quarter. He noted there has been a significant spike in the number of fans of the TCDD Facebook page with a growth of more than 600 between July and October. This is in part due to efforts in guiding users away from the old TCDD “friend” page to the current “fan” page designed for businesses. The page has also seen increased traffic resulting from posts on hot topic issues such as proposed cuts to Medicaid therapy reimbursement rates. He noted that some posts have reached over 6,000 people due to fans sharing the posts.

Ryf also discussed the development of icons to illustrate specific topics on the TCDD website that are then used with other platforms such as Facebook, Twitter and email to identify that issue. The icons are specific to any news related to this topic including blog posts or announcements about a Request for Proposals (RFP). These have been used for topics such as Guardianship Reform and Accessible Public Transportation.

7. CHAIR AND EXECUTIVE DIRECTOR REMARKS (continued)

Chair Durham noted that the Executive Committee requested that Council members receive financial reports prior to discussion on future projects so that they may be fully aware of Council finances as decisions are made.

TCDD Operations Director Martha Cantu reviewed the Quarterly Financial Reports noting that \$510,000 of FY 2015 funds are available to be re-obligated for projects. Although the notice of grant award has not been received for FY 2016, it is estimated to be \$4.7 million. With \$1.8 million allocated for operating expenses, approximately \$2.8 million is available for grant projects. With the current planned projects, there is an expected balance of approximately \$750,000 including the roll-over from FY 2015.

8. FY 2017-2021 STATE PLAN GOAL AND OBJECTIVES

Planning Coordinator Joanna Cordry led a discussion on the development of the FY 2017-2021 State Plan Goals and Objectives. She reminded members that the State Plan is what creates the change for people with developmental disabilities in Texas. Cordry noted that the suggested goals and objectives will be discussed and that substantive changes can be made based on Council member input but any “wordsmithing” should be handled after the meeting with input provided by email. If the Council agrees to the draft Goals and Objectives, this can be posted to the Texas Register for public comment.

Cordry reviewed the guiding principles of the plan noting that it builds on the previous State Plan; it is aligned with the TCDD mission, DD Act and AIDD requirements; it includes public input as well as input from Council members at the August 2015 meeting; and is consistent with person-centered practices. The four goals of the FY 2017-2021 State Plan are:

- 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 and Opportunities

Cordry discussed each goal in detail and provided examples of projects that apply to each goal. She noted that some current TCDD projects will continue into the next state plan time period and can be listed as objectives for that plan. Council members did not offer revisions to the draft but provided comments on elements of the plan for which they were in favor. Council members were encouraged to have further discussion on the State Plan during the Project Development and Public Policy Committee meetings.

Cordry further explained the timeline and requirements for developing the State Plan. The Council needs to vote on the current draft and if approved, it will be posted in the Texas Register for public comment. Public comments will then be collected and shared with the Council at the next meeting. If no substantive changes are made, the draft can be voted on for submission to AIDD. However if significant changes are made based on public comment, the draft plan will need to be posted in the Texas Register a second time for additional comment.

9. CONSIDERATION OF PARTNERS IN POLICYMAKING© PROJECT PROPOSAL

Planning Coordinator Cordry presented an executive summary for a proposal of a Partners in Policymaking© project noting that the summary has been revised following discussion at the August 2015 Project Development Committee and Council meetings. The goal of the project is to facilitate

advanced leadership and advocacy training for adults with intellectual and developmental disabilities and family members using the Partners in Policymaking© curriculum. Cordry noted that the executive summary describes one project for up to 5 years with suggested funding amounts to include the planning and/or training activities and the travel costs for attendees. Cordry noted that the curriculum is trademarked and the founder has offered to help the selected grantee reduce costs but that only limited modifications can be made or it would no longer be Partners in Policymaking©.

Cordry reviewed the history of the Partners in Policymaking© program and Council Chair Durham described the original model coordinated by TCDD staff before it was administered as a grant project. Members engaged in the pros/cons of executing the program as a complete grant project or with staff involvement. Executive Director Stalvey noted that staffing models such as an in-house contractor could be explored if the Council directive is to implement the program through TCDD staff instead of a grant contract. Durham then clarified that how the program is administered is secondary to the decision whether the program should be funded and implemented.

Cordry discussed the proposed changes from the original model to the outcomes and follow-up of the program which include defined goals and outcomes for policy impact, follow-up measures to track and involve graduates, and improved evaluation measures to quantify graduate advocacy activities and public policy involvement.

Cordry further discussed TCDD's efforts to implement advanced leadership and advocacy skills training since the Partners in Policymaking© project ended in 2006. She noted that implementing the Partners in Policymaking © project again would contribute to the Council's overall efforts in leadership and advocacy trainings throughout the state which also include state-wide youth leadership, self-advocate organizations, and sibling networks in addition to local trainings.

MOTION: To recommend Council approval of the Partners in Policymaking program with an increase in funding for the first year to \$150,000 and allowing staff judgement to increase funding for subsequent years as needed with approval by the Council Chair.

MADE BY: Mary Durham

SECOND: Rick Tisch

Durham further clarified that the motion does not specify if the program will be coordinated by TCDD staff or through a grant project but is a simple approval of the project. The motion **passed** without opposition. Donnie Wilson and April Young abstained from voting.

ADJOURN

Council Chair Durham adjourned the Committee of the Whole adjourned at 2:03 PM.

Beth Stalvey
Secretary to the Council

Date

Quarterly Council and Committee Meetings

Tentative Dates

May 4-6, 2016

Doubletree Arboretum Austin North

August 3-5, 2016

Horseshoe Bay Resort

November 2-4, 2016

(tentative)

February 1-3, 2017

Council Meeting

Agenda Item 15.

Expected Action:

Discussion only; no action is anticipated.