

# **Texas Council for Developmental Disabilities — Quarterly Meeting**

Doubletree Austin Northwest — Arboretum  
8901 Business Park Drive  
Austin, Texas 78759

## **Meeting Schedule**

**Wednesday, May 4, 2016**

**3:00 PM – 6:00 PM**

Executive Committee Meeting  
Room: Jennings

**Thursday, May 5, 2016**

**8:30 AM – 9:15 AM**

Council Meeting Overview  
Room: Nelson

**9:30 AM – 12:45 PM**

Committee of the Whole  
Room: Nelson

Lunch provided for Council Members and staff

**1:15 PM – 4:00 PM**

Project Development Committee Meeting  
Room: Joplin

Public Policy Committee Meeting  
Room: Jennings

**4:00 PM – 5:00 PM**

Council Member Work Session  
Room: Joplin

**4:30 PM – 5:00 PM**

Executive Committee Meeting  
Room: Jennings

**Friday, May 6, 2016**

**9:00 AM – 12:00 Noon**

Council Meeting  
Room: Joplin



## Executive Committee Meeting — Agenda

Doubletree Austin Northwest — Arboretum

Room: Jennings

Wednesday, May 4, 2016, 3:00 PM – 6:00 PM

### Call to Order

1. **Introductions of Committee Members, Staff and Visitors**
2. **Public Comments**
3. **Consideration of February 3, 2016, Minutes — TAB 1 — ACTION ITEM**
4. **Chair's Report**
  - A. Council Member Absences
  - B. National Taskforce on Workforce Development and Employability for People with Disabilities
  - C. Other Updates
5. **Executive Director's Report — TAB 2**
  - A. Stipends Approved
  - B. Staff Updates
  - C. Changes to Agendas
  - D. Preparation for Legislative Session
  - E. Membership Priorities – Survey
  - F. Marketing/Outreach Activities
  - G. 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**
  - A. Understanding the Budget
  - B. Financial Reports
  - C. Other Discussion
8. **Consideration of Continuation Grant Awards — TAB 5 — ACTION ITEM**
  - A. Educational Programs Inspiring Communities – Enabling Technology
  - B. Strategic Solutions – Enabling Technology
  - C. Imagine Enterprises – Self-advocates as Speakers
  - D. VSA Texas – Self-advocates as Speakers
  - E. Epilepsy Foundation of Texas – Health and Fitness
  - F. Region 17 Education Service Center – Family Involvement in Schools
  - G. Texas Advocates – Grassroots Organizing

**9. Review Panel Recommendations — TAB 6 — ACTION ITEM**

A. Leadership Development and Advocacy Training

**10. Conflict of Interest Disclosures**

**11. Other Updates**

**Recess**

Thursday, May 5, 2016 4:30 PM – 5:00 PM

**Reconvene**

**12. Continuation of Unfinished Business**

**13. Committee Chair Debriefing**

**Adjourn**



## **Committee of the Whole Meeting — Agenda**

Doubletree Austin Northwest — Arboretum

Room: Nelson

Thursday, May 5, 2016, 9:30 AM – 12:45 PM

### **Call to Order**

- 1. Introductions of Committee Members, Staff and Visitors**
- 2. Public Comments**
- 3. Chair and Executive Director Remarks**
  - A. Meeting Overview
  - B. Council Member Survey
  - C. Preparing for Legislative Session
- 4. Grant Project Highlights – Health and Fitness Projects — TAB 8**
- 5. TCDD Financial Report — TAB 4**
  - A. Understanding the Budget
  - B. Financial Reports
  - C. Other Discussion
- 6. Policy Presentation – Long Term Service and Supports Changes**
- 7. Council Challenge – Member Training Session (Question & Answer)**

### **Adjourn**



## Project Development Committee Meeting — Agenda

Doubletree Austin Northwest — Arboretum

Room: Joplin

Thursday, May 5, 2016, 1:15 PM – 4:00 PM

### Call to Order

1. **Introductions of Committee Members, Staff and Visitors**
2. **Public Comments**
3. **Consideration of February 4, 2016 Minutes — TAB 7 — ACTION ITEM**
4. **Chair's Remarks**
  - A. Member Absences
  - B. Chair's Quarterly Activities
  - C. Appointment of Project Development Committee Vice-Chair
5. **Member Updates:** Reports of Members' quarterly activities
6. **Staff Reports — TAB 8**
  - A. Status of New Projects
  - B. Project Funds Available
  - C. Other Updates
7. **Future Activities for State Plan Implementation — TAB 9 — ACTION ITEM**
  - A. State Plan Projects List
  - B. Executive Summaries
    1. Youth Leadership
    2. Outreach & Development
    3. Developmental Disabilities Peer Supporter
    4. Translation Services
  - C. Stipends Increase
8. **Future Project Funding Priorities — TAB 10 — ACTION ITEM**
9. **Other Discussion Items**
  - A. New Idea Review Guide
  - B. Other Discussion Topics

### Adjourn



## Public Policy Committee Meeting — Agenda

Doubletree Austin Northwest — Arboretum

Room: Jennings

Thursday, May 5, 2016, 1:15 PM – 4:00 PM

### Call to Order

1. **Introductions of Committee Members, Staff and Visitors**
2. **Public Comments**
3. **Consideration of February 4, 2016, Minutes — TAB 11 — ACTION ITEM**
4. **Chair's Remarks**
  - A. Member Absences
  - B. Chair's Quarterly Activities
5. **Member Updates:** Reports of Members' quarterly activities
6. **Position Statement Review — TAB 12 — ACTION ITEM**
  - A. Aging with Developmental Disabilities
  - B. Access to Health Care
  - C. Community Living
  - D. Right to Privacy
7. **Public Policy Issues — TAB 13**
  - A. Federal Policy Issues
  - B. State Supported Living Centers Update
  - C. State Policy Issues
8. **Other Discussion Items**

### Adjourn



## Council Meeting — Agenda

Doubletree Austin Northwest — Arboretum

Room: Joplin

Friday, May 6, 2016, 9:00 AM – 12:00 Noon

### Call to Order

1. **Introductions of Committee Members, Staff and Visitors**
2. **Public Comments**
3. **Consent Items — ACTION ITEM**
  - A. Consideration of February 4–5, 2016, Minutes — **TAB 14**
  - B. Excused Absences of Council Members
4. **Chair's and Executive Director's Report**
  - A. Staff Updates
  - B. Conferences
  - C. State Plan Activities
  - D. Other Discussion
5. **Grantee Presentation — Safeplace**
  - A. Discussion
  - B. Next Steps
    1. Advocacy
    2. Capacity Building
    3. Systems Change
6. **Future Activities for State Plan Implementation — ACTION ITEM**
  - A. Youth Leadership — **TAB 9**
  - B. Outreach & Development — **TAB 9**
  - C. Translation Services — **TAB 9**
  - D. Stipends Increase — **TAB 9**
  - E. Developmental Disabilities Peer Supporter — **TAB 9**
  - F. Future Funding Priorities — **TAB 10**
7. **Position Statement Review — TAB 12 — ACTION ITEM**
  - A. Aging with Developmental Disabilities
  - B. Access to Health Care
  - C. Community Living
  - D. Right to Privacy
8. **Communications and Marketing Activities Report — TAB 15**
9. **Executive Committee Report**
  - A. Grant Awards
    1. New Awards
    2. Continuations
    3. Stipends
  - B. Grant Activities Report
  - C. Conflict of Interest
  - D. Other Discussion Items

**10. Project Development Committee Report**

- A. Grants and Projects Report
- B. Other Discussion Items

**11. Public Policy Committee Report**

- A. Public Policy Issues
- B. Other Discussion Items

**12. State Agency Representatives Quarterly Activities Update**

**13. Announcements and Updates — TAB 16**

**Adjourn**

## Executive Committee Meeting Minutes

Tab 1

**Background:**

Minutes of the February 3, 2016, Executive Committee meeting are included for your review.

**Executive Committee — Agenda Item 3**

**Expected Action:**

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

**EXECUTIVE COMMITTEE MEETING  
DRAFT MINUTES  
FEBRUARY 3, 2016**

**COMMITTEE MEMBERS PRESENT**

Mary Durham, Council Chair	Kristen Cox
Gladys Cortez	Lora Taylor

**COMMITTEE MEMBERS ABSENT**

Michael Peace

**COUNCIL MEMBERS PRESENT**

Meagan Sumbera	John Thomas
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**STAFF PRESENT**

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

**CALL TO ORDER**

The Executive Committee of the Texas Council for Developmental Disabilities convened on Wednesday, February 3, 2016, in the Colony Ballroom E at the Sonesta Bee Cave Austin Hotel, 12525 Bee Cave Parkway, Bee Cave, TX 78738. Council Chair Mary Durham called the meeting to order at 3:08 PM.

**1. INTRODUCTIONS**

Committee members and staff were introduced.

**2. PUBLIC COMMENTS**

No public comments were offered

**3. CONSIDERATION OF MINUTES**

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

**MOTION:** To approve the minutes of the November 4, 2015, Executive Committee meeting as presented.

**MADE BY:** Lora Taylor

**SECOND:** Gladys Cortez

The motion **passed** unanimously.

**4. CHAIR'S REPORT**

Council Chair Mary Durham reported the expected absences for the meeting which include Kristine Clark and Andy Crim. She noted that Crim submitted a letter of resignation on February 2, 2016, citing work and family conflicts that prevent him from attending meetings or placing a priority on Council business. Durham will also not be able to attend the Committee meetings on Thursday and has asked Council Vice-Chair Kristen Cox to facilitate the Committee of the Whole meeting as well as the Council meeting.

Durham also reported that Penny Larkin who was the Department of Aging and Disability Services (DADS) alternate representative has moved from DADS to the Texas Health and Human

Services Commission (HHSC). Donnie Wilson continues to serve as the DADS representative and plans to bring Justin Babineaux to the meetings as they expect Babineaux to be named to the alternate position.

Texas A&M Center on Disability and Development representative Dalun Zhang will attend Thursday's Committee of the Whole meeting in a non-voting capacity because A&M alternate Meagan Sumbera will attend all meetings to officially represent that agency.

## 5. EXECUTIVE DIRECTOR'S REPORT

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

- Family to Family: Events stipend for up to \$4,500 for the *10<sup>th</sup> Annual Special Education and Transition Conference and Resource Fair* on March 5, 2016, in Houston.
- The Arc of Texas: Events stipend for up to \$6,000 for *The Arc of Texas 23<sup>rd</sup> Annual Inclusion Works Conference* on February 7-9, 2016, in Houston.
- Attention Deficit Disorders Association – Southern Region: Events stipend for the *28<sup>th</sup> Annual ADDA-SR Conference* on February 27, 2016, in Houston.
- Austin Travis County Integral Care: Events stipend for the *Central Texas African American Family Support Conference* on February 25-26, 2016, in Austin.
- Austin Travis County Integral Care: Speakers stipend for the *Central Texas African American Family Support Conference* on February 25-26, 2016, in Austin.
- Texas State Independent Living Council: Events stipend for the *Annual Texas Statewide Independent Living Conference* on April 3-5, 2016, in San Antonio.
- Children's Disabilities Information Coalition: Events stipend for the *27<sup>th</sup> Annual Children's Disabilities Symposium* on March 19, 2016, in El Paso.

Stalvey also noted that TCDD staff will be attending some of these upcoming conferences not only as participants but in an exhibitor capacity to provide information about Council resources and to speak to individuals who may have an interest in becoming Council members.

Stalvey provided an update on TCDD staff noting that Grants Management Director Sonya Hosey has returned to the office on a part-time basis and expects to transition to a full-time schedule in the coming weeks. Interviews were held for the vacant Grants Management Specialist position but a candidate was not selected and the position will be re-posted.

Stalvey briefly discussed the Annual Program Performance Report, noting that she will provide details at the Committee of the Whole meeting, but highlighted the one-page summary was included in Council meeting materials. She offered thanks to Planning Coordinator Joanna Cordry and Planning Specialist Danny Fikac who prepared the report but added that all staff contributed. Stalvey expressed her appreciation for this report in that it provides a thorough summary of the year's activities. Cordry noted that the report shows the extent to which Public Policy and Grants Management activities are working together and expects this to be even more evident in next year's report as well as the development of the 2017-2021 State Plan. Stalvey also noted that staff are becoming more mindful of storing reportable data so that it is easier to summarize when preparing future reports.

Stalvey discussed agency representation on the Council as it relates to health and human services agencies consolidation. She reminded members that Sunset legislation will consolidate five agencies into one by 2017 and that vocational rehabilitation services will move to the Texas Workforce Commission. The Developmental Disabilities Act outlines specific programs that must

be represented on the Council: Individuals with Disabilities Education Act (TEA), Rehabilitation Act of 1973 (DARS), Older Americans Act (DADS), Title V of the Social Security Act (DSHS), Title XIX of the Social Security Act (HHSC). Staff will consult with AIDD and work with HHSC leadership as well as the Governor's Appointments Office to designate "program" representatives and not "agency" representatives to ensure that there is not one agency representative with four votes.

Stalvey reported that funding for DD Councils across the country for FY 2016 was increased by \$1 million from FY 2015. It is still unknown how much of an increase TCDD will receive but that figure will be reported to members once the notice of grant award is received.

## **6. GRANTS ACTIVITIES REPORTS**

Executive Director Stalvey provided updates on specific grant projects. She noted that the Building Community Capacity through Collaboration project from A Circle of Ten had issues regarding match funds and were initially sent a letter stating that TCDD funds needed to be returned to compensate for the lack of match funds. Staff completed additional reviews and worked with the grantee to obtain documentation to determine that they are now in compliance with match funds and are completing the final four weeks of the project.

The Community Organizing project from Texas Advocates has established a new project timeline due to a change in organizational structure, staff members and support from the Arc of Texas. It is hoped that circumstances will be resolved so that the project will be considered for continuation funding at the May 2016 meeting.

Stalvey reported a technical change in project funding to Volar for the Building Community Capacity through Collaboration project. The Executive Committee approved funding of up to \$150,000 but funding was initially reported at \$145,476. The grantee requested the full amount of \$150,000 so this was awarded and an additional vote is not needed.

The Building Community Capacity through Collaboration project from Community Healthcore returned \$29,000 from the previous year's funding that was unspent due to staff changes. This has been reallocated to other projects.

The Request for Proposals (RFP) for the Public Policy Fellows project is undergoing technical revisions by staff and will be posted in March with an expectation for the Executive Committee to consider applications at the August meeting. A September start date for the project is expected.

Outreach and Development projects are still pending and it is expected that the RFP will be posted in June. TCDD staff are continuing to work on in-house contracts to administer the Partners in Policymaking project.

Senior Grants Management Specialist Cynthia Ellison reviewed the Independent Audit Status Report and noted that projects from Region 17 Education Service Center (ESC) and Texas State Independent Living Council that show as incomplete have now been completed and should read as "none/done" regarding recommendations/resolutions. Ellison further reviewed the Grants Monitoring Exceptions Report noting that Region 17 ESC is still pending while waiting on audit reports that are expected in February, but all other projects are now complete. Members did not have questions or express concerns with either report.

Ellison next reviewed the Risk Assessment Report that highlights projects to be considered for continuation funding as well as new awards. Members reviewed the reasons for projects that need additional monitoring but did not express concerns.

**7. TCDD QUARTERLY FINANCIAL REPORT**

Operations Director Cantu reviewed the quarterly financial report noting that FY 2014 funds have been fully obligated and \$6 is expected to lapse at this time. Grantees have until September 30, 2016 to spend those funds and if any additional FY 2014 funds are returned as unspent, that amount will lapse as well.

Staff are waiting for final expenditures for operating expenses from FY 2015 but approximately \$1,305,000 was spent leaving approximately \$3,400,000 for grant projects. \$2,200,000 was obligated to projects leaving \$1,200,000 to be used for current year projects. Once the final notice of grant award is received for FY 2016 and funds are allocated, it is expected there will continue to be a surplus of funds available. Members discussed ideas for future projects that could be presented and discussed with the Project Development Committee.

Cantu discussed operating expense expenditures for FY 2016 and reported that these are on target for the year. Members expressed no concerns. Cantu reviewed expenses from current projects as well as a yearly summary of stipend expenditures.

**8. CONSIDERATION OF CONTINUATION GRANT AWARDS**

TCDD Grants Management Specialist Wendy Jones reviewed the executive summary for continuation funding to Any Baby Can for the health and fitness project. The project offers a 32-week curriculum, focused on children with disabilities and their families, that provides education and exploration of adaptive/inclusive fitness activities. She noted that goals for the project include training 50 families each project year and with one quarter of the 4<sup>th</sup> year remaining, 177 families have been served and 18 more are expected. No compliance or reporting issues were noted and staff recommend continued funding. Jones also noted that this project continues to ask for less funding with each project year and plans to be sustainable at the conclusion of TCDD funding.

**MOTION:** To approve up to \$131,165 in continuation funding to Any Baby Can for the final year of a five-year Health and Fitness project.

**MADE BY:** Kristen Cox

**SECOND:** Lora Taylor

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

Grants Management Specialist Jones reviewed the executive summary for continuation funding to the Texas Department of Assistive and Rehabilitative Services (DARS) for Project HIRE higher education project. Jones noted that she attended the recent Project Advisory Committee (PAC) meeting and continues to be impressed with the level of PAC member commitment. She also noted that four students were graduating during her visit and two of those students were deaf which is significant because project staff initially thought they would not complete the program due to attitudinal barriers. No compliance issues were noted with this project. It was noted that DARS is looking to expand this project into existing services statewide.

**MOTION:** To approve up to \$225,000 in continuation funding to the Texas Department of Assistive and Rehabilitative Services for the final year of a five-year higher education project.

**MADE BY:** Gladys Cortez

**SECOND:** Lora Taylor

The motion **passed** unanimously. (Attachment 2) Council members requested staff attendance at the kick-off event for the final year of the project.

Jones reviewed the executive summary for continuation funding to Texas State Independent Living Council for the Health and Fitness project. This model partners with Centers for Independent Living and incorporates grant activities into the existing daily program. Jones cited an example of one Center that offered gardening activities which were not part of the grant project but the vegetables and herbs grown in the existing gardening class were used in a healthy cooking class as part of the grant project. Fitness, meditation and classes with adaptive equipment are included. Classes have been offered at three sites and will expand to one additional site for the final year.

**MOTION:** To approve up to \$230,000 in continuation funding to Texas State Independent Living Council for the final year of a five-year health and fitness project.

**MADE BY:** Gladys Cortez

**SECOND:** Lora Taylor

The motion **passed** unanimously. (Attachment 3) Durham requested a presentation from this project.

Committee members and staff discussed the number of projects that will be considered for continuation funding at the May 2016 meeting and determined that a separate meeting in April will not be needed.

**9. REVIEW PANEL RECOMMENDATIONS**

Planning Specialist Danny Fikac reviewed the RFP goals of the Accessible Transportation Summits project to include at least three collaborative events focusing on local transportation issues. Fikac reported that two proposals were received and reviewed by the independent review panel. The panel unanimously selected the proposed project from Texas State Independent Living Council (SILC). SILC proposes five summits over five years in Austin (2), McAllen, Waco, and Galveston with different themes for each summit. Issues to be addressed at the summits include local ordinances, funding, rural transportation, connectivity, boundary line coordination between counties, safe and accessible streets and technological solutions. The only concerns noted were an aggressive calendar with a proposed summit for this winter after a start date in September. Fikac did note that the proposal builds on existing work of the SILC and includes recommendations for developing advocates in different areas. Council members stressed the participation of Texas Department of Transportation as a collaborative partner in the summits.

A second proposal from Community Options, Inc. was reviewed by the panel but was not recommended for consideration of funding.

**MOTION:** To approve grant funding of up to \$150,000 per year for up to five years to Texas State Independent Living Council for Accessible Transportations Summits project.

**MADE BY:** Lora Taylor

**SECOND:** Kristen Cox

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

Planning Coordinator Cordry discussed the review panel evaluation of Leadership Development and Advocacy Training proposals. She noted that 10 proposals were reviewed but that one additional proposal that should have been reviewed was omitted because it appeared that a budget was not submitted when it was submitted separately. The review panel members will need to evaluate all proposals received in accordance with TCDD review policies.

**10. REVIEW AND PROPOSED REVISIONS TO THE TEXAS ADMINISTRATIVE CODE**

Chair Durham reminded members of the discussion at the November 2015 meeting regarding proposed revisions to the Texas Administrative Code. The revisions were posted in the Texas Register for the month of December and no comments were received. Executive Director Stalvey reviewed the primary change that is related to grantee reimbursements to allow for withholding of payment or suspension/termination of funding when the grantee is not in compliance with project reporting.

**MOTION:** To recommend Council approval of revisions of TCDD rules in the Texas Administrative Code.

**MADE BY:** Lora Taylor

**SECOND:** Kristen Cox

The motion **passed** unanimously.

**11. PROPOSED REVISIONS TO COUNCIL POLICIES AND PROCEDURES**

Executive Director Stalvey reviewed draft revisions to Council Policies and Procedures which further define revisions proposed in the Texas Administrative Code regarding payment withholding to non-compliant grantees. Revisions are also proposed to define Council membership for representatives of state programs (instead of agencies) and additional definition of Conflict of Interest policies. Other proposed revisions indicate further definition of the appeals of funding process to specifically note that a funding appeal is not an opportunity for an applicant to submit additional information resulting in a re-consideration of the proposal but that appeals are only considered for review of proper process. A final revision is proposed to Council procedures to increase the amount of reimbursement for attendant and respite care for Council member travel. It was noted that the Council cannot consider for approval until the May meeting because of policy that requires a 10-day notification before consideration.

**MOTION:** To recommend Council approval of proposed revisions to Council Policies and Procedures after the 10-day notification period.

**MADE BY:** Kristen Cox

**SECOND:** Lora Taylor (Attachment 5)

The motion **passed** unanimously.

**12. CONFLICT OF INTEREST DISCLOSURES**

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

**13. EXECUTIVE SESSION: EVALUATION OF EXECUTIVE DIRECTOR**

Chair Durham announced that the Executive Committee of the Texas Council for Developmental Disabilities would meet in closed session pursuant to Section 551.71 of the Government Code related to personnel matters. A quorum of the Committee was present. The time was 4:55 PM on February 3, 2016.

At 5:20 PM on February 3, 2016, the Executive Committee reconvened in open session. Chair Durham announced that the Committee did not take any action during its closed meeting discussion on personnel matters.

**ADJOURN**

Chair Durham adjourned the Executive Committee at 5:22 PM.

\_\_\_\_\_  
Beth Stalvey  
Secretary to the Council

\_\_\_\_\_  
Date

# Attachments

# 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](http://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.
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**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

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

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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.

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

Texas Council for Developmental Disabilities  
**Executive Committee – Review of Proposed Activities & Budget**  
**ITEM: B**

**Date:** 02/03/2016

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

**Year:** 5 of 5

**Project Title:** Health & Fitness (Getting Fit to Live, Work, and Play!)

**Project Location:** Brazos Valley; Lubbock; El Paso

**Website:** txsilc.org/healthandfitness

**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 1:** Improve the overall health and fitness of people with developmental disabilities by providing access to appropriate programs for at least 150 individuals (50 for each of 3 sites)

**Goal 2:** Provide evidence-based, data-supported report to demonstrate project efficacy.

**Accomplishments per goal:**

The project has a three-tiered approach to developing programs that improve health:

- 1) Increasing the availability of and access to fitness programs for individuals with disabilities;
- 2) Connecting consumers to established health programs in pilot areas; and
- 3) Increasing awareness of the importance of health and fitness programs for people with disabilities. Centers use Independent Living Plans to determine and track consumer goals and progress. To date, the project has served 163 individuals: 37 at Brazos Valley Center for Independent Living (BVCIL), 92 at LIFE/ RUN, and 34 at Volar Center for Independent Living. Collectively, the programs exceed the targeted 150 individuals served.

**Proposed Goals and Objectives for Year 5:**

**Goals:** Same as above.

**Objectives:**

- 1) Continue in-house and community-based health and fitness programs at LIFE/RUN, BVCIL and Mounting Horizons Center for Independent Living (MHCIL);
- 2) Produce *Getting Fit to Live, Work & Play: Best Practices and Training Manual*;
- 3) Provide data collection and reporting system to demonstrate project efficacy; and
- 4) Produce *Getting Fit to Live, Work, and Play: A Study on Wellness and Developmental Disabilities* report.

Council Considerations:

**Public Policy Considerations:** There are no activities, outcomes, or discuss r.e. public policy goals to achieve lasting change via policy. PP Staff continue to recommend that the grantee work with Managed Care Organization to include their health and fitness activities as “value added service” for persons enrolled in Medicaid.

**Grant Management Considerations:** No compliance issues; no concerns.

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

**Continuation Budget Detail Summary for Texas SILC Health and Fitness Project**

<b>Expended Amounts Years 1 through 4</b>	<b>Federal</b>	<b>Match</b>	<b>Totals</b>
Year 1 (Consultant \$133,876)	\$219,472 / \$219,472	\$55,741 / \$54,868	\$275,213 / \$274,340
Year 2 (Consultant \$133,876)	\$250,000 / \$250,000	\$64,957 / \$53,583	\$314,957 / \$303,583
Year 3 (Consultant \$133,876)	\$245,000 / \$245,000	\$64,646 / \$51,980	\$309,646 / \$296,980
Year 4 (5 months)(Consultant \$126,500)	\$123,079 / \$238,000	\$33,467 / \$51,600	\$156,546 / \$289,600

**Year 5 Texas SILC Health and Fitness Project Continuation Budget Request Summary**

<b>Amount Requested by Item for Year 5 budget:</b>	<b>Federal</b>	<b>Match</b>	<b>Totals</b>
1. Personnel services	121,364	0	121,364
2. Travel	3,267	0	3,267
3. Purchased services (\$68,000 consultants)	86,172	61,560	147,732
4. Property/Materials	850	0	850
5. Rental/Leasing	12,325	0	12,325
6. Utilities	6,022	0	6,022
Budget period totals	\$230,000	\$61,560	\$291,560

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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.

# 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 PROCEDURES  
REVISIONS APPROVED MAY 2011****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:**

- **Stipends Grants Applications Approved** — TCDD Policies provide for the Executive Director to approve applications for Events Stipends and Presentation Support Stipends. One (1) stipend application was approved during the quarter to the following organizations. The summaries of each are enclosed.
  1. **Texas Parent to Parent** for the “12<sup>th</sup> Annual Texas Parent to Parent Conference” June 17–18, 2016, in San Marcos. (Events Stipend)
- **Annual Stipend Summary** — A full list of the annual stipend expenditures is found in the Quarterly Financial Report under Tab 4
- **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.

**Executive Committee — Agenda Item 5****Expected Action:**

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

**Council — Agenda Item 4****Expected Action:**

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

**CONSUMER STIPENDS PROPOSALS — Executive Director Review**

**ITEM: 1**

**Date: 2/25/16**

**Organization: Texas Parent to Parent City, State: Austin, TX**

**Federal: \$6,000**

**Match: \$2,980**

**Event**

Conference: 12<sup>th</sup> Annual Texas Parent to Parent Conference

Date: June 17–18, 2016

Location: Embassy Suites

City, State: San Marcos, Texas

**Previously Funded**

**Yes:** 2015, 2014, 2013, 2012, 2011, 2010, 2009, 2008, 2007, 2006, 2005

**Comments:**

We will provide information to parents, siblings, and youth/young adults with disabilities on advocacy, special education law, Medicaid Waiver Programs, transition to adulthood, self-determination, resources, and health care issues.

**Considerations**

The conference sponsors propose to provide stipends to cover:

Lodging – 36 individuals (36 @ \$85/individual for 2 nights) = \$ 6,000.00

Total lodging cost is \$6,120, difference in match

**Total cost (federal): \$ 6,000.00**

Applicant match registration difference, childcare and meals:

Child Care — 36 individuals (12 providers @ \$115/day for 2 days + \$100 Supplies) = \$2,860.00

Lodging — 36 individuals (36 @ \$1.67/individual for 2 nights) = \$120.00

**Total cost (match): \$2,980.00**

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, ou, email=beth.stalvey@icad.texas.gov, c=US  
Date: 2016.02.26 16:03:26 -0500

**Date:** 2-26-16

Comments: \_\_\_\_\_

**TCDD QUARTERLY COUNCIL MEETINGS  
ATTENDANCE REPORT  
May 2014 – February 2016**

<b>Council Member</b>	<b>2/16</b>	<b>11/15</b>	<b>8/15</b>	<b>5/15</b>	<b>2/15</b>	<b>11/14</b>	<b>8/14</b>	<b>5/14</b>
H. Adkins	P	P	EA	P	P	P	P	P
K. Blackmon	P	P	P	P	P	P	P	P
K. Clark	EA	P – Th EA – Fr	EA	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
M. Delgado	P	EA	P	EA	P	EA	P	EA
M. Durham	P	P	P	P	P	P	P	P
S. Gersuk	P	EA	EA	P	P	P	P	P
R. Mason	P	P	P	P	P	P	NA	NA
S. McAvoy	P	P	P – Th EA - Fr	P	EA	P	P	P
M. Peace	P	P	P	P	P	P	NA	NA
D. Perry	P	EA	EA	EA	P	EA	EA	P
B. Pharris	P	P	P	P	P	P	NA	NA
D. Taylor	P	P	P	P	P	P	EA	P
L. Taylor	P	P	P	P	P	P	P	P
J. Thomas	P	P	P	EA	EA	P	NA	NA
R. Tisch	P	P	P	P	P	P	P	EA
DRT (AI)	P	P	EA	P	P	P	P	EA
UT CDS	P	P	P	P	EA – Th P - Fr	P	EA	P
A&M CDD	P	EA	P	P	P	EA- Th P - Fr	P	P
DADS	P	P	P	P	P	P	P	P
DARS	P - Th EA - Fr	P	P	P	P		P	P
DSHS	P	P	P	P	P	P	P	EA
HHSC	P	P – Th EA – Fr	P	P	P	EA	P	P
TEA	P	EA	P	P	EA - Th P - Fr	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 to 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 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 9. B.****Expected Action:**

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

**TEXAS COUNCIL FOR DEVELOPMENTAL DISABILITIES  
INDEPENDENT AUDIT STATUS REPORT**

<b>GRANTEE</b>	<b>FYE</b>	<b>DATE RECEIVED</b>	<b>AUDIT FIRM</b>	<b>EXCEPTIONS NOTED</b>	<b>RECOMMENDATIONS/ RESOLUTIONS</b>
Any Baby Can of San Antonio, Inc	6/30/2015	12/10/2015	BDO USA, LLP	None.	None/Done.
Community Healthcore	8/31/2015	2/2/2016	Henry & Peters	From our review of Type A programs in 2015 fiscal year, we noted that VA Supportive Services for Veteran Families Program (CFDA 64.033) was a Type A program that should have been considered a high-risk program and audited as a major program in 2015 fiscal year since it was not audited as a major program in either 2013 or 2014 fiscal year.	The auditors should audit the excluded program and reissue the Report to correct the deficiency. TCDD CPA approved the re-issuance of the audit report on 3/8/16.
Imagine Enterprises Inc	12/31/2014	2/18/2016		None.	Forward for Review of Financial Statements.

**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.

Monday, April 11, 2016

**TEXAS COUNCIL FOR DEVELOPMENTAL DISABILITIES  
INDEPENDENT AUDIT STATUS REPORT**

<b>GRANTEE</b>	<b>FYE</b>	<b>DATE RECEIVED</b>	<b>AUDIT FIRM</b>	<b>EXCEPTIONS NOTED</b>	<b>RECOMMENDATIONS/ RESOLUTIONS</b>
Region 17 ESC	8/31/2015	1/4/2016	Bolinger, Segars, Gilbert & Moss, LLP	In the “Summary of Auditors’ Results” section of the Schedule of Findings and Questioned Costs, the auditors described the results of their audits of the financial statements and compliance for major programs as Unqualified. The results of the audits should have been described as Unmodified. A copy of the revised audit was submitted to TCDD's CPA.	Grantee auditor should revise the audit report and resubmit it. Audit corrected by grantee auditor and accepted by TCDD audit desk reviewer, Abi Bankole.
Texas State Independent Living Council	8/31/2014	10/26/2015	Montemayor Hill Britton & Bender PC	None.	None/Done.
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.

Monday, April 11, 2016

## GRANTS MONITORING EXCEPTIONS REPORT — May 4–6, 2016

GRANTEE PROJECT TITLE	TYPE OF ONSITE	DATE OF ONSITE	ACTIONS REQUIRED FROM ONSITE REVIEW	CORRECTIVE ACTIONS	STATUS
Department of Assistive and Rehabilitative Services (Higher Education)	Follow-up	12/16/16	None	None	Complete
Educational Programs Inspiring Communities (Enabling Technologies)	Follow-up	12/3/15	Current, signed and executed service agreement/contract between the grantee and Network Information Systems, Inc. doing business as Blue Lance, Inc.	Documentation requested: 12/3/15 Documents due: 1/3/16 Additional follow-up information requested: 1/12/16 Documents received: 1/13/16	Complete
Imagine Enterprise (Promoting Self-Advocates as Speakers)	Follow-up	12/3/15	PAR's required for two staff and clarification required on other PAR's submitted; copy of the final Financial Statements for FY 2014 required; copies of general ledger documents for the months of November-December 2015; travel documents that are complete and clarification on travel documents submitted; a current, signed and executed for both service providers; match documentation for the months of October-December 2015 for all match reported to TCDD.	Documentation requested: 12/3/15 Documents due: 1/3/16 Additional follow-up information requested: 2/3/16 Documents received: 2/19/16 and 2/25/16	Complete
Light and Salt Association (Culturally Appropriate Family Supports)	Initial	1/26/16	Documentation for building standards meeting ADA requirements; federal regulations policies for individuals with DD; PAR's for staff; copy of organization chart; PAC minutes for 1/16/16 PAC meeting; submittal of draft flyer for review/approval prior to public dissemination; documentation for FICA and Workers Comp payments; copies of contracts/service agreements for teachers; copy of completed photocopy log; documentation for telephone usage; complete lease agreement for Taiwanese Heritage Society; completed copy of volunteer sign-in sheet; copy of e-mail used to advertise for project director position.	Documentation requested: 12/30/15 Documents due: 1/26/16 Additional follow-up information requested: 2/3/16 and 3/17/16 Documents received: 3/2/16, 3/25/16 and 3/30/16	Complete

**RISK ASSESSMENT OF TCDD PROJECTS – QUARTERLY UPDATE  
MAY 4–6, 2016**

Number	Grantee	TCDD Fund Amt.	Other Federal Fund Amt.	Date of Last Onsite	Next Onsite Due By	Risk Activity	Risk Code
1.	Region 17 ESC (FIS)	\$300,000	\$1,687,806	10/2/2014	2015	2	Extensive Risk
2.	Epilepsy Foundation of Texas (Health & Fitness)	\$250,000	\$390,600	10/28/2014	2015	2	Extensive Risk
3.	Texas State Independent Living Council (Health & Fitness)	\$238,000	\$395,083	1/7/2015	2016	2	Extensive Risk
4.	DARS (Higher Education)	\$225,000	\$488 mil	7/18/2014	2015	2	Extensive Risk
5.	Educational Programs Inspiring Communities, Inc. (Enabling Technology)	\$225,000	\$200,000	8/27/2014	2015	2	Extensive Risk
6.	Texas A&M University (Higher Education)	\$225,000	\$244 mil	7/10/2014	2015	2,3	Extensive Risk
7.	Texas Tech University (Higher Education)	\$225,000	\$35mil	10/1/2014	2015	2,3	Extensive Risk
8.	Strategic Education Solutions, LLC (Enabling Technology)	\$224,925	\$0	12/19/14	2015	2	Extensive Risk
9.	National Disability Institute (Understanding Employment Options and Supports)	\$150,000	\$2,481,931 mil	NA	2016	1, 2, 7	Extensive Risk
10.	Any Baby Can (Health & Fitness)	\$174,887	\$0	12/10/14	2016	2	Considerable Risk
11.	Texas Tech University (Project SEARCH)	\$174,716	\$35 mil	10/1/2014	2016	2,3	Considerable Risk
12.	Volar Center for Independent Living (BC3)	\$150,000	\$203,823	4/29/2015	2017	1,2	Considerable Risk
13.	Sabine Valley Regional MHRM Center (dba Community Healthcare) (BC3)	\$139,440	\$4,663,336	2/11/2015	2017	2, 3, 5	Considerable Risk
14.	Imagine Enterprises (Project SPEAK)	\$125,000	\$725,000	7/9/2013	2015	2	Considerable Risk
15.	VSA Arts of Texas (Self-Advocates as Speakers)	\$125,000	\$10,000	8/14/2013	2015	2	Considerable Risk
16.	Texas Advocates (Self-Advocates Grassroots Community Organizing)	\$100,000	\$0	7/13/2015	2017	2, 5	Considerable Risk

Number	Grantee	TCDD Fund Amt.	Other Federal Fund Amt.	Date of Last Onsite	Next Onsite Due By	Risk Activity	Risk Code
17.	Texas State Independent Living Council (Accessible Transportation Summits)	\$150,000	\$520,587	NA	TBD	2	Considerable Risk
18.	Light and Salt Association (Culturally Appropriate Family Support)	\$75,000	\$448,606	1/26/16	2019	2	Moderate Risk
19.	Coalition of Texans with Disabilities (Developmental Disabilities Policy Fellows)	\$67,500	\$0	1/27/15	NA	2	Moderate Risk
20.	The Arc of Texas (Developmental Disabilities Policy Fellows)	\$67,500	\$0	3/6/15	NA	2	Moderate Risk
21.	Reaching Families Advocacy and Support Group (Culturally Appropriate Family Support)	\$79,606	\$0	4/21/16	2019	2	Moderate Risk
22.	Disability Rights Texas (Stakeholder Training on Guardianship Alternatives)	\$40,000	\$8mil	TBD	2019	2	Moderate Risk

**Highlighted grantees indicate additional monitoring strategies this quarter.**

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

#### RISK CODE KEY

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

#### RISK ACTIVITIES KEY

- 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 2016

Risk Activities	\$75,999. Award Amount	\$76,000. – \$199,999. Award Amount	\$200,000. – \$499,999. Award Amount	\$500,000. + Award Amount
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

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

**HM, HH** — Extensive Risk (all levels of control plus audit)

**MM, MH, HL** — Considerable Risk (most levels of control plus independent review by CPA)

**LH, ML** — Moderate Risk (operating/monitoring controls + agreed upon procedures by CPA)

**LL, LM** — Acceptable Risk (basic monitoring only)

### Use for Risk Management Plan:

**RED** — Audit work performed and the Executive Director performs oversight via quarterly report\* provided to ensure supervisory and operating controls are working.

**YELLOW** — Department heads reporting to Executive Director perform oversight functions to ensure supervisory and operating controls are working.

**GREEN** — Department staff perform oversight functions to ensure supervisory and operating controls are working.

**GRAY** — Department staff perform basic oversight functions to ensure controls are in place.

### Use for Annual Audit or Review Determination:

**RED** — Red indicates areas to be audited or reviewed by independent CPA.

**YELLOW** — Yellow indicates areas to be covered through oversight, supervisory and operating controls with guidance from the contracted internal audit services provider.

**GREEN** — Green indicates areas to be covered through staff oversight with guidance from the contracted internal audit services provider as needed.

**GRAY** — 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 2016

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

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

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

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

### Level 1 — GRAY

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

### Level 2 — GREEN

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

### Level 3 — YELLOW

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

### Level 4 — RED

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

## ADDITIONAL MONITORING STRATEGIES FOR GRANT PROJECTS

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

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

**Background:**

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

- **Summary of Funds FY 2015-2018** – The report summarizes funds budgeted from the federal award for each fiscal year and shows actual or projected spending for each of those years. A projected balance of funds available to reassign for each year is also shown allowing Council to determine how available funds will be reassigned.  
**Note:** Spent funds are tied to the federal fiscal year grant awarded to TCDD regardless of whether those funds are spent during the 1<sup>st</sup>, 2<sup>nd</sup>, or 3<sup>rd</sup> year when they are available.
- **Reformatted Summary of Funds 2015-2018** – A simplified summary changing terms from obligate to “reassign” and liquidate to “spend” and adding a pie chart that shows the breakdown by percent of our federal award for FY2016.
- **FY 2016 Expense Budgets** – This report compares the approved yearly budget for fiscal year 2016 (Oct. 1, 2015, thru Sept. 30, 2016) to actual dollars spent and the balance to date. The balance shows that money spent is within the approved yearly budget adopted by Council. The Expense Report shows six months spent and the remaining six month balance for this fiscal year.  
**Note:** The Year-to-date column and the variance column will no longer be provided. Also removed are the pie chart and graph.
- **Current Grantees** –The current grantees represents grantees that have projects scheduled to end in years 2016-2020.
- **Stipends Expenditures** – Provides a summary of funds awarded or expended for each stipend grant recipient, the number of individuals attending the conference or seminar who benefited from those stipend funds, and how many of those participants also received TCDD stipend support previously from that organization.

Notes:

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

**Executive Committee — Agenda Item 7**

**Expected Action:**

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

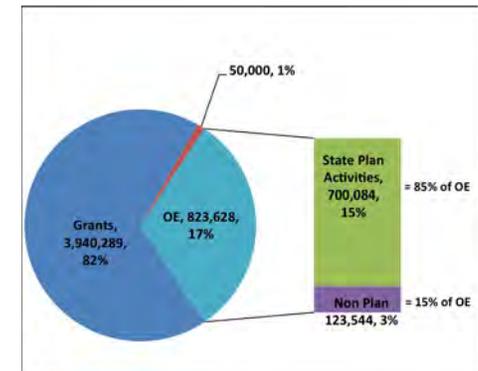
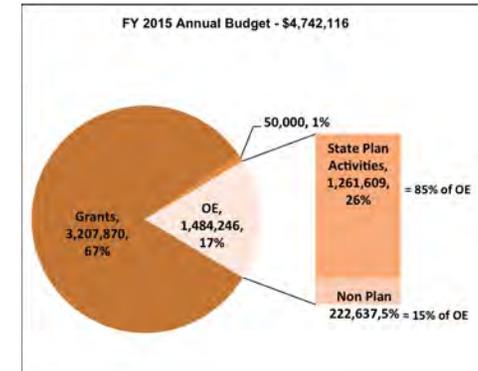
**Committee of the Whole — Agenda Item 5**

**Expected Action:**

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

# Summary of Funds FY 2015–2018 April 2016

Model Key	No Data	No Data	No Data	No Data
Numbers in black represent budget numbers or actuals for the current or prior years.	NoData	NoData	NoData	NoData
Numbers in blue represent forecast numbers.	NoData	NoData	NoData	NoData
NoData	NoData	NoData	NoData	NoData
No Data	10/1/2013-	10/1/2014-	10/1/2015-	10/1/2016-
No Date	9/30/16	9/30/17	9/30/18	9/30/19
Line Item	FY 2015	FY 2016	FY 2017	FY 2018
REVENUES	No Data	No Data	No Data	No Data
Federal Funds	No Data	No Data	No Data	No Data
Estimate of Federal Award	\$4,742,116	\$4,813,917	\$4,813,917	\$4,813,917
Actual Award <sup>1</sup>	\$4,804,064	\$4,813,917	\$4,813,917	\$4,813,917
Prior year difference (Current FY Award - Prior FY Award)	(\$61,948)	\$9,853	\$0	\$0
EXPENDITURES	No Data	No Data	No Data	No Data
Operating Expenses	No Data	No Data	No Data	No Data
Approved by Council	\$1,696,128	\$1,853,464	\$1,872,000	\$2,059,200
Expenses	\$1,534,246	\$873,628	\$1,872,000	\$2,059,200
Balance of Operating Expense funds	\$161,882	\$979,836	\$0	\$0
Grants and Projects Expenses	No Data	No Data	No Data	No Data
Available from Current Fiscal Year	\$3,207,870	\$3,940,289	\$3,129,117	\$2,960,637
Actual/Estimated Grant Awards <sup>2 &amp; 3</sup>	\$2,923,821	\$1,431,165	\$1,692,500	\$815,000
Current Projects Difference (Available - Actual)	\$284,049	\$2,509,124	\$1,436,617	\$2,145,637
Prior Year Funds Available	\$0	\$0	\$1,711,273	\$2,037,890
<b>BALANCE OF FUNDS AVAILABLE</b>	<b>\$0</b>	<b>\$0</b>	<b>\$3,147,890</b>	<b>\$4,183,527</b>
Planned Projects <sup>4</sup>	\$284,049	\$797,851	\$1,110,000	\$1,000,000
<b>BALANCE AFTER PLANNED PROJECTS <sup>5</sup></b>	<b>\$0</b>	<b>\$1,711,273</b>	<b>\$2,037,890</b>	<b>\$3,183,527</b>



## NOTES:

<sup>1</sup> FY16 final NOGA award received in February.

<sup>2</sup> Funds awarded or anticipated to be awarded for authorized projects are included in projections of Grants and Project Expenses.

<sup>3</sup> Funds awarded each Fiscal Year (FY) can be expended within 3 FY periods.

<sup>4</sup> Planned Grants & Projects Expenses include projects planned and approved but not initiated. Total amounts authorized are reflected although actual awards approved may be less.

<sup>5</sup> 2015 Balance will be fully assigned by the end of Sept. 2016.

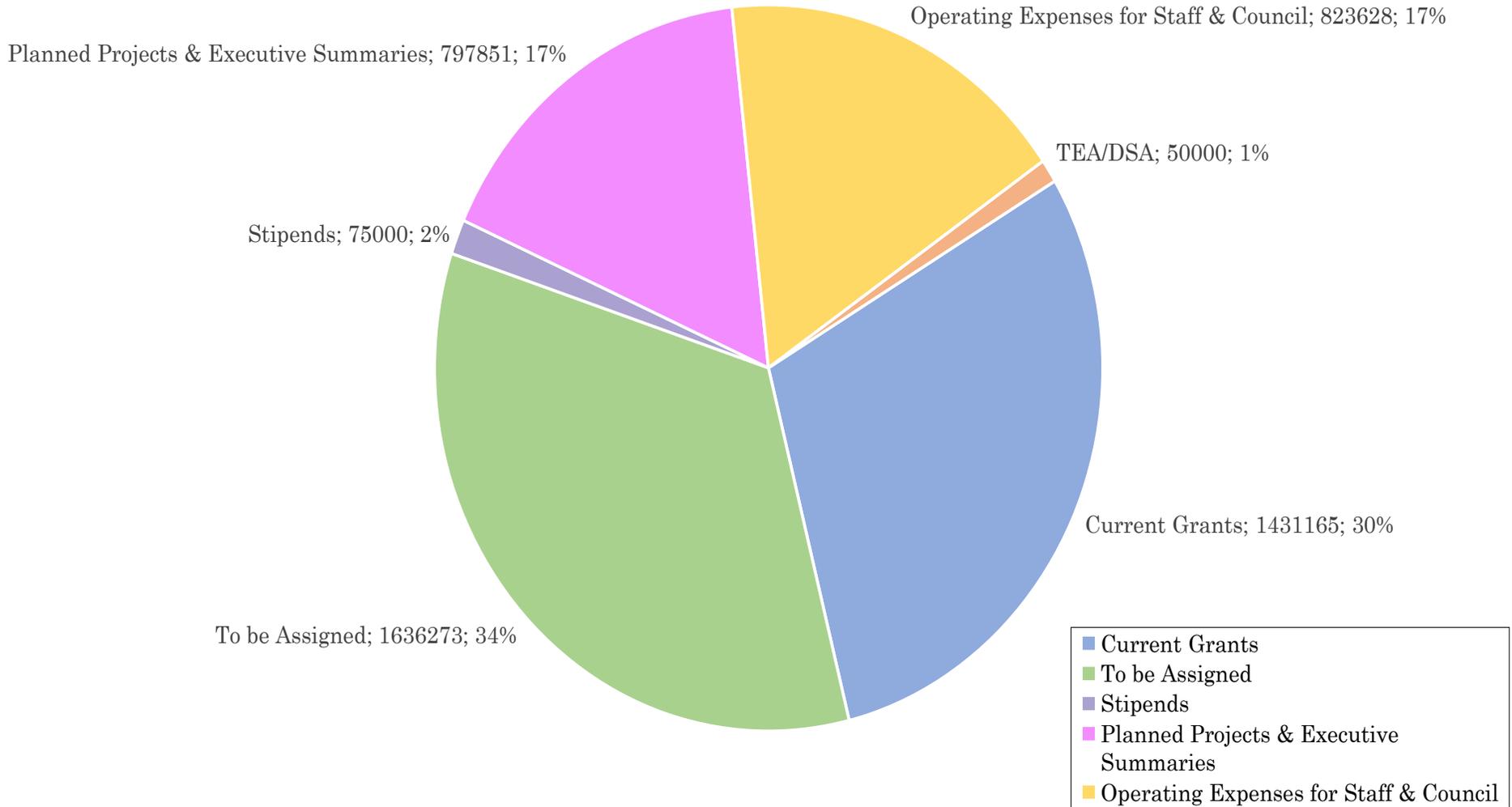
## Summary of Funds FY 2015-2018 — Quarterly Council Meeting May 2016

<b>FISCAL YEAR &amp; AWARD PERIOD</b>	<b>FY 2015</b>	<b>FY 2016</b>	<b>FY 2017</b>	<b>FY 2018</b>
(2 years to assign to grantees; 3 years to spend)	10/1/2013 – 9/30/2016	10/1/2014 – 9/30/2017	10/1/2015 – 9/30/2018	10/1/2016 – 9/30/2019
<b>FEDERAL AWARD</b>	no data	no data	no data	no data
Federal Award	\$4,742,116	\$4,813,917	\$4,813,917	\$4,813,917
Previous Year Award Amount	\$4,804,064	\$4,742,116	\$4,813,917	\$4,813,917
Difference from previous year funds	-\$61,948	\$71,801	\$0	\$0
<b>OPERATING EXPENSES</b>	no data	no data	no data	no data
Council Approved Operating Budget	\$1,646,128	\$1,803,464	\$1,822,000	\$2,009,200
Administrative Cost to TEA/MOU	\$50,000	\$50,000	\$50,000	\$50,000
Total OE	\$1,696,128	\$1,853,464	\$1,872,000	\$2,059,200
Actual or Estimate of final Operating Expenses	-\$1,534,246	-\$873,628	-\$1,684,800	-\$1,853,280
Difference from Approved to Spent	\$161,882	\$979,836	\$187,200	\$205,920
<b>GRANTS &amp; STIPENDS</b>	no data	no data	no data	no data
Funds Available for Grants	\$3,132,870	\$3,865,289	\$3,054,117	\$2,885,637
Funds Available for Stipends	\$75,000	\$75,000	\$75,000	\$75,000
Total funds assigned to Grants, Projects & Stipends	\$3,207,870	\$3,940,289	\$3,129,117	\$2,960,637
Actual Awards to Current Grants & Stipends	-\$2,923,821	-\$1,431,165	-\$1,692,500	\$815,000
Difference of funds left to assign or give back	\$284,049	\$2,509,124	\$1,436,617	\$2,145,637
<b>PLANNED PROJECTS</b>	no data	no data	no data	no data
Funds from previous year to re-assign	\$0	\$0	\$1,711,273	\$2,037,890
Planned Projects (see priority list) <sup>1</sup>	-\$284,049	-\$797,851	-\$1,110,000	-\$1,000,000
Balance to carry forward or give back <sup>2</sup>	\$0	\$1,711,273	\$2,037,890	\$3,183,527
No Data	Assign to grantees by 9/30/16	Assign to grantees by 9/30/17	Assign to grantees by 9/30/18	Assign to grantees by 9/30/19
No Data	Spend by 9/30/2017	Spend by 9/30/2018	Spend by 9/30/2019	Spend by 9/30/2020

### NOTES

- 1) See Priority List for Planned Projects & Amounts
- 2) Funds on this line need to be reassigned or will be returned to AIDD
- 3) Numbers in blue represent projected numbers

# FY 2016 Annual Budget \$4,813,917



## Admin & Expense Budget — Oct. 1, 2015 thru Mar. 31, 2016

Expenses (Council Operations)	Yearly Budget	6 Months Expended	Balance - 6 Months Remaining
<b>Personnel (17 FTEs)</b>	No Data	No Data	No Data
Benefits	349,784	178,244	171,540
<b>Total Personnel</b>	\$1,383,108	\$680,867	702,241
<b>Operating</b>	No Data	No Data	No Data
Professional Services <sup>1</sup>	98,000	19,988	78,012
Out-of-State Travel <sup>2</sup>	15,000	2,073	12,927
In-State Travel <sup>3</sup>	58,000	26,223	31,777
Supplies	12,000	7,287	4,713
Utilities	32,000	11,775	20,225
Rent - Building - Space	69,989	27,435	42,554
Rent - Computers - Equip <sup>4</sup>	40,000	18,355	21,645
Capital Expenditures	0	0	0
Other OE <sup>5</sup>	95,367	29,625	65,742
<b>Total Operating</b>	\$420,356	\$142,761	\$277,595
<b>Total Expenses</b>	<b>Budget</b>	<b>Actual</b>	<b>Balance</b>
No Data	1,803,464	823,628	979,836
<b>Admin Reim to TEA</b>	50,000	45.7%	No Data
<b>TOTAL</b>	\$1,853,464	\$873,628	No Data

**NOTES:**

<sup>1</sup> Auditor — \$37,700/\$0; CPA Desk Reviews: \$8,000/\$7,500; Legal Svs: \$3,000/\$0.

Web Hosting: \$1,800/\$750; Data Center Services: \$5,000/\$1,625.

Other Professional Services: \$30,500/\$2,393; Reviewers: \$4,000/\$2,720; Temp Services: \$18,000/\$0.

<sup>2</sup> Travel Out-of-State — Council: \$7,500 /\$0; Staff: \$7,500 /\$2,073.

<sup>3</sup> Travel In-State — Council: \$41,500 / \$19,394; Staff: \$16,500 /\$6,829.

<sup>4</sup> Computer lease: \$8,890/\$3,704; AV Equipment: \$26,500/\$12,733; Copier: \$4,610/\$1,890.

<sup>5</sup> Other — OE - NACDD Dues: \$22,000/\$20,363; interpreter svs, registration fees, other training, maintenance, advertising, postage, printing, software, furniture, non-cap equip, security, and janitorial services: \$9,262.

<sup>6</sup> Changes made to this document include: removing Year to Date Projected and Variance columns and adding in the balance column. Other changes include: moving \$25,000 from Other OE; \$10,000 from Out of State Travel; and \$10,000 from Professional Services to Salaries and Benefits. It does not change the bottom line approved budget by Council, but allows us to use funds to accommodate the changes in staffing.

## CURRENT GRANTEES

Current Grantee Name	Project Period	Year of Project	Project Title	Awarded Amount	Expended Amount	Remaining Balance
Special Kids, Inc. (SKI)	6/1/2015 - 5/31/2016	1 of 1	Outreach & Development-15	\$10,000	\$10,000	\$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	\$35,077	\$49,116
Lindsey Zischkale	6/1/2016 - 8/31/2016	3 mos	Public Policy Intern	\$3,100	\$0	\$3,100
Texas Center for Disability Studies	1/1/2014 - 12/31/2016	3 of 3	DADS PCT Training (Contract)	\$30,000	\$6,987	\$72,892
Texas A&M University	1/1/2012 - 12/31/2016	4 of 5	Higher Education-2	\$225,000	\$224,426	\$574
Department of Assistive and Rehabilitative Services	1/1/2012 - 12/31/2016	4 of 5	Higher Education-3	\$225,000	\$159,890	\$65,110
no data	no data	no data	<b>SUBTOTAL-2016</b>	<b>\$628,100</b>	<b>\$464,095</b>	<b>\$233,237</b>
Any Baby Can of San Antonio, Inc	3/1/2012 - 2/28/2017	5of 5	Health & Fitness-1	\$131,165	\$0	\$131,165
Texas Tech University	10/1/2011 - 2/28/2017	4 of 5	Higher Education-1	\$220,998	\$191,779	\$29,219
Epilepsy Foundation Texas	4/1/2012 - 3/31/2017	4 of 5	Health & Fitness-2	\$250,000	\$141,147	\$159,268
Texas State Independent Living Council	4/1/2012 - 3/31/2017	4 of 5	Health & Fitness-3	\$238,000	\$156,514	\$114,921
Educational Programs Inspiring Communities, Inc.	4/1/2012 - 3/31/2017	4 of 5	Enabling Technology-1	\$225,000	\$187,868	\$137,655
Strategic Education Solutions, LLC	4/1/2012 - 3/31/2017	4 of 5	Enabling Technology-2	\$224,925	\$124,618	\$161,272
VSA Arts of Texas	5/1/2013 - 4/30/2017	3 of 4	Self-Advocacy as Speakers-1	\$125,000	\$79,205	\$60,825
Imagine Enterprises Inc	5/1/2013 - 4/30/2017	3 of 4	Self-Advocacy as Speakers-2	\$125,000	\$87,744	\$66,987

<b>Current Grantee Name</b>	<b>Project Period</b>	<b>Year of Project</b>	<b>Project Title</b>	<b>Awarded Amount</b>	<b>Expended Amount</b>	<b>Remaining Balance</b>
Texas Center for Disability Studies	11/1/2003 - 8/31/2017	9 of 12	Support for Advisory Committee Member Travel	\$50,000	\$4,880	\$47,583
Texas Tech University	10/1/2012 - 9/30/2017	4 of 5	Project SEARCH	\$174,656	\$38,943	\$164,933
no data	no data	no data	<b>SUBTOTAL-2017</b>	<b>\$1,764,744</b>	<b>\$1,012,698</b>	<b>\$1,073,828</b>
Texas Advocates	4/1/2015 - 3/31/2018	1 of 3	Self Advocate Community Organizing	\$100,000	\$67,312	\$32,688
Region 17 ESC	6/1/2013 - 5/31/2018	3 of 5	Families in Schools	\$300,000	\$133,307	\$166,693
National Disability Institute	6/1/2016 - 5/31/2018	1 of 2	Understanding Employment Options & Support Training	\$150,000	\$0	\$150,000
Austin Ribbon & Computer Supplies Inc.	9/1/2015 - 8/31/2018	1 of 3	Targeted Online Training (Contract)	\$9,838	\$0	\$9,838
no data	no data	no data	<b>SUBTOTAL-2018</b>	<b>\$559,838</b>	<b>\$200,619</b>	<b>\$359,219</b>
Disability Rights Texas	2/1/2016 - 1/31/2019	1 of 3	Stakeholder Training on Guardianship Alternatives	\$40,000	\$0	\$40,000
Community Healthcore	2/1/2013 - 7/31/2019	3 of 7	Building Community Capacity through Collaboration Projects-2	\$78,329	\$8,333	\$69,996
Volar Center for Independent Living	1/1/2013 - 9/30/2019	3 of 7	Building Community Capacity through Collaboration Projects-3	\$150,000	\$53,157	\$96,843
Light & Salt Association	11/1/2015 - 10/31/2019	1 of 4	Culturally Appropriate Family Supports-1	\$75,000	\$23,522	\$51,478
no data	no data	no data	<b>SUBTOTAL-2019</b>	<b>\$343,329</b>	<b>\$85,012</b>	<b>\$258,317</b>
Reaching Families Advocacy and Support Group	2/1/2016 - 1/31/2020	1 of 4	Culturally Appropriate Family Supports-2	\$70,606	\$6,565	\$64,041
no data	no data	no data	<b>SUBTOTAL-2020</b>	<b>\$70,606</b>	<b>\$6,565</b>	<b>\$64,041</b>
no data	no data	no data	<b>GRAND TOTALS:</b>	<b>\$3,366,617</b>	<b>\$1,768,989</b>	<b>\$1,988,642</b>

## STIPEND EXPENDITURES

### Fiscal Year End 9-30-2015

ORGANIZATION	MONTH OF EVENT	EXPENDED	NUMBER SERVED	PREVIOUSLY SERVED	SPEAKERS
Centro de Salud Familiar La Fe, Inc.	Oct-2014	\$4,355	67	25	No
Volar Center for Independent Living	Oct-2014	\$6,000	65	29	No
Helpful Interventions	Nov-2014	\$6,000	2	0	Yes
Helpful Interventions	Nov-2014	\$917	7	0	No
NAMI Texas	Nov-2014	\$3,520	16	0	No
National Association for the Dually Diagnosed (NADD)	Nov-2014	\$910	2	0	No
ADDA-SR	Feb-2015	\$5,428	35	0	No
Austin Travis County Integral Care	Feb-2015	\$6,000	2	0	Yes
Austin Travis County Integral Care	Feb-2015	\$6,000	19	6	No
The Arc of Texas	Feb-2015	\$5,730	42	7	No
Children's Disabilities Information Coalition	Mar-2015	\$1,000	100	0	No
Coalition of Texans with Disabilities	Mar-2015	\$5,528	46	7	No
Harris County Department of Education	Jun-2015	\$4,714	6	0	Yes
Texas Parent to Parent	Jun-2015	\$6,000	39	6	No
American Association on Intellectual & Developmental Disabilities Texas Chapter (AAIDD-TX)	Jul-2015	\$2,600	5	3	No
Childhood Apraxia of Speech Association of North America	Jul-2015	\$6,000	9	0	Yes
Texas Advocates	Jul-2015	\$5,971	52	17	No
University of North Texas	Jul-2015	\$5,400	80	0	No
Providers Alliance for Community Services of Texas (PACSTX)	Sep-2015	\$6,000	2	0	Yes
<b>TOTALS:</b>	no data	\$88,073	596	100	no data

### Fiscal Year End 9-30-2016

ORGANIZATION	MONTH OF EVENT	EXPENDED	NUMBER SERVED	PREVIOUSLY SERVED	SPEAKERS
ADDA-SR	Feb-2016	\$5,970	51	0	No
Austin Travis County Integral Care	Feb-2016	\$6,000	no data	no data	No
Austin Travis County Integral Care	Feb-2016	\$6,000	no data	no data	Yes
Children's Disabilities Information Coalition	Mar-2016	\$2,000	no data	no data	No
Coalition of Texans with Disabilities	Nov-2015	\$1,330	1	0	Yes
Family to Family Network Inc	Mar-2016	\$3,930	131	0	No
Texas Center for Disability Studies	Nov-2015	\$1,400	5	0	No
Texas Parent to Parent	Jun-2016	\$6,000	no data	no data	No
Texas State Independent Living Council	Apr-2016	\$6,000	no data	no data	No
The Arc of Texas	Feb-2016	\$6,000	18	4	No
Volar Center for Independent Living	Oct-2015	\$6,000	55	18	No
<b>TOTALS:</b>	no data	\$49,800	261	22	no data

**Background:**

Executive Summaries for seven (7) current grant projects that are eligible for continuation funding are enclosed for consideration by the Committee. Grants monitoring strategies are noted under staff recommendations which follow the grants risk assessment report.

- A. **Educational Programs Inspiring Communities** — Enabling Technology
- B. **Strategic Solutions** — Enabling Technology
- C. **Imagine Enterprises** — Self-Advocates as Speakers
- D. **VSA Texas** — Self-Advocates as Speakers
- E. **Epilepsy Foundation Texas** — Health & Fitness
- F. **Region 17 Education Service Center** — Family Involvement in Schools
- G. **Texas Advocates** — Self-Advocates Grassroots Community Organizing

At the August meeting, staff expect to bring four (4) projects to be considered for continuation funding:

- **Community Healthcare** — Building Community Capacity through Collaboration
- **Volar Center for Independent Living** — Building Community Capacity through Collaboration
- **Texas Tech University** — Support for Project SEARCH
- **Light and Salt Association** — Culturally Appropriate Family Supports

**Grants Risk Assessment Report (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 3–5 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 9. A.****Expected Action:**

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

**Texas Council for Developmental Disabilities  
Executive Committee  
Review of Proposed Activities & Budget**

**ITEM: A**

**Date:** 5/4/16

**Grantee:** Educational Programs Inspiring Communities

**Year:** 5 of 5

**Project Title:** Enabling Technology

**Project Location:** Houston

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

**TCDD RFP Intent:** The project intent is to assist Texans with developmental disabilities in attaining competitive employment opportunities. Grantees will develop and implement a plan to demonstrate to employers, people with developmental disabilities, and/or family members ways in which available assistive technology can enhance job performance and increase employment options.

**Authorized Funding:** TCDD has approved up to \$225,000 per year for up to three years with an option of funding years four and five.

**Expected Results:** Adults with Intellectual and Developmental Disabilities (IDD) will have access to technology that will enable them to complete job tasks more efficiently and independently. This technology will be shared with other organizations to promote the hiring and support of people with IDD.

**Project Goals for Year 1–4:**

**Goal:** The goal of this project is to design, develop, deploy, and evaluate an interactive customized mobile tablet solution that will increase the employability of low-income adults with developmental disabilities.

**Project Accomplishments for Year 1–4:**

**Year 1:** A survey was administered to program participants to gauge technology proficiency from which modules for the app were defined and designed. An evaluation was developed to solicit feedback from pilot participants.

**Year 2:** The project partner fully coded and deployed all aspects of the app. The app was tested and de-bugged first by project staff. Participants were provided with training on how to use the iPads per needs assessment. Testing of the entire application by pilot participants began in the last quarter of year two.

**Year 3:** New modules were designed, coded and added to the app. Testing continued and the app was fine-tuned. The app was deployed to program participants to begin using in HEART's in-house inventory environment and with HEART's vending machine job training and employment program. By conducting pre and post assessments, the grantee has determined that the participants have increased their familiarity with the iPads.

**Year 4:** There was an expansion on the HITS design which resulted in templates or modules that can be used by other businesses and companies outside of HEART while at the same time providing updates to the current successful HITS app so that it can continue to be utilized fully within HEART.

**Proposed Goals and Objectives for Year 5:**

**Goal:** Same as above

**Objectives:** Support the HITS app by designing and implementing change requests to current system; Maintain the HITS app by conducting system updates and deploying change requests to the HITS app; and, Create a stand-alone inventory module for use outside of The HEART Program.

**Council Considerations:**

**Public Policy Considerations:** The public policy obstacles identified by the grantee should be revisited now that all Medicaid waiver programs expressly offer both employment assistance and supported employment services. It should be noted that the HCS program does not prohibit job training programs (“It is not allowable under the day-hab rules for the consumer to participate in any job training activities”). The underlying public policy is that a provider cannot charge for the provision of two services at the same time (day habilitation and habilitation training) or charge for day habilitation when the service being delivered is habilitation training. PP staff recommend that proceeds of goods or services produced in training should accrue to the individual, not the training provider. At this stage in the grantee’s product development, it would be helpful to develop measures of how its technology helps workers with disabilities perform competitively in integrated environments.

**Grant Management Considerations:** No concerns; high risk monitoring (awards within awards).

**Staff Recommendation:** TCDD staff recommends Council consideration of continuation funding.

**Continuation Budget Detail Summary**

<b>Year</b>	<b>Federal Amount Expended</b>	<b>Match Amount Expended</b>	<b>Expended Total Amounts</b>
<b>Expended Year 1</b> (Consultant: \$175,000)	\$225,000/\$225,000	\$75,000/\$100,456	\$300,000/\$325,456
<b>Expended Year 2</b> (Consultant: \$175,000)	\$225,000/\$225,000	\$85,000/\$136,613	\$310,000/\$361,613
<b>Expended Year 3</b> (Consultant: \$175,000)	\$225,000/\$225,000	\$90,000/\$98,967	\$315,000/\$323,967
<b>Expended Year 4</b> (7 months) (Consultants: \$175,000)	\$225,000/\$130,878	\$95,000/\$58,720	\$320,000/\$189,598

**Amounts Requested for Year Four Budget**

<b>Expense Item</b>	<b>Federal Amount Requested</b>	<b>Match Amount Requested</b>	<b>Total Amount Requested</b>
<b>1. Personnel Services</b>	\$40,018	\$0	\$40,018
<b>2. Travel</b>	\$0	\$0	\$0
<b>3. Purchased Services</b> (Consultants: \$175,000)	\$177,000	\$100,000	\$277,000
<b>4. Property/Materials</b>	\$1823	\$0	\$1823
<b>5. Rental/Leasing</b>	\$859	\$40	\$859
<b>6. Utilities</b>	\$5300	\$0	\$5300
<b>7. Other (Indirect Costs)</b>	\$0	\$0	\$0
<b>Budget period totals</b>	\$225,000	\$100,000	\$325,000

**Texas Council for Developmental Disabilities  
Executive Committee  
Review of Proposed Activities & Budget**

**ITEM: B**

**Date:** 5/4/16

**Grantee:** Strategic Education Solutions

**Project Title:** Enabling Technology

**Project Location:** Houston

**Year: 5 of 5 Website:** [www.strategicedolutions.com](http://www.strategicedolutions.com)

**TCDD RFP Intent:** The project intent is to assist Texans with developmental disabilities in attaining competitive employment opportunities. Grantees will develop and implement a plan to demonstrate to employers, people with developmental disabilities, and/or family members ways in which available assistive technology can enhance job performance and increase employment options.

**Authorized Funding:** TCDD has approved up to \$225,000 per year for up to three years with an option of funding years four and five.

**Expected Results:** Adults with cognitive disabilities will have access to a low-cost instructional resource that will assist them with career planning, the job search, and sustaining competitive employment.

**Project Goals for Year 1-4:**

**Goal:** To provide adults with cognitive disabilities and caregivers a comprehensive, accessible, and low-cost instructional resource that supports them through their career planning, job search, and employment journey.

**Project Accomplishments for Year 1-4:**

**Year 1:** The grantee developed content for 30 modules in the area of job search skills. 15 pilot participants of diverse autism diagnosis, gender, ethnic, and socioeconomic backgrounds were recruited. The website was launched and the grantee deployed 10 modules for participant testing.

**Year 2:** The Virtual Job Coach (VJC) team developed 20 additional user modules. The grantee recruited one teacher and 10 students from a mixed high school transition class which had been used as the training site since September, 2013. The project partner responsible for technology deployment developed a feature that enables support staff to create “classes” of users, assign content on a customized schedule, and monitor users’ progress.

**Year 3:** The project focused on forming partnerships with new organizations to establish new pilot groups. The grantee will support a new pilot in a Project SEARCH site in Fort Bend, TX. Several pilot testers have gained meaningful employment. The project director has met with local agency staff (DARS, TEA, WorkForce) to discuss statewide implementation of the VJC.

**Year 4 (to date):** In years 1-4, pilots served a diverse group of 46 users (ages 16-43). The project staff is in the process of developing a RFQ to enable re-negotiation of the technology license agreement to minimize per-user cost or identify a new technology system to disseminate contact. The project is in the process of uploading additional content in the area of Career Planning. A RFP will be sent to Texas MHMR’s and Regional Education Service Centers in an effort to identify organizations that serve rural and/or poverty counties to complete a pilot program. The project continues to pilot the program with project SEARCH in Fort Bend ISD and Social Motion will implement a pilot in Houston during the last four months of the budget period.

**Proposed Goals and Objectives for Year 5:**

**Goal:** Same as above

**Objectives:** Update technology in support of the sustainability plan; update the content in support of the sustainability; refine branding/positioning/messaging in support of the sustainability plan; pilot the testing expansion; and, update the program evaluation.

**Staff Recommendations:**

**Public Policy Considerations:** Finding competitive integrated employment for people with disabilities requires a person-centered approach when working with both the individual and the potential employer. Regarding both the individual and the employer as clients substantially improved rates of employment using customized employment and internships, relying on tools such as professional and personal profiles to augment interviews. PP staff hope that the app soon will be widely available to people with disabilities and that we may start promoting it.

**Grant Management Considerations:** No concerns; high risk monitoring (awards within awards)

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

**Continuation Budget Detail Summary**

<b>Year</b>	<b>Federal Amount Expended</b>	<b>Match Amount Expended</b>	<b>Expended Total Amounts</b>
<b>Expended Year 1</b> (Consultant: \$147,827)	\$224,967/\$224,967	\$27,617/\$29,995	\$252,584/\$254,962
<b>Expended Year 2</b> (Consultant: \$156,180)	\$225,000/\$225,000	\$50,042/\$55,603	\$275,042/\$280,603
<b>Expended Year 3</b> (Consultant: \$150,680)	\$225,000/\$225,000	\$90,000/\$73,335	\$315,000/\$298,335
<b>Expended Year 4</b> (9 months) (Consultant: \$175,000)	\$225,000/\$112,708	\$95,000/\$62,488	\$315,000/\$175,196

**Amounts Requested for Year Three Budget**

<b>Expense Item</b>	<b>Federal Amount Requested</b>	<b>Match Amount Requested</b>	<b>Total Amount Requested</b>
<b>1. Personnel Services</b>	\$80,000	\$46,120	\$126,120
<b>2. Travel</b>	\$0	\$0	\$0
<b>3. Purchased Services</b> (\$141,705 consultants)	\$141,705	\$41,868	\$183,457
<b>4. Property/Materials</b>	\$0	\$490	\$490
<b>5. Rental/Leasing</b>	\$0	\$200	\$200
<b>6. Utilities</b>	\$0	\$550	\$550
<b>7. Other (Indirect Costs)</b>	\$0	\$0	\$0
<b>Budget period totals:</b>	\$224,465	\$90,260	\$314,725

**Texas Council for Developmental Disabilities  
Executive Committee  
Review of Proposed Activities & Budget**

**ITEM: C**

**Grantee:** Imagine Enterprises

**Year:** 4 of 4

**Project Title:** Self-Advocates as Speakers

**Project Location:** Statewide

**Website:** <http://www.imagineenterprises.org/>

**TCDD RFP Intent:** To develop a project that will support and promote a diverse pool of self-advocates who can present or serve as facilitators or mentors at in-state conferences or training events.

**Authorized Funding:** TCDD has approved up to \$125,000 per year for up to four years.

**Expected Results:** There will be an increase in the number of organizations that include self-advocates as speakers, facilitators, and mentors in conferences or trainings.

**Project Goals for Year 1-3:**

**Goal:** Project Sharing Personal Experiences and Knowledge (SPEAK) will recruit, train, and support at least 15 self-advocates per year from diverse backgrounds to present in local and state venues where their message will have an impact. At least 50 self-advocates will have been trained by the close of this project, 2017.

**Project Accomplishments for Year 1-3:**

**Year 1:** Project SPEAK coordinated efforts with three organizations to serve as training sites for participants and created an information sheet and application process. Project staff created a curriculum that is used to conduct both a three-day and one-day follow up training. There were 15 speakers recruited through Imagine Art, Family to Family and Dickinson ISD. There were presentations made to 10 local organizations, 5 regional organizational meetings and 1 to a statewide meeting.

**Year 2:** The grantee trained 20 speakers from Alvin ISD, Gulf Coast Self-Advocates and Texas Tech University. There were 19 presentations to local groups, 11 to regional meetings and 16 to state meetings. Curriculum and marketing materials were updated and translated into Spanish.

**Year 3:** The grantee partnered with Brazos Valley Center for Independent Living (BVCIL), Santa Fe ISD, and Costal Bend Center for Independent Living. There were 15 speakers trained in year 3 which will bring the total number of speakers to 50 by the end of the current budget period. To date, there has been 13 local presentations, 5 regional presentations and 6 state presentations for year 3.

**Proposed Goals and Objectives for Year 4:**

**Goal:** Same as above

**Objectives:** Customize project SPEAK for use as both an educational program and a sanctioned extracurricular activity for school districts; develop a business plan to sustain project SPEAK beyond the end of the Texas Council for Developmental Disabilities grant with possible fee-for-service training materials; augment project SPEAK promotional initiatives; and, nurture the continued development of project SPEAK graduates for presentations at 10 local organizations, 2 state conferences and the Texas legislature.

**Staff Recommendations:**

**Public Policy Considerations:** Changed policy at local level and is working on a state policy change. Locally, one student went to the school board and secured a policy change to allow individual choice in electives instead of pre-determined requirements. SPEAKers are asking to be included in the Texas Education Knowledge and Skills (TEKS) criteria. PP staff continue to request information from speakers on needed policy changes, as well as a list of speakers and their topics so that we may support their efforts, collaborate when appropriate, and recommend speakers for engagements.

**Grant Management Considerations:** No concerns; considerable risk monitoring (awards within awards; award amount)

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

**Continuation Budget Detail Summary**

<b>Year</b>	<b>Federal Amount Expended</b>	<b>Match Amount Expended</b>	<b>Total Amounts Expended</b>
<b>Expended Year 1</b> (13 months) (Consultant: \$25,974)	\$124,999/\$111,493	\$41,767/\$27,633	\$166,766/\$139,126
<b>Expended Year 2</b> (Consultant: \$23,844)	\$125,000/\$76,360	\$51,316/\$27,821	\$176,316/\$104,181
<b>Expended Year 3</b> (8 months) (Consultant: \$22,194)	\$125,000/\$76,602	\$47,742/\$36,433	\$172,742/\$113,035

**Amounts Requested for Year Three Budget**

<b>Expense Item</b>	<b>Federal Amount Requested</b>	<b>Match Amount Requested</b>	<b>Total Amount Requested</b>
<b>1. Personnel Services</b>	\$83,415	\$6983	\$90,398
<b>2. Travel</b>	\$3653	\$1472	\$5125
<b>3. Purchased Services</b> (Consultant: \$23,754)	\$37,854	\$29,338	\$67,192
<b>4. Property/Materials</b>	\$78	\$549	\$627
<b>5. Rental/Leasing</b>	\$0	\$0	\$0
<b>6. Utilities</b>	\$0	\$3324	\$3,324
<b>7. Other (Indirect Costs)</b>	\$0	\$0	\$0
<b>Budget period totals:</b>	\$125,000	\$41,666	\$166,666

**Texas Council for Developmental Disabilities  
Executive Committee  
Review of Proposed Activities and Budget**

**ITEM: D**

**Date:** 5/4/16

**Grantee:** VSA arts of Texas

**Year:** 4 of 4

**Project Title:** Opening Minds, Opening Doors: Promoting Self-Advocates as Speakers

**Project Location:** Travis, Hays, Williamson, El Paso, Bexar, and Harris Counties

**Website:** None

**TCDD RFP Intent:** The project intent is to recruit a diverse group of self-advocates who will become public speakers, facilitators or mentors in an effort to increase the number of organizations that include self-advocates as speakers, facilitators and mentors at in-state conferences or trainings.

**Authorized Funding:** TCDD has approved up to \$125,000 for up to 4 years.

**Expected Results:** Conferences and trainings will use self-advocates as speakers, facilitators, or mentors.

**Project Goals for Year 1–3:**

**Goal:** To increase the number of self-advocates who are speakers, facilitators and mentors at conferences held in Texas.

**Project Accomplishments for Year 1–3:**

**Year 1:** Completed two 6-week training course that focused on story-telling, interview practice and using a microphone was piloted with a group of nine self-advocates and held two 5-week writing classes in Austin for 11 continuing participants. A speaker showcase was held in which 45 people were in attendance. A database was created to interested self-advocates, disability professionals and conference providers to use as a tool to recruit potential participants.

**Year 2:** Recruited seven self-advocates to participate in the 6-week training class held in El Paso. These self-advocates participated at two conferences and provided the keynote address at the Children's Disabilities Information Coalition Symposium. Monthly classes were also held at Volar CIL.

**Year 3:** Self-advocates from Austin presented at two different webinars, one on resources and advice for parents of children with disabilities and the other on working with personal care attendants. Fourteen self-advocates from the Austin area presented at nine conferences and/or events. A 6-week class was started in Houston in which seven self-advocates participated. An additional eight class meetings were scheduled for continuing and new participants. A self-advocate from El Paso participated in the Our Lives Conference in El Paso along with the project coordinator and project facilitator.

**Proposed Goals and Objectives for Year 4:**

**Goal:** Same as above.

**Objectives:** Update program documents and training curriculum, advertise program and recruit PAC members and self-advocates (from San Antonio); train self-advocates to become speakers, mentors and facilitators and provide ongoing support and technical assistance to these self-advocates; support self-advocates as speakers and presenters at conferences in Texas. VSA will also explore fee-for-service models to sustain the curriculum at the end of the project.

**Staff Recommendations:**

**Public Policy Considerations:** VSA Arts speaker’s grantee states an overarching public policy focus on the underlying institutional bias and reports 42 individuals have presented to various forums. Staff requested in the last continuation that we receive specific info about issues, biases and barriers addressed in presentations. This information is vital to informing policy work and promoting the work of this grant. Public Policy will also request a list of speakers so we may support their efforts, collaborate when appropriate, and recommend speakers in advocacy related to institutions and community living.

**Grant Management Considerations:** No concerns; considerable risk monitoring (award within awards).

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

**Continuation Budget Detail Summary**

<b>Year</b>	<b>Federal Amount Expended</b>	<b>Match Amount Expended</b>	<b>Total Amounts Expended</b>
<b>Expended Year 1</b>	\$125,000/\$125,000	\$41,666/\$41,666	\$166,666/\$166,666
<b>Expended Year 2 (6 months)</b> (Consultants: \$21,652)	\$125,000/\$52,323	\$41,000/\$14,444	\$166,000/\$66,767
<b>Expended Year 3 (9 months)</b> (Consultants: \$25,400)	\$125,000/79,205	\$41,666/19,965	\$166,000/\$99,170

**Amount requested for Year 3 budget**

<b>Expense Item</b>	<b>Federal Amount Requested</b>	<b>Match Amount Requested</b>	<b>Total Amount Requested</b>
<b>1. Personnel Services</b>	\$61,857	\$14,693	\$76,550
<b>2. Travel</b>	\$7362	\$828	\$8190
<b>3. Purchased Services (Consultants: \$25,400)</b>	\$41,838	\$18,774	\$60,612
<b>4. Property/Materials</b>	\$0	\$4389	\$4389
<b>5. Rental/Leasing</b>	\$12,788	\$2707	\$15,495
<b>6. Utilities</b>	\$1155	\$275	\$1430
<b>7. Other (Indirect Costs)</b>	\$0	\$0	\$0
<b>Budget period totals:</b>	\$125,000	\$41,666	\$166,666

**Texas Council for Developmental Disabilities  
Executive Committee  
Review of Proposed Activities & Budget**

**ITEM: E**

**Date:** 5/4/2016

**Grantee:** Epilepsy Foundation of Texas (EFTX)

**Year:** 5 of 5

**Project Title:** Health & Fitness — Get FIT (Fitness, Integration, Training) Texas

**Project Location:** Statewide rural communities

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

**TCDD RFP Intent:** The RFP intent is to demonstrate how appropriate supports may help people with developmental disabilities to participate in exercise and nutrition programs. 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 goals.

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

**Expected Results:** At least 2 sustainable programs will be created or modified to provide individualized community health and fitness programs/opportunities for people with developmental disabilities. Data will be collected on each project’s impact for at least 30 people per site.

**Project Goals and Accomplishments for Years 1–4:**

**Goal 1:** Implement a health and wellness curriculum and fitness program for individuals with developmental disabilities (DD) and epilepsy, as well as their caregivers.

**Goal 2:** The project will focus on the rural Texas communities and expand to West Texas, serve at least 300 individuals total (year 4).

**Accomplishments per goal:** A comprehensive, 12-week health and wellness program was created to improve the physical fitness, nutrition and healthy lifestyles of adults with DD and epilepsy and their caregivers. First year total enrollment was 88, which was expanded to 200 by the end of the second year, and 250 by the middle of the third year. The development of an individualized Get FIT plan of action with “at home activities” was created and applied. The program served rural areas surrounding major cities including Austin, Dallas, Plano, Houston, San Antonio, and Lubbock. The project started expanding into schools in the third year, with a small program in the CyFair schools district near Houston. Year four introduced preventative health testing including: blood lipids, glucose, and blood pressure. As of March 2016, the program has served 200 out of a targeted 300 participants and is on track to meet the year 4 goal.

**Proposed Goals and Objectives for Year 5: Goal:** Same as above.

**Objectives:** 1) Establish project sustainability sources like becoming a Medicaid provider enabling our participants to bill through the state Medicaid, additional grants and sponsors; 2) Maintain our current partnerships and provide services to 361 individuals with developmental disabilities and their caregivers; 3) Incorporate program with new partners 4) Establish program in Austin area.

**Council Considerations:**

**Public Policy Considerations:** Get FIT is working with a professional firm to get approved as a state Medicaid provider. Preventable conditions account for 70% of our nation’s health care costs. If Get FIT is approved as a Medicaid provider it will be a policy win for people with DD and state and local government. The grantee also acknowledges the need for systems changes in transportation to improve access to health activities and resources such as Get FIT.

**Grant Management Considerations:** No concerns; extensive risk monitoring (amount, award-within-award).

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

**Continuation Budget Detail Summary**

<b>Year</b>	<b>Federal Amount Expended</b>	<b>Match Amount Expended</b>	<b>Totals Amount Expended</b>
<b>Expended Year 1</b> (Consultant: \$35,000)	\$249,538/\$249,538	\$81,869/\$80,848	\$331,407/\$330,386
<b>Expended Year 2</b> (Consultant: \$59,375)	\$249,750/\$249,750	\$95,341/\$83,624	\$345,091/\$333,375
<b>Expended Year 3</b> (Consultant: \$62,550)	\$248,735/\$250,000	\$106,959/\$85,004	\$355,694/\$335,004
<b>Expended Year 4</b> (7 months) (Consultant: \$62,550)	\$250,000/\$124,302	\$103,758/\$65,714	\$353,758/\$190,016

**Amount Requested for Year Five budget**

<b>Expense Item</b>	<b>Federal Amount Requested</b>	<b>Match Amount Requested</b>	<b>Total Amount Requested</b>
<b>1. Personnel services</b>	\$132,414	\$71,071	\$203,485
<b>2. Travel</b>	\$2,376	\$221	\$2,597
<b>3. Purchased services</b> (\$107,710 consultants)	\$109,210	\$10,822	\$120,032
<b>4. Property/Materials</b>	\$6,000	\$0	\$6,000
<b>5. Rental/Leasing</b>	\$0	\$8,567	\$8,567
<b>6. Utilities</b>	\$0	\$0	\$0
<b>7. Other (Indirect Costs)</b>	\$0	\$0	\$0
<b>Budget period totals:</b>	\$250,000	\$90,681	\$340,681

**Texas Council for Developmental Disabilities  
Executive Committee  
Review of Proposed Activities & Budget**

**ITEM: F**

**Date:** 05/4/2016

**Grantee:** Region 17 Education Service Center

**Year:** 4 of 5

**Project Title:** Family Involvement in Schools

**Project Location:** Bailey, Lamb, Hale, Floyd, Motley, Cottle, Cochran, Hockley, Lubbock, Crosby, Dickens, King, Yoakum, Terry, Lynn, Garza, Kent, Gaines, Dawson, Borden

**Website:** None

**TCDD RFP Intent:** The intent of the Family Involvement in Schools proposal is for one project to recruit, engage, empower and support families of children with special needs attending schools in the Region 17 Educational Service Center (ESC) to become involved with their child's public school.

**Authorized Funding:** TCDD has approved up to \$300,000 for up to five years.

**Expected Results:** At least 2,220 parents or other family members (including fictive kin) who have children attending schools in the Region 17 ESC will be actively engaged in schools and other education-focused community collaborative efforts because they receive training and other necessary services to support that involvement.

**Project Goals and Accomplishments for Years 1-3:**

**Goal:** Build collaborations within ESC 17 to demonstrate ways to create measureable improvement in at least 2 identified indicators of educational success for students with developmental disabilities. The percentage of parents with a child receiving special education services who report that schools facilitated parent involvement will increase. The long-term goal is that 1 family member for every 4 students with disabilities will be actively engaged in schools.

**Objectives:** 1) Provide training and coaching to support active engagement by at least 1 family member for every 4 students who have developmental disabilities in ESC 17; 2) Increase the number of home and school activities that participating districts provide to families of students with disabilities within the school year; 3) increase the attendance of parents/family members at ARD meetings; 4) increase the attendance of parents/family members at training and events; and 5) increase parents' level of satisfaction with the school environment, communication between parents and school and ARD/IEP participation

**Accomplishments per goal:** A total of 4 school districts (Slaton, Roosevelt, Wilson and Southland ISD) were recruited to participate in training and coaching for Cohort 1. Cohort 2 consists of Brownfield ISD (6 campuses total) and 2 other campuses in Levelland ISD and Denver City ISD. ESC 17 has utilized a coaching model that will enable districts to continue utilizing strategies acquired through the trainings and collaborations. A library of resources is provided for parents and professionals to each campus. In year 3, the grantee continued to work with the Academic Beginnings Center in Levelland, the Kelley Dodson Elementary in Denver city and added the elementary campus in Floydada ISD and all campuses in Seminole ISD. So far in year 3, the project conducted a back to school conference in which numerous trainings were provided to more than 2,000 educators. A Hippotherapy (horses) experience was provided for 13 students and 7 parents. A BLOCKfest training was provided with more than 540 parents attending. A total of 54 parents attended the Building Strong Families event.

**Proposed Goals and Objectives for Year 4: Goal:** Same as above.

**Objectives:** 1) Provide training and coaching to support active engagement by at least 1 family member for every 4 students who have developmental disabilities in ESC 17; 2) Increase the number of home and school activities that participating districts provide to families of students with disabilities within the school year; 3) increase the attendance of parents/family members at ARD meetings; 4) increase the attendance of parents/family members at training and events.

**Council Considerations:**

**Public Policy Considerations:** Measuring the effect that family involvement in schools has on the socialization and academic performance of students with disabilities will benefit students, families, and school personnel. PP staff continue to look forward to data quantifying the effect of increased parental involvement on overall success of students and parental satisfaction.

**Grant Management Considerations:** No concerns; extensive risk monitoring due to award amount and sub-awards.

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

**Continuation Budget Detail Summary**

Year	Federal Amount Expended	Match Amount Expended	Totals Amount Expended
<b>Expended Year 1</b> (Consultant: \$95,500)	\$300,000/\$300,000	\$35,715/\$33,333	\$335,175/\$333,333
<b>Expended Year 2</b> (Consultant: \$97,912)	\$300,000/\$300,000	\$33,333/\$33,333	\$333,333/\$333,333
<b>Expended Year 3</b> (6 months) (Consultant: \$80,000)	\$300,000/\$102,485	\$33,333/\$20,441	\$333,333/\$122,926

**Amount Requested for Year Four Budget**

Expense Item	Federal Amount Requested	Match Amount Requested	Total Amount Requested
<b>1. Personnel services</b>	\$162,087	\$0	\$162,087
<b>2. Travel</b>	\$12,000	\$0	\$12,000
<b>3. Purchased services</b> (\$70,000 consultants)	\$86,750	\$19,758	\$106,508
<b>4. Property/Materials</b>	\$9,755	\$0	\$9,755
<b>5. Rental/Leasing</b>	\$29,383	\$0	\$29,383
<b>6. Utilities</b>	\$25	\$0	\$25
<b>7. Other (Indirect Costs)</b>	\$0	\$13,575	\$13,575
Budget period totals:	\$300,000	\$33,333	\$333,333

**Texas Council for Developmental Disabilities  
Executive Committee  
Review of Proposed Activities & Budget**

**ITEM: G**

**Date:** 05/4/2016

**Grantee:** Texas Advocates

**Year:** 2 of 3

**Project Title:** Self-Advocate Grassroots Community Organizing

**Project Location:** Austin

**Website:** None

**TCDD RFP Intent:** The intent of the Self-Advocate Grassroots Community Organizing RFP is for one group of self-advocates to work with others to make changes so that people with intellectual and developmental disabilities are included in their community. TCDD is awarding this grant to support self-advocates with intellectual and developmental disabilities to show others how they can build community capacity and improve system supports.

**Authorized Funding:** TCDD has approved up to \$100,000 for up to three years.

**Expected Results:** TCDD expects that this project will help self-advocates with disabilities: 1) learn advanced leadership skills; 2) work together with a trained community organizer and other experts to identify and change a program, policy or practice so that people with intellectual and developmental disabilities are included in their community; and 3) keep working together to make the community better after this project is over.

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

**Goal:** Texas Advocates will speak out for ourselves and organize a powerful group of self-advocates in Greater Austin to create change in their community at their direction, so people with intellectual and developmental disabilities are included in their community.

**Objectives:** 1) Texas Advocates will recruit and engage self-advocates to participate in at least 40 individual one-on-one meetings to determine their interests and invite them to join the self-advocacy community organizing group; 2) Texas Advocates will invite self-advocates and conduct one initial large community organizing meeting to organize the self-advocate group, select leaders and identify issues the self-advocates want to learn about; 3) Texas Advocates will support the group to conduct monthly meetings to provide training and expert advice at the direction of the group on topics such as community organizing, developing leaders, building relationships, how to run a meeting, getting people involved, how to create change, negotiation and disability and community issues; 4) Texas Advocates will support the group to use a proven method of strategic planning (PATH/Midwest Academy Strategies) to identify and select the group's short, intermediate, and long term goals and develop a plan to reach their goals.

**Accomplishments per goal:** A total of 54 one-on-one interviews were completed with self-advocates to learn about their lives, goals, and issues in the community. A total of 29 individuals participated in the initial community organizing meetings and identified issues to address such as housing transportation, activities, jobs, and access. Grant activities were suspended in October 2015 due to staff resignations and per the request of Texas Advocates. The grantee worked through November 2015 to January 2016 to establish the terms of a working relationship with the Arc of Texas while retaining its independence. In February 2016, the grantee submitted a plan to move forward for the remainder of the budget year as well as request for a change of budget period to allow time to complete workplan goals and objectives. TCDD reviewed and approved both documents. Texas Advocates then hired 2 grant staff members and resumed project activities in March 2016.

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

**Goal:** Same as above.

**Objectives:** 1) Texas Advocates will continue to recruit, engage, and support self-advocates and their allies to organize in their own communities; 2) Texas Advocates will continue to assist the self-advocate community organizing group to develop, update, implement, and evaluate their strategic plan; 3) Texas Advocates will support the local self-advocates organizing group to conduct monthly meetings to provide training, identify and learn about the issues, and organize to create systems change in local and state issues, including collaboration with self-advocate groups across the state; and 4) Build the organizational infrastructure to ensure sustainability and long-term community organizing activities for self-advocates.

**Council Considerations:**

**Public Policy Considerations:** The Self-Advocate Grassroots Community Organizing project seems eager to succeed in increasing public policy voices with organized and skilled groups acting together. Staff recommended, instead of focusing on strategic planning, that they conduct activities 4 through 7 of the RFP (identify group leaders; invite experts to provide training; and develop a plan to reach the goal) and conduct twice monthly meetings with the individuals already at the table and let them lead and decide — to build durable power.

**Grant Management Considerations:** No concerns; Risk Assessment: Considerable.

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

**Continuation Budget Detail Summary**

Year	Federal Amount Expended	Match Amount Expended	Total Amount Expended
Expended Year 1 (Consultant: \$18,621)	\$100,000/\$57,120	\$33,691/\$18,664	\$133,691/\$75,784

**Amount Requested for Year Two Budget**

Expense Item	Federal Amount Requested	Match Amount Requested	Total Amount Requested
1. Personnel services	\$81,585	\$0	\$81,585
2. Travel	\$2,881	\$0	\$2,881
3. Purchased services (\$5,880 consultants)	\$10,043	\$22,310	\$32,353
4. Property/Materials	\$3,091	\$0	\$3,091
5. Rental/Leasing	\$0	\$11,250	\$11,250
6. Utilities	\$2,400	\$0	\$2,400
7. Other (Indirect Costs)	\$0	\$0	\$0
<b>Budget period totals:</b>	<b>\$100,000</b>	<b>\$33,560</b>	<b>\$133,560</b>

**Background:**

Staff coordinated an independent review panel to evaluate proposals received for the **Leadership Development and Advocacy Training** request for proposals. 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 9. A.**

**Expected Action:**

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

**Background:**

Minutes of the February 4, 2016, 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, FEBRUARY 4, 2016  
FINAL DRAFT MINUTES**

**COMMITTEE MEMBERS PRESENT**

Gladys Cortez, Chair  
Kimberly Blackmon  
Mateo Delgado  
Ivy Goldstein

Jennifer Kaut  
Scott McAvoy  
Dana Perry  
Barbara Kaatz

David Taylor  
John Thomas  
Rick Tisch

**COMMITTEE MEMBERS ABSENT**

Andrew Crim  
Mary Durham, Council Chair

**COUNCIL MEMBERS PRESENT**

Kristen L. Cox, Council Vice-Chair

**STAFF PRESENT**

Martha Cantu  
Joanna Cordry  
Cynthia Ellison

Danny Fikac  
Wendy Jones

Fernando Rodriguez  
Josh Ryf

**GUESTS PRESENT**

Megan Morgan

**Isabel Evans**

**CALL TO ORDER**

The Project Development Committee met on Thursday, February 4, 2016, at the Sonesta Bee Cave Austin at 12525 Bee Cave Parkway, Bee Cave, Texas 78738. Chair Gladys Cortez called the meeting to order at 1:39 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 November 5, 2015, Project Development Committee meeting.

**MOTION:** To approve the minutes of the November 5, 2015, Project Development Committee.

**MADE BY:** John Thomas

**SECOND:** Rick Tisch

The motion **passed** unanimously.

**4. CHAIR'S REMARKS**

Chair Cortez announced that Andrew Crim resigned as a Council member and that Mary Durham, Council Chair, accepted the resignation. Chair Durham will make a request to the governor's office that this vacancy be filled as soon as possible. The Committee discussed which terms expire soon and where the governor appointment applications can be found.

Joanna Cordry, Planning Coordinator, noted that the Administration on Intellectual and Developmental Disabilities asks Council Members to disclose race/ethnicity, geographical location, and gender identity for the new state plan. TCDD staff are asked to disclose race/ethnicity and gender identity, and to self-identify if they have a disability. There is an option to not disclose.

**5. MEMBER UPDATES**

Andrew Crim has submitted his resignation as council member.

**6. STAFF REPORTS**

**A. Status of New Projects**

Cynthia Ellison, Senior Grant Specialist, reported that the National Disability Institute's project start date is pending and Disability Rights Texas' project began on February 1, 2016.

**B. Projected Funds Available**

Martha Cantu, Operations Director, reported that TCDD has approximately one million dollars that needs to be obligated by September 30, 2016. These funds need to be spent by September 30, 2017.

There were no additional questions for Cantu.

**C. Other Updates**

Staff reported that Beth Stalvey, Executive Director, is conducting research on how other DD Councils have implemented and structured their Partners in Policymaking project. Stalvey has had conversations with the New York DD Council about their use of technology to provide training. This information will be used to determine how best to use contractors to implement the program and to develop a draft workplan and job description. It was noted that Stalvey has met with the Texas Education Agency (TEA) contract staff. All contracts are issued through TEA, and TCDD will use their procedures for contract development and procurement. Currently there are no timelines for the project. The Committee discussed in detail the issues and options available for the implementation of the project.

Cordry updated the Committee on the status of the Outreach and Development Grants that are currently approved through FY2016. To continue the funding for these projects, a new executive summary will need to be approved to authorize additional money. The Committee discussed options to update the requirements of the grant and to address issues such as: assisting grantees to develop infrastructure and sustainability; providing increased funding to continue successful projects; allowing grantees to apply for more than one grant; and reaching out to grantees from underserved areas. The Committee instructed staff to create an executive summary for an Outreach and Development RFP in the amount of \$10,000 per project for the first year and to allow for an increase in funding in the second year if the project can show potential for sustainability.

Cordry reported that the review panel process to evaluate the proposals submitted in response to the Leadership and Advocacy Projects Request for Proposals (RFP) is incomplete and the Executive Committee did not review any proposals received. The recommendations from the review panel will be presented at the May 2016 meeting. Staff are also re-writing sections of the TCDD Policy Fellows RFP to explain more clearly that the primary focus should be on supporting the Fellows to develop public policy skills.

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

**A. Higher Education Collaborative**

The Committee discussed the Higher Education Collaborative Executive Summary. This project will expand best practices that support students with developmental disabilities to succeed in post-secondary programs that were originally designed for students without disabilities. The project would be a 5 year grant with an open funding amount. Applicants would include the amount that they need to achieve the outcomes, although the expected cost would be approximately \$250,000.

**MOTION:** To recommend approval of a Higher Education Collaborative Project as described in the Executive Summary for up to five years.

**MADE BY:** Scott McAvoy

**SECOND:** John Thomas

The motion **passed** unanimously.

**B. Promotion of Supported Decision-Making and Alternatives to Guardianship**

The Committee discussed the executive summary for a project that will build on the work done to promote alternatives to guardianship and supported decision making. Staff recommend that the project be conducted by the Texas Developmental Disabilities Network partners (DD Network), which consists of Disability Rights Texas, the University of Texas Center on Disability Studies, and the A&M Center on Disability and Development. If approved, TCDD will fund a contractor to coordinate training, travel, and logistics, and to support the development of online training as needed. TCDD would also contribute staff expertise to the project.

**MOTION:** To recommend approval of up to \$100,000 for one year to hire a contractor to begin a DD Network project to provide training on alternatives to guardianship and supported decision making statewide.

**MADE BY:** Rick Tisch

**SECOND:** Scott McAvoy

The motion **passed** unanimously.

**8. FUTURE PROJECT FUNDING PRIORITIES**

The Committee reviewed and discussed the current list of projects and added the Higher Education Collaborative to the list of priorities. The priorities were reorganized as listed below:

1. Partners in Policymaking
2. Alternatives to Guardianship and Supported Decision Making DD Network Project
3. Higher Education Collaborative

4. Support for Student Research-Related Expenses on Disability-Related Topics
5. Partnership with African American Clergy to Support Families

**MOTION:** To recommend approval of the Future Project Funding Priorities list with the addition of the Higher Education Collaborative project as the third priority and reordering as listed above.

**MADE BY:** Scott McAvoy

**SECOND:** John Thomas

The motion **passed** unanimously.

**9. OTHER DISCUSSION ITEMS**

The Committee discussed the Update on Workplace Bullying and agreed with staff recommendations to consider further action, such as developing projects, based on the legislative session outcomes.

The Committee discussed and explored possible future project ideas. Staff was directed to research several project ideas and present executive summaries for a project to develop peer-to-peer supports for individuals with developmental disabilities receiving services in addition to developing an executive summary for additional Outreach and Development projects. Other ideas were discussed, including projects to develop models for community-based non-work and to hold Youth Leadership Forums.

The Committee discussed the possibility of increasing the amount of funds available for stipends to organizations holding conferences in order to support individuals with developmental disabilities and family members' attendance. The Committee asked staff to provide additional information at the May 2016 meeting.

The Committee also discussed:

- Contracting with a marketing firm to reach out to underserved areas and promote RFPs;
- Promoting self-advocates who are trained as public speakers through TCDD's Self-Advocates as Speakers projects;
- Collecting videoed testimonies of people with developmental disabilities and their family members highlighting their success in order to provide hope and positive message to families who hear negative messages about their child's future; and
- Holding a conference to share information about the Higher Education Projects with educators. The Committee noted that this could be an activity included in the Higher Education Collaborative Project.

**ADJOURN**

There being no further business, Chair Gladys Cortez adjourned the meeting at 3:58 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 meetings:

- **Grants Risk Assessment Report (Tab 3)** — summarizes the risk assessment matrix for 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 selected current TCDD funded projects. This quarter, highlights from the **Health and Fitness** projects will be presented by TCDD Grants Management Staff at the Committee of the Whole meeting.

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

- **Communications Report** — includes recent communications and marketing activities that create awareness and build connections. (Tab 15)
- **TCDD Quarterly Financial Report** — summarizes TCDD's approved budget and year-to-date expenditures and is used in projecting funds available for additional projects in future years. (Tab 4)

**Project Development Committee — Agenda Item 6****Expected Action:**

Information Items only; no action is anticipated.

**Council — Agenda Item 10. A.****Expected Action:**

The Council will receive a report on key discussion items of the Committee on these items. No action is anticipated.



## Health & Fitness Projects

In 2011, the Texas Council for Developmental Disabilities (TCDD) issued a Request for Proposals (RFP) for projects to demonstrate how appropriate supports may help people with developmental disabilities to participate in exercise and nutrition programs.

Grantees were 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 goals.

A total of three projects were selected for funds, all with unique approaches. The three selected organizations included Any Baby Can of San Antonio, Inc.; the Texas Statewide Independent Living Council based in Austin; and the Epilepsy Foundation in Houston.



### **Any Body Can | Any Baby Can of San Antonio, Inc.**

Any Baby Can of San Antonio, Inc. developed a project, “Any Body Can,” that was centered on children and families. Any Body Can promotes health, physical fitness and inclusion of children and youth with developmental disabilities through recreational and fitness activities. The program features an eight 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. To date, the project has served 191 families in the greater San Antonio area over the past four years.

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 four phases — Jump Start, Exploration, Inclusion, and Self-Training – that guide families through the process of incorporating physical fitness and healthy eating into their lives.

- **Grantee Information:** [bit.ly/abcsahealth](http://bit.ly/abcsahealth)
- **Project Website:** [bit.ly/abcsahealthservices](http://bit.ly/abcsahealthservices)
- **Any Body Can Exercise Kit:** [bit.ly/abcexercisekit](http://bit.ly/abcexercisekit)



### **Get FIT Texas | Epilepsy Foundation**

The Epilepsy Foundation of Texas adapted an existing program called Get FIT (Fitness, Integration, and Training) New Jersey into a project they call “Get FIT Texas.” A comprehensive, 12-week health and wellness program to improve physical fitness, nutrition, and healthy lifestyles of adults with DD and epilepsy and their

caregivers. The program starts with an individualized Get FIT plan of action with “at home activities.” First year total enrollment was 88, which was expanded to 200 by the end of the second year, and 250 by the middle of the third year. The project started expanded into schools in the third year, with a small program in the CyFair schools district near Houston. Year four introduced preventative health testing including: blood lipids, glucose, and blood pressure.



As of March 2016, the program has served 200 out of a targeted 300 participants and is on track to meet the year 4 goal. Grant participants were monitored and showed improvements in fitness measures (chair squat, plank, sit and reach), body composition measures, quality of life scores, and health screen tests. The project is exploring the possibility of becoming a Medicaid provider, enabling participants to bill through the state Medicaid.

- **Grantee Information:** [bit.ly/eftxgetfit](http://bit.ly/eftxgetfit)
- **Project Website:** [eftx.org/programs/get-fit/](http://eftx.org/programs/get-fit/)



## Getting Fit to Live, Work, and Play | Statewide Independent Living Council

The Texas Statewide Independent Living Council's project, "Getting Fit to Live, Work, and Play," has a three-tiered approach to developing programs that improve health. The first tier focuses on increasing the availability of and access to fitness programs for people with disabilities. The second tier connects people with disabilities to established health programs in pilot areas.

With help from trained professionals, project participants develop and execute fitness plans to help them reach self-defined goals. The final tier focuses on increasing awareness of the importance of health and fitness programs for people with disabilities.

Programs are currently active at Volar Center for Independent Living (CIL) in El Paso, LIFE/RUN in Lubbock, Brazos Valley CIL in College Station, and Mounting Horizons CIL Centers use Independent Living Plans to determine and track consumer goals and progress. Collectively, the programs exceed the targeted 150 individuals served.



- **Grantee Information:** [bit.ly/txsilcgettingfit](http://bit.ly/txsilcgettingfit)
- **Project Website:** [txsilc.org/page\\_healthandfitness.html](http://txsilc.org/page_healthandfitness.html)

Updated April 2016

**Background:**

The Project Development Committee will review proposed projects to implement the TCDD State Plan. The enclosed documents provide information to assist with that discussion.

- **State Plan Projects List** — The FY 2017 – FY 2021 State Plan requires specific projects to implement that plan. This list is inclusive of projects that must be developed to address goals and objectives in the plan.
- **Executive Summaries** — TCDD staff have prepared executive summaries for the following proposed projects that meet state plan requirements or are at the request of the Council:
  1. **Youth Leadership**
  2. **Outreach and Development**
  3. **Translation Services**
  4. **Developmental Disabilities Peer Supporter Project**

The Project Development Committee will also discuss and consider recommending an increase in the dollar amount of Event Stipends and Disability-Related Supports Stipends. Committee members suggested at the February meeting that the Council consider an increase to \$7,500 per stipend and a total of \$100,000 for all stipends. Events stipends are available to Texas organizations that conduct qualified in-state professional or informational conferences, workshops or legislative advocacy skills training events can apply for grants to help more individuals with developmental disabilities and their family members to attend. Disability-Related Supports Stipends are available to support presentations on disability related issues at conferences in Texas.

**The Executive Summary for the Developmental Disabilities Peer Supporter Project will be emailed to members and included in the handout folder.**

- **New Idea Review Guide** — TCDD staff have developed a set of questions to be addressed when considering a new project idea.

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 Project Development Committee will consider the Executive Summaries and an increase in funding for stipends and may recommend Council approval for funding.

**Council — Agenda Item 6**

**Expected Action:**

The Council will consider recommendations from the Project Development Committee.

**Projects that must be developed to address State Plan objectives:**

1. Implement youth leadership training;
2. Demonstrate community-based, person-centered activities for people with developmental disabilities who are not employed and not in school;
3. Create training and information for people who have developmental disabilities and families on financial literacy, SSI/SSDI and health benefits;
4. Develop new ways to provide community-based person-centered supports for people with complex medical and/or behavioral health needs, including mental health needs;
5. Develop ways to address the needs of people with developmental disabilities who are aging and their caregivers;
6. Demonstrate how people with developmental disabilities can provide peer supports to other people with developmental disabilities;
7. Demonstrate how people with developmental disabilities living in the community can mentor or provide leadership and advocacy training to people living in institutions;
8. Develop a sibling network;
9. Provide TCDD Fellowships to at least four additional people;
10. Develop at least three projects that address specific needs of individuals with developmental disabilities who identify with a specific minority culture(s);
11. Work with at least one organization that serves the general public to learn to improve how they include people with developmental disabilities (examples: gyms, boys/girls clubs or sports teams, cooking classes);
12. Provide support for people with developmental disabilities to provide leadership development and advocacy training to people with developmental disabilities (each year);
13. Provide at least one activity to support the participation of people living in rural areas and people who self-identify as having a racial or ethnic minority background in TCDD leadership and advocacy projects (each year).

# Executive Summary — Youth Leadership Development

## Project Goal

For each project: up to 150 people with developmental disabilities between 14 and 21 years old will gain and share information, develop skills, and establish personal plans in an experientially based program.

## Relationship to TCDD FY 2017 – FY 2021 State Plan Goals

**Goal 3** Increase the access that individuals with developmental disabilities and families of individuals with developmental disabilities have to information, training, and support to advocate for themselves and/or to collaborate with allies to impact public policy, service systems, and community supports.

**Objective 3.10.** Establish as least one leadership development and advocacy skills training program for youth with disabilities by 9/30/2016.

## Funding and Duration

Up to three projects, for up to \$125,000 per project per year, for up to five years.

## Background

Today's young people speak from a set of experiences different from adult self-advocates and have a great deal to contribute to the current advocacy environment. Successful leadership training programs build upon the identification and development of participants' strengths as individuals and as a community. The National Consortium on Leadership and Disability for Youth (NCLD/Y) outlines five areas that are important to effective youth leadership training:

**Learning** includes developing both basic and applied academic competencies and skills. Research indicates that youth learn best when they are involved in authentic learning environments with opportunities to explore and with real world application.

**Thriving** is the physical and mental health and overall well-being. Effective youth development activities prepare, support, and assist youth in making healthy choices in all phases of their lives.

**Connecting** develops positive social attitudes, skills, and behaviors so that youth feel a part of their community. Mentoring is one activity that can contribute to the feeling of connectedness.

**Working** improves occupational and career skills, attitudes, and behaviors that are needed for success in the workplace. Employment and work-based activities help youth to validate their self-worth, as well as to explore their abilities and interests.

**Leading** activities and opportunities help youth develop positive civic attitudes, skills, and behaviors. Youth need to contribute to their community, school, and family to develop to their full potential.

TCDD has previously funded youth leadership training projects that addressed most of these areas and were well received by individual participants and their families. Examples of previous TCDD projects include:

- **Texas A&M (TAMU)** supported participants to attend an annual statewide three-day conference. Participants engaged in legislative activities at the Capitol, such as a mock legislative session, a tour of the facilities and meeting with the governor. Participants also

developed personalized plans. Graduates from other youth leadership programs were able to apply to attend this training, and previous graduates of this training served as mentors. TAMU expanded on this project after TCDD funding ended and now collaborates with the Department of Assistive and Rehabilitative Services (DARS) on the Leadership, Employability, and Advocacy Project (LEAP), which holds two 10 day programs for high school juniors and seniors.

- **Imagine West Texas** collaborated with Disabilities in Action Center for Independent Living in Abilene, using a peer-to-peer training and mentoring model to increase the capacity and impact of participants to engage in leadership, advocacy, community living, continuing education and employment-related activities. Imagine West Texas worked with Disabilities in Action to continue the training.
- **The Region 19 Education Service Center** in El Paso developed an inclusive leadership and advocacy training. They partnered with non-disability community organizations, such as the Hugh O-Brian Youth Leadership Seminar, the El Paso Mayors 100 Teens Program, and the United Way Global Youth Day Organization.

These programs, and others like them, create important platforms of understanding and self-advocacy that will grow to benefit more than the initial participants. For example, they can support youth to use their voice in their schools by leading their own Admission, Review, and Dismissal (ARD) meetings; provide peer support; advocate for their personal wants and needs; and plan for their future. They also may have other positive outcomes, such as giving students the confidence to stand up to bullying.

To grow youth leaders and advocates statewide, training programs must meet the needs of diverse individuals and be offered in multiple locations around the state. In particular, there is a need to develop programs located in rural areas, programs located in areas with a high percentage of people living in poverty, and programs that can recruit and provide culturally appropriate training to youth who are African American, Latino, Native American, or Asian.

### **Project Description**

TCDD will fund up to 3 projects for participants 14-21 years old. Priority will be given to organizations with projects in rural areas, projects that serve a high percentage of people who are living in poverty, and projects that focus on working with underserved populations such as African American, Latino, Native American, or Asian youth. Projects will be encouraged to work to include youth in foster care and/or at-risk youth, if possible.

The first year of the project will be for planning and outreach. Beginning in the second year, each grantee will train 50 individuals per year. Programs must include evidence based training components:

- Learning about:
  - The history and philosophy of the disability rights movement;
  - Self-determination, supported decision making, and alternatives to guardianship.
- Thriving through:
  - Developing self-advocacy skills;

- Knowing how to take control of their health and well-being, including their mental health, as this is important to maintaining independence;
  - Understanding strategies to find and access necessary services and supports;
  - Connecting through activities to promote interaction between participants and peers.
- Working by:
    - Understanding employment options and exploring career goals;
    - Developing a plan for their future.
  - Leading through creating and implementing projects that would benefit others in some way.

Grantees would be required to follow up and report on participants' activities.

Projects will also be expected to support graduates to serve as mentors and to develop long range plans for impact and sustainability. Projects will be required to conduct evaluations that can provide TCDD with, at a minimum, the following information:

- Youth trained;
- Participants who report increasing individual self-advocacy after being trained and the types of activities they engage in;
- Participants who participate in a group advocacy effort, are in leadership positions, or whose activities have benefited others as a result of the training.

Multiple projects will enable TCDD to reach a wider range of people. There is a particular need to establish leadership and advocacy training opportunities in rural areas of the state, areas that experience high poverty, and areas that have a high percentage of people who are underserved. Because it is unlikely that any one organization can provide enough resources to meet the demand, it is imperative that organizations offer this kind of training work together to share expertise, to explore ways to maximize and/or increase their available resources, and to develop a means to continue to support training after TCDD funding has ended. Thus grantees will be required to collaborate with other TCDD youth leadership and advocacy grantees in order to continue receiving grant funds in the second through fifth years.

### **Other Considerations**

To increase the diversity of organizations that receive grants, priority will be given to first time grantees. Organizations with a previous youth leadership and advocacy grant will not be eligible to apply.

The suggested funding amount for these projects would allow the grantee to support participation of youth living in rural areas who may have to travel long distances, have reduced access to transportation, and/or may be living in poverty. Additionally, TCDD staff expect that grant reporting requirements may require additional staff time or a sub-contractor.

# Executive Summary — Grants for Outreach and Development

## Expected Outcome

At least seven groups that are improving access to culturally competent supports and services and meet specific criteria described in the “Project Description” section will develop their infrastructure and capacity to successfully implement future TCDD grants at higher funding amounts.

## Relationship to TCDD State Plan Goals

Information gained through these projects will inform most, if not all, of the objectives in the FY 2017 – FY 2021 State Plan as we work to improve cultural competency across all grants. Projects described by this Executive Summary will specifically meet one or more of the following objectives:

- 1.9. Implement 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.
- 2.6. Collaborate with at least three other organizations to promote practices that reduce linguistic and cultural barriers that may prevent individuals from receiving services by 9/30/2021.
- 3.13. Each year of the plan, conduct at least one activity to support the participation of people living in rural areas and people who self-identify as having a racial or ethnic minority background in TCDD leadership and advocacy initiatives.

Successful implementation of these projects could also enable TCDD to more successfully address issues that may be specific to different minority communities and to facilitate the inclusion of people who are black/African American, Hispanic/Latino, Asian, or Native American in other activities or as Council members.

## Funding Amount and Duration

- Up to \$10,000 per project, for one year, for up to three projects. TCDD would offer funding for the \$10,000 projects for four years.
- Up to \$20,000 per project, per year, for up to two projects, for a second year. TCDD would offer funding for the \$20,000 projects for five years.
- No more than five projects would be implemented at any one time.

## Background

In the last five years, TCDD funded fourteen \$10,000 grants awarded to groups of people that:

- Strongly identified with a specific racial or ethnic culture, and;
- Were working to promote culturally competent family supports for people with developmental disabilities and families of people with developmental disabilities who also identified with that same cultural group.

The purpose of these grants was to:

- Develop an improved understanding of the different values, cultures, and customs that exist in Texas, and how cultural issues may impact how services should be provided;
- Support people to participate in TCDD leadership and advocacy initiatives;

- Promote practices that reduce linguistic and cultural barriers;
- Support other activities that the applicant organization has determined will help members of their communities who have disabilities to receive support that is more culturally appropriate.

Due to the lower amounts of funding, TCDD grant requirements were reduced in areas of applications, reporting, and organizational infrastructure. However, the number of staff hours needed to manage the administrative components of these grants remained the same. Many of the organizations were grassroots groups that had little or no experience with grants and were not used to managing funds and/or following workplans as is expected by TCDD.

In February of 2016, the TCDD Project Development Committee discussed options to update the requirements of the Outreach and Development grants with the following objectives: to assist grantees to build infrastructure and capacity; provide increased funding to continue successful and projects that might be developing a new model; allow grantees to apply for more than one Outreach and Development grant; and reach out to grantees from underserved areas. The Committee instructed staff to create an Executive Summary for an Outreach and Development RFP in the amount of \$10,000 per project for the first year and to allow for an increase in funding in the second year if the project can show increased capacity and potential for sustainability.

### **Project Description**

The purpose of the offering the \$20,000 Outreach and Development grants are 1) to increase organizational capacity and build sustainability 2) to support people to participate in TCDD leadership and advocacy initiatives 3) to promote practices that reduce cultural barriers.

Groups of individuals meeting the specific criteria below will be eligible to apply for a \$10,000 Outreach and Development Grant. The groups must:

- Consist of people who are black/African American who are working with individuals and/or families who are black/African American and of a similar culture;
- Consist of people who are Hispanic/Latino who are working with individuals and/or families who are Hispanic/Latino and of a similar culture;
- Consist of people who are Asian who are working with individuals and/or families who are Asian and of a similar culture; or
- Consist of people who are Native American who are working with individuals and/or families who are Native American and of a similar culture.
- Consist of people who represent another underserved or unserved racial or ethnic group and who are working with individuals and/or families who are of the same or similar culture.

If the group is applying to work with people who speak a language other than English, the members of the organization who have direct contact with the people being served must also speak that language well enough that interpreters are not required.

Organizations meeting receiving \$10,000 grants will be required to:

- Hold public meetings at least once every 3 months and work with TCDD staff to develop a deeper understanding of the needs and values of their members who have disabilities.
- Allow TCDD staff to attend at least one meeting to gather information directly from participants.
- Pay for one person representing the group to speak to the TCDD Council members at a meeting in Austin if requested.
- Give TCDD ideas for actions to increase the diversity of the people and organizations who work with TCDD.
- Identify strategies to make positive changes that will help people with disabilities and their families to have more control over their lives.
- Engage in trainings, communications, outreach and other activities that promote systems change.

Organizations that have completed an Outreach and Development grant may apply for a second year, with funding up to \$20,000 for the second year, if they:

- Are engaging in systems change efforts or providing training;
- Met the requirements of their first grant as described above;
- Followed the workplan for their first grant;
- Demonstrated the ability to manage the fiscal and reporting requirements of the first grant;
- Show increased capacity and potential for sustainability, and;
- Address Objectives 1.9., 2.6., or 3.13.

Up to two projects per year could be funded for a second year. Previously funded Outreach and Development grantees would be eligible to apply for a second year if they meet the requirements noted above and have not received another grant from TCDD that is larger than \$50,000 per year since their Outreach and Development project was completed.

Organizations receiving funding for an additional year would be expected to continue their existing project with the goals of building capacity of their infrastructure as needed and establishing sustainability for systems change activities. This might include, but would not be limited to:

- Developing policies and procedures;
- Creating job descriptions and starting personnel files for key staff;
- Establishing fiscal control procedures, an accounting system that shows gains/losses, and procedures for purchase/procurement of goods and services;
- Instituting a plan to evaluate the success of their activities;
- Building their capacity to write proposals for grants for future funding;

- Developing an understanding of possible policy implications of their work and make recommendations as appropriate;
- Improving their understanding of communications strategies and engaging in activities that could increase their organization's impact.

### **Other Considerations**

TCDD's history with Outreach and Development projects revealed that all grantees did not seek the type of outcomes related to Objectives 2.7. or 3.13. (See "Relationship to State Plan Goals and Objectives"). Some projects led activities that their community identified as important but that did not focus on supporting people to participate in TCDD leadership and advocacy initiatives or on promoting practices that reduce linguistic and cultural barriers. Therefore, not all funded "Outreach and Development Grants" would meet these objectives, but they would most likely be steps to enable TCDD to develop other projects that would.

# Executive Summary — Support for Translation of Documents

## Project Goal

Not-for-profit community organizations or agencies that serve and support people with developmental disabilities and their families will have access to materials that are translated into languages needed by the people they serve.

## Relationship to TCDD State Plan Goals

2.6. Partner with at least three other organizations to promote practices that reduce linguistic and cultural barriers that may prevent individuals from receiving services by 9/30/2021.

## Funding and Duration

Up to \$25,000 per year for up to three years.

## Background

In April of 2013, the TCDD Executive Committee reviewed options for initiating projects in an expedited manner that would allow TCDD to expend available funds as needed but that could also be inactive if funds were not available. One of the preferred options was funding language translation of materials for disability advocacy organizations that serve their local community.

Some of TCDD's Outreach and Development grantees have used TCDD funding to translate various materials that they used in training, outreach, and direct support of individuals with developmental disabilities and their families. The materials included information about leadership and advocacy training, the rights of individuals with developmental disabilities and their families, available services and supports, and information about the types of supports the organization was able to provide. These grantees confirmed that there is a pressing need for information to be provided in people's native language or in ways consistent with specific culturally-influence learning styles or that are culturally sensitive.

Per the 2009–2013 American Community Survey, approximately 35% of Texans over the age of four speak a language other than English at home. The table on the right is from the November 26, 2015 edition of the Texas Tribune and lists the top 10 languages other than English that are spoken in Texas households.

## Project Description

TCDD will pilot a project to translate materials for not-for-profit organizations or agencies that do not currently have a grant from TCDD, a state agency, or a federal agency. The documents would meet the following criteria:

**Top 10 Languages Other Than English Spoken in Texas Households**

Language	Number of Speakers
Spanish	6,983,380
Vietnamese	193,408
Chinese*	140,971
Tagalog	72,248
German	69,140
French	60,730
Hindi	59,602
Urdu	57,662
Korean	55,794
Arabic	55,304

\*Includes Cantonese, Mandarin and other Chinese languages. Credit: Jolie McCullough

- Support people with developmental disabilities and families to understand and/or access services and supports;
- Inform people with developmental disabilities and their families of their rights; and/or
- Be consistent with a person-centered or family-centered philosophy.

To implement this project, TCDD staff would:

- Develop an application.
- Determine criteria, such as: page limit for each organization, language options, and types of materials that would be eligible for translation.
- Establish an upper limit for the number of pages that TCDD would translate in a current year and amend the current contract with TCDD's language translation services to accommodate this amount.
- Ensure that materials meet the above criteria listed
- Review the intended use, distribution strategies, and impact of the materials on underserved populations with linguistic barriers.
- Make a reasonable effort to ensure that materials do not already exist in that language.
- Maintain a list of materials that have been translated and the date they were translated to make sure materials are not translated into the same language repeatedly.

No one organization could receive translation services that exceed \$6,000 per year, and approval would be dependent on having funds available.

TCDD's Executive Director would approve translation requests as they are received and would report to the Executive Committee.

## Project Development Committee — Idea Discussion Guide

### Questions to be considered when discussing a new project idea:

- 1) What is the issue or gap in the system that needs to be addressed?
- 2) What group or groups of people with disabilities would benefit from addressing this issue?
  - a) Consider: Geographic area(s); age(s); disability type(s); race/ethnicity; income; education.
- 3) What state plan objective does this address?
- 4) What public policy priority does this address?
- 5) How has this issue been addressed to date?
  - a) Previous or current TCDD Grant?
  - b) Effort from other organization or state agency? Who?
  - c) What was the result?
- 6) How would TCDD build on current and/or previous efforts? (Describe specific activities)
  - a) Advocacy — Telling others about issues, needs, and possible solutions.
  - b) Capacity Building — Helping communities and other groups build their resources.
  - c) Systems Change — Changing the way government programs, state agencies, and other organizations do business every day to improve support for people with disabilities.
- 7) Who is ultimately responsible for this issue in our system long term?
  - a) Individuals with DD, Families, Service Providers, Community organizations, State agencies, leaders/policy makers.

**Background:**

The Project Development Committee will review this chart that includes all projects previously approved by the Council that have not yet been initiated. The Committee may add new projects recommended for approval by the Council and may recommend revisions to the priority order as determined appropriate.

This quarter the Committee will specifically be asked to consider the previously approved **Support for Full Participation of Self-Advocates on Workgroups**. Funding was approved in August of 2013, but has never been utilized. Staff recommend removing these funds for this purpose.

**Project Development Committee — Agenda Item 8**

**Expected Action:**

The Project Development Committee will consider revisions to the Future Project Funding Priorities list.

**Council — Agenda Item 6. F.**

**Expected Action:**

The Council will consider recommendations from the Project Development Committee.

## TCDD Future Funding Activities Priority List As of February 4, 2016

Number	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 per year	\$10,000 per project	2/5/13	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 2 — Up to 3 yrs.	1	Year 1 up to \$135k Year 3 up to \$135K Year 2 up to \$270K	8/9/13	2/21/2014 3/4/2016	8/1/201 9/1/2016	7/31/2016 8/31/2018
N/A	Leadership Development and Advocacy Training — Up to 5 years	4	\$75,000 per year	8/8/14	9/4/15	4/1/16	3/31/16
1	Partners in Policymaking — Up to 5 years	1	Year 1 up to \$150K Year 2 up to \$225K Year 3 up to \$250K Year 4 and 5 up to \$300K	11/6/15	TBD	TBD	TBD
2	Alternatives to Guardianship and Supported Decision Making — DD Network Project — Up to 5 years	1	TBD	2/5/16	TBD	TBD	TBD
3	Higher Education Collaborative — Up to 5 years	1	TBD	2/5/16	3/25/16	11/1/16	10/31/21
4	Support for Student Research-Related Expenses on Disability-Related Topics — Up to 5 years	3	\$25,000 per year per project	11/7/14	TBD	TBD	TBD
5	Partnership with African American Clergy to Support Families — Up to 5 years	1	\$75,000/yr.	5/3/13	N/A	TBD	TBD
N/A	Support for Full Participation of Self-Advocates on Workgroups — Up to 1 year	1	\$50,000/yr.	8/9/13	N/A	TBD	TBD

**Legend:**

Blue text indicates: open RFP or Proposals received are under review at time of printing.

Yellow highlighted text indicates: proposals have been approved, awarded or project is in process of beginning since last Council meeting.

**Background:**

Minutes of the February 4, 2016, 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  
February 4, 2016**

**COMMITTEE MEMBERS PRESENT**

Lora Taylor, Chair	Ruth Mason	Meagan Sumbera, TAMU- CDD
Hunter Adkins	Michael Peace	Donnie Wilson, DADS
Patty Anderson, DRTx	Brandon Pharris	April Young, HHSC
Stephen Gersuk	Amy Sharp, UT- CDS	

**STAFF PRESENT**

Belinda Carlton	Linda Logan	Beth Stalvey
Ashley Ford	Jessica Ramos	

**GUESTS PRESENT**

Justin Babineaux, DADS	Shiloh Gonzalez, DARS	Darryl Powell
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**CALL TO ORDER**

The Public Policy Committee convened on Thursday, February 4, 2016, in Colony Ballroom E of Sonesta Bee Cave Austin, 12525 Bee Cave Parkway, Bee Cave, TX, 78738. Public Policy Committee Chair Lora Taylor called those present to order at 1:45 p.m.

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

Chair Taylor asked the Committee members, staff, and guests to introduce themselves and to share what their childhood dream job was and what their dream job is now.

**2. PUBLIC COMMENTS**

No public comments were offered to the Committee.

**3. CONSIDERATION OF NOVEMBER 5, 2015, MINUTES**

The Committee reviewed the minutes from the November 5, 2015, Public Policy Committee meeting.

**MOTION:** To approve the minutes of the November 5, 2015, Public Policy Committee meeting, as presented.

**MADE BY:** Brandon Pharris

**SECOND:** Michael Peace

The motion **passed** by consensus.

**4. CHAIR'S REMARKS**

Chair Taylor provided remarks about the American Epilepsy Society meeting she attended in November.

## 5. MEMBER UPDATES

Committee member Ruth Mason and Chair Taylor shared their experiences visiting two day habilitation facilities in the Houston. They were inspired to gather more information about day habilitation facilities after the November 5 Public Policy Committee discussion about federal Home and Community Based Services (HCBS) Settings Rule and day activity options for people with developmental disabilities. Mason and Taylor expressed that competitive employment and volunteer work are a priority for both visited facilities, but recognize the lack of available resources to help facilities' program participants achieve meaningful days. Both programs further identified that were it not for substantial private fundraising, they would not be able to achieve quality programming. The committee discussed the challenges day habilitation facilities face in providing meaningful days for their participants due to funding constraints, regulatory guidance, and community supports. Chair Taylor encouraged members to visit day habilitation facilities to help the Council better identify what changes are needed for improvement.

Committee member Donnie Wilson informed the committee that the Department of Aging and Disability Services (DADS) will begin the transition project for HCBS Settings Rules compliance in August.

Wilson also introduced Justin Babineaux as the proposed alternate for DADS representation on the Council.

## 6. POSITION STATEMENT REVIEW

Chair Taylor presented the **Emergency Preparedness Position Statement** and explained the purpose of the recommended revisions.

**MOTION:** To recommend Council approval of the Emergency Preparedness Position Statement as revised.

**MADE BY:** Michael Peace

**SECOND:** Hunter Adkins

The motion **passed** unanimously.

Chair Taylor presented the **Family Support Position Statement** and explained the purpose of the recommended revisions.

**MOTION:** To recommend Council approval of the Family Support Position Statement as revised.

**MADE BY:** Brandon Pharris

**SECOND:** Hunter Adkins

The motion **passed** unanimously.

Chair Taylor presented the **Guardianship and Supported Decision-Making Position Statement** and explained the purpose of the recommended revisions.

**MOTION:** To recommend Council approval of the Guardianship and Supported Decision-Making Position Statement as revised with one additional edit in the first sentence of the second paragraph to replace “which” with “that”.

**MADE BY:** Brandon Pharris

**SECOND:** Michael Peace

The motion **passed** unanimously.

Chair Taylor presented the **Children and Families Position Statement** and explained the purpose of the recommended revisions.

**MOTION:** To recommend Council approval of the Children and Families Position Statement as revised with one additional edit in the third bullet to replace “personal assistant services” with “personal assistance services”.

**MADE BY:** Brandon Pharris

**SECOND:** Michael Peace

The motion **passed** unanimously.

## 8. OTHER DISCUSSION ITEMS

Public Policy Specialist Linda Logan presented an update on the workplace bullying discussion outcomes binder document. Logan noted that TCDD’s efforts on this issue are substantial. Logan highlighted that the blog post, “Workplace Bullying: Know Your Rights” developed by TCDD staff and published on the TCDD website, was shared with over 400 participants in a national webinar hosted by Cornell University in January.

Member Brandon Pharris expressed his satisfaction with workplace bullying outcomes and asked for continued support in his and other interested Council members’ advocacy efforts on this issue during the 2017 legislative session.

## 7. PUBLIC POLICY ISSUES

Logan referred to the Association of University Centers on Disabilities (AUCD) binder document regarding final federal appropriations for FY 2016 and noted that most programs impacting people with disabilities and families were funded at the same amount or greater FY 2015 levels. Members discussed the significance of the Individuals with Disabilities Education Act (IDEA) programs receiving the largest increase in funds.

Public Policy Specialist Belinda Carlton presented the affordable housing binder document and went over each program listed. Members discussed the importance of accessible, affordable, and integrated housing options being available for people with disabilities so that they may live independently in the community. Carlton also discussed the comments TCDD provided regarding the

Texas Department of Housing and Community Affairs (TDHCA) 2016 Draft State Low Income Housing Plan (SLIP) and Annual Report.

Public Policy Assistant Ashley Ford presented the “More Children Growing Up in Families” binder document and discussed the progress made by Texas to help more children grow up in families, instead of institutions. Ford explained that permanency planning, Medicaid waiver programs, agency collaboration, and former TCDD project EveryChild, Inc. were key to Texas’ success.

Public Policy Director Jessica Ramos presented the comments provided on HCBS Setting Rule surveys and reported that self-advocate feedback was key to editing the drafts of participant HCBS Settings Rule Surveys written by DADS and administered by Public Policy Research Institute (PPRI) surveyors. Ramos explained that efforts are being made to enter into a formal relationship with the Texas A&M Center on Disability and Development to provide Person-Centered Thinking training and guidance to the PPRI surveyors who are also responsible for gathering input for National Core Indicators.

Ramos referred to the comments provided on the statewide transition plan (STP) for compliance with the HCBS Settings Rule handout and explained that the two most significant issues for compliance are day habilitation and personal spending. Ramos also referred to the Senate Bill 7 service delivery (IDD Redesign Pilot) public comment handout. TCDD’s submitted comments emphasize employment outcomes, consumer direction of day habilitation funds, and public-private partnerships for cross-system collaborations. Ramos stressed the importance of linking HCBS Settings Rule compliance with the managed care pilot for strategic coordination of services.

Ramos presented the System Improvement Recommendations, a list of issues expected to be considered by the 85<sup>th</sup> Texas Legislature.

Ramos reported that the Health and Human Services Legislative Oversight Committee meeting in January discussed the aging mental health facilities infrastructure, but not SSLC infrastructure. Ramos explained that plans to modernize the mental health hospital system will likely be the focus of the Senate Health and Human Services Committee hearing in April.

**ADJOURN**

There being no further business, Committee Chair Lora Taylor adjourned the meeting at 3:50 p.m.

\_\_\_\_\_  
Beth Stalvey  
Secretary to the Council

\_\_\_\_\_  
Date

**Background:**

The Council periodically reviews TCDD's Position Statements. In August, the Council will review the Employment, Education, and Transition Position Statements. In November, the Council will review the Criminal Justice, Service Coordination, and Transportation Position Statements. This quarter, TCDD staff asked Council members to review and recommend updates for the following Position Statements: Aging with Developmental Disabilities, Access to Health Care, Community Living, and Right to Privacy.

The following Position Statement documents are included for your review:

- A. **Aging with Developmental Disabilities** – Current Position Statement with Markups\*
- B. **Access to Health Care** – Current Position Statement with Markups\*
- C. **Community Living** – Current Position Statement with Markups\*
- D. **Right to Privacy** – Current Position Statement with Markups\*

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

**Public Policy Committee — Agenda Item 6****Expected Action:**

The Public Policy Committee will consider changes to four position statements and recommend revisions to the Council.

**Council — Agenda Item 7****Expected Action:**

The Council will consider revisions to the TCDD Position Statements recommended by the Public Policy Committee and determine final action.

## Aging with Developmental Disabilities Position Statement

The Texas Council for Developmental Disabilities supports the position that all people aging with disabilities should be fully included in their communities. Many people with developmental disabilities are supported throughout their lives by family caregivers. The number of older adults with intellectual and developmental disabilities is expected to triple over the next twenty years and the majority of Texans waiting for services have a primary caregiver who is between 31 and 59 years of age.<sup>1</sup> As people with developmental disabilities and their caregivers' age, they have the right to continue to live in the community and exercise control over their own lives. ~~Each~~ All individuals faces challenges caused by the aging process and needs flexible services and supports systems equipped to meet their changing needs.

Therefore, the Council supports the position that Texas has a responsibility to ensure that the state's long-term services and supports system can meet the needs of older Texans with disabilities and their aging family caregivers by:

1. Ensuring that ~~long-term~~ services and supports are available and flexible enough to allow each aging individual to remain in their home and community and exercise control over their own lives.
2. Building expertise among service providers to assist people with developmental disabilities who are aging and their family caregivers in actively planning for their future long-term ~~care~~ services and supports needs.
3. Increasing capacity for respite services for aging caregivers of people with developmental disabilities.
4. Including people representing the disability community on any committee developing or reviewing initiatives and policies related to aging.
5. Assisting people to establish a comprehensive retirement plan to encompass any or all of the following concerns:
  - ~~access to~~ health care
  - ~~advanced~~ directives relating to health care
  - ~~counseling~~ services
  - retirement and/or employment ~~options~~
  - guardianship/alternatives to guardianship
  - housing
  - legal ~~issues~~
  - leisure time ~~activities~~
  - long-term services and supports plan
  - ~~financial issues~~ money
  - self advocacy ~~training~~
  - transportation

Texas leads the nation in promoting independence of people with disabilities and can continue to set the standard as its population ages.

Approved ~~May 9, 2014~~

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<sup>1</sup>Texas Biennial Disability Report, Texas Council for Developmental Disabilities, 2010.

## Access to Health Care Position Statement

The Texas Council for Developmental Disabilities supports the position that all people, regardless of their disability, age, or ability to pay, should have access to affordable, comprehensive health care. ~~TCDD-The Council~~ supports healthcare initiatives and efforts to increase the access and affordability of health insurance for everyone.

The ~~Texas Council for Developmental Disabilities Council~~ supports the expansion of Medicaid for Texas under the federal Affordable Care Act. ~~The expansion would have covered an additional 1.2 million Texans by 2016. As a result, Texas has the biggest coverage gap in the country, with 766,000 residents ineligible for Medicaid and also ineligible for premium subsidies to offset the cost of private coverage in the exchange.~~ ~~We-The Council~~ supports the position that in any consideration of changes to the healthcare financing and delivery system in the United States, the well-being of the ~~patient individual~~ must be the highest priority. The Council strongly supports the reform measures and principles set forth in this statement as providing individuals consistent access to patient centered, timely, unencumbered, affordable and appropriate health care and universal coverage while maintaining physicians as an integral component to providing the highest quality treatment.

The Council supports the position that as policymakers consider healthcare reforms they should:

- Ensure ~~patients individuals~~ are empowered to control and decide how their own healthcare dollars are spent;
- Ensure unencumbered access to specialty care;
- Make healthcare coverage more affordable; ACA created a subsidy system for low and some middle income families to help purchase of insurance in the state insurance exchanges. The law sets a cap on the amount of insurance premium that individuals and families will to pay for the second cheapest Silver plan based upon that person/family's income in relation to on the Federal Poverty Level (FPL). These subsidies need to extend to individuals with developmental disabilities-IDD and not tied to FPL-not eligible for Medicaid.
- Improve value and increase quality ~~on in~~ our healthcare system;
- Extend both coverage and access ~~for to~~ the uninsured and under-insured;
- Avoid establishing new unsustainable programs;
- Provide comprehensive, culturally and linguistically appropriate behavioral and mental health services and supports;

- Provide services in the context of a patient centered medical home, where the clinician works in partnership with the individual and/or family to ensure that all ~~of the~~ medical and nonmedical needs of the person are met;
- Ensure ~~that~~ children and adults with behavioral and/or mental health concerns have access to screening, diagnosis and treatment that is not subject to arbitrary limits on coverage and integrated into the broader healthcare system;
- Ensure that people with disabilities of all ages and their families have access to health care that responds to their needs over their lifetimes, and provides continuity of care that helps treat and prevent chronic conditions;
- Ensure that people with disabilities and their families receive comprehensive health, rehabilitation, habilitation, and long term support services provided on the basis of individual need, preference, and choice;
- Ensure that people with disabilities and their families have equitable and affordable access to health coverage programs ~~and are not be~~ burdened with disproportionate costs.

The Council is concerned about proposals to block grant Medicaid because people with disabilities are especially vulnerable to reductions in Medicaid spending since they typically require more health services and long term supports. Reforms are necessary to strengthen the current Medicaid program so that it provides accessible, high-quality healthcare services to people with disabilities enrolled in the program; with changes that include, but are not limited to, evidence-based practices and payment structures that attract providers.

## Community Living Position Statement

The Texas Council for Developmental Disabilities supports the position that individuals with disabilities should have access to opportunities and the supports needed to make their own decisions, be included in community life, have interdependent relationships, live in homes and communities, and make contributions to their families, communities, the state, and the nation.

Individuals with disabilities must have access to the full range of accommodations necessary to ensure that living in their community is possible. These accommodations may take various forms such as supported decision-making, personal attendant services, medication monitoring, respite, durable medical equipment, employment services, transportation, and/or minor home modifications. Accommodations may be sustained needed for either longer or shorter duration-time or may be of greater or lesser intensity-amount depending on the need of the individual.

Services to children should be provided in their family setting-home. 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-loving and nurturing relationships.

Adults with disabilities shall have choice and control about where, how, and with whom they live. They must be provided with assistance that may be needed, like supported decision-making, to make these choices and to sustain choices regarding community living. All people with disabilities should have access to the services and supports they need to live in the community. The state of Texas must allocate the requisite resources to support community living for people with disabilities. In addition, the state must rapidly expand the availability of individualized community options, transition all individuals in state institutions to community living, commit to a transition plan to close state supported living centers and transfer any cost savings to quality community programs. Communities must also be cultivated-helped to ensure local systems foster accessibility within and across all facets of community life, so that maintaining community placement is a feasible outcome for individuals with disabilities.

## **Right to Privacy Position Statement**

The Texas Council for Developmental Disabilities recognizes that people with disabilities have the same right to privacy as all people have in our nation. Confidentiality has historically been a cornerstone in providing services and medical care to people. The level of privacy protected under the Fourth Amendment of the U.S. Constitution is being challenged by the rapidly developing interactive technologies with a quickly emerging global information infrastructure.

In this age of the evolving information and communication technologies, the Council recognizes the positive role that the electronic media brings to the compilation and exchange of information. Our government agencies, businesses and non-profit agencies now have the advantage of quick exchange of information and the ability to gather and analyze massive amounts of information. This new capacity can help in streamlining business, reducing costs and ensuring appropriate services for people. However, this new capacity for data collection can also be used intentionally or unintentionally to the detriment of the people the government agencies serve. The Council supports the position that the following basic principles should be applied to all information data collection systems:

1. Individuals, government entities, nonprofit organizations, and businesses have a shared responsibility for the secure use of personal information.
2. Prior to the collection and dissemination of personal and identifiable information, each individual should be advised of:
  - a. The specifics of personal information to be collected and/or released;
  - b. The entity which is collecting the information and the entity to which the information will be released;
  - c. The purpose for which the information is to be collected and/or released;
  - d. The individual's legal rights to privacy and confidentiality of personal information;
  - e. The administrative procedures to follow to review personal information;
  - f. The process to remove, correct or add information that has been entered in a data collection system;
  - g. The avenues of recourse to recover damages in the case of improper use and/or disclosure of personal information; and
  - h. The degree of risk that personal information may be inadvertently collected by other entities through the electronic transmission processes.

3. Those who obtain, possess or retain personal information should make efforts to ensure that such personal information is not inadvertently shared, obtained, or collected by unauthorized parties through the process of electronic data transmission.
4. ~~Directories of a~~ An individual's personal information should be used only as allowed by the individual. Personal identifiable information may include:
5. basic identifying information, including name, address, telephone number, or email address;
6. social security number;
7. religious, political or organizational affiliations;
8. employment, educational, medical, psychiatric, psychological, and financial status,
9. legal history; and
10. family status.

Approved ~~November 7, 2014~~

**Background:**

- **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:
  1. Workforce Investment Opportunity Act
- **State Supported Living Centers Update** — The Committee will receive an update regarding SSLC Ombudsman Reports.
- **State Policy Issues** — TCDD Staff will provide an update regarding recent public policy activities. Discussion topics include:
  1. How to Keep Parents Involved in Your ARD Meetings
  2. Autism Services Update
  3. Health and Human Services Transition
    - A. Consolidation Plan
    - B. Rulemaking Recommendations

**Public Policy Committee — Agenda Item 7**

**Expected Action:**

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

**Council — Agenda Item 11. A.**

**Expected Action:**

The Council will receive a report on the Public Policy Committee discussion.

# TRANSITION AND WIOA

## **Employment First**

In 2013, Texas was first in the nation to pass legislation making Employment First a state law. The achievement was largely the result of the leadership of the Texas Council for Developmental Disabilities, as the recommendation was originated in the Public Policy Committee. Senate Bill 1226 (2013) established that it is the policy of Texas that earning a living wage through competitive employment in the general workforce is the priority and preferred outcome for working-age individuals with disabilities who receive public benefits. Texas is joined by at least 42 other states with Employment First efforts.

SB 1226 required the Health and Human Services Commission (HHSC), the Texas Education Agency (TEA), and the Texas Workforce Commission (TWC) to jointly adopt and implement an Employment First policy. Through the Employment First Task Force established by the new law, the first step was to develop recommendations that addressed a broad range of matters regarding policy, procedures, and rule changes necessary to allow the Employment First policy to be jointly adopted and implemented by HHSC, TEA, and TWC.

## **The Workforce Innovation and Opportunity Act (WIOA)**

In the past two years, the Task Force's work across state agencies has been integral to understanding policy barriers to increasing innovation and getting people to work. It has provided an excellent proving ground from which to go forward with implementing the provisions of WIOA, many of which require the collaboration of HHSC, TEA, and TWC in providing pre-employment services and supports to students and youth transitioning to postsecondary education or employment. A central provision in ensuring collaboration is the requirement that the agencies submit a unified/combined strategic plan.

WIOA, which was signed into law in July 2014, is a landmark federal act that comprehensively reauthorizes, updates, and adds to existing federal statutes (principally the Workforce Investment Act and the Rehabilitation Act of 1973). Its provisions affect state and local area workforce development systems as well as a number of national programs for youth and special populations, including persons with disabilities.

The new law defines and uses the term "competitive integrated" to describe desired employment outcomes for individuals with disabilities, including individuals with the most significant disabilities. It defines competitive integrated employment as employment meeting three criteria:

1. **Income** — The higher of the minimum wage rate established by federal or state law. In jurisdictions with minimum wage rates higher than those provided under federal or state law, the earnings must be at least equal to the legally established local minimum wage.
2. **Integration** — A setting found in the community, where a person interacts with employees and others who are not persons with disabilities to the same extent that employees without disabilities interact in the work unit and work site:

- a. Community rehabilitation programs specifically established for the purpose of employing individuals with disabilities (e.g., sheltered workshops) do not constitute integrated settings because these settings are not typically found in the competitive labor market.
  - b. The requirement for interaction is applicable regardless of whether the individual with a disability is an employee of the work site or a community rehabilitation program hires the individual with a disability under a service contract for that work site.
3. Advancement — The employee with a disability must be provided the same opportunities for advancement as employees without disabilities in similar positions.

Most important, WIOA significantly expands states' commitment to ensuring that students and youth seeking to transition to higher education or employment are provided the services and supports that have proven critical to postsecondary success. It does this in part by requiring that at least 15 percent of each state's vocational rehabilitation allocation be used in support of students and youth under the age of 24. At the April 2015 meeting of Rehabilitation Council, it was estimated that the amount to be spent on transition services by DARS would be at least \$29.4 million for DRS and \$7.25 million for DBS.

WIOA authorizes the provision of five specific pre-employment services that are to be delivered in preparing students and certain youth for transition:

1. Job exploration counseling;
2. Work based learning experiences;
3. Counseling on opportunities for higher education;
4. Workplace readiness training; and
5. Self-advocacy, self-determination, and peer mentoring.

Through proposed regulations at 34 CFR Part 397, WIOA establishes that the VR program can provide pre-employment transition services to any student with a disability who needs these services, **regardless of whether the student has applied for or been determined eligible for VR services**. In the same way, the VR agency can provide transition services to groups of youth with disabilities, **regardless of whether they have applied for or been determined eligible for services**.

If either a student or youth with a disability requires more intensive services, he or she would apply for VR services. Once determined eligible, an individualized plan for employment would be developed, which would outline the specific services that he or she may need in order to achieve the desired employment outcome.

In this way, the VR program can provide a range of services, from most basic to the most individualized and intensive service, to better meet the evolving needs of a student or a youth with a disability who is transitioning from school to post-school life.

For students and youth who need more intensive services, the following are required to be made available:

- Assessment for determining eligibility and priority for services by qualified personnel, including, if appropriate, an assessment by personnel skilled in rehabilitation technology.
- Vocational rehabilitation assessment by qualified personnel, including, if appropriate, an assessment by personnel skilled in rehabilitation technology.
- Vocational rehabilitation counseling and guidance, including information and support services to assist an individual in exercising informed choice.
- Referral and other services necessary to assist applicants and eligible individuals to secure services from other agencies and advise those individuals about client assistance programs.
- Physical and mental restoration services, to the extent that financial support is not readily available from a source other than TWC (such as health insurance or a comparable service or benefit).
- Vocational and other training services, including personal and vocational adjustment training, advanced training in a field of science, technology, engineering, or mathematics (including computer science), medicine, law, or business; books, tools, and other training materials. The only exception is that no training in an institution of higher education (universities, colleges, community or junior colleges, vocational schools, technical institutes, or hospital schools of nursing or any other postsecondary education institution) may be paid for unless maximum efforts have been made by TWC and the individual to secure grant assistance from other sources to pay for that training.

A key facet of the law places new obligations on vocational rehabilitation agencies to ensure that students and youth are not placed in sheltered workshops or other segregated, subminimum wage settings. Individuals age 24 or younger may not begin work that pays subminimum wages unless the individual has completed, and documentation indicates completion of, pre-employment transition services or transition services under IDEA, and an application for VR services.

A student or youth who has not been found ineligible for services, or has been determined eligible for VR services but has not been successful, must have been provided career counseling and information and referral to other appropriate resources for services designed to assist the individual in attaining competitive integrated employment.

Furthermore, entities holding 14(c) certificates may not continue to employ an individual at subminimum wage, **regardless of age**, unless the individual is:

- Provided career counseling, information, and referrals by the VR agency; and
- Informed by the employer of self-advocacy, self-determination, and peer mentoring training opportunities provided by an entity that does not have a financial interest in the individual's employment outcome (independent school districts can no longer contract with sheltered workshops or other 14(c) certificate holders to accept students).

A significant provision of WIOA is required establishment of a multiagency group at the federal level to develop recommendations and report to the Secretary of Labor regarding issues related to the 14(c) certificate program. The Advisory Committee for Increasing Competitive Integrated Employment for Individuals with Disabilities delivered an interim report to Secretary Thomas Perez on September 1, 2015, with the final report due in September 2016. Many of the committee's recommendations relate to eliminating 14(c) programs and have resulted in federal and nonprofit advocacy, as well as 14(c) certificate holders, providing public testimony at each meeting.

WIOA is a complex piece of legislation that presents new opportunities for agencies to work together to make community life and work the rule, not the exception, for people with disabilities.

### **The Value of Integrated Competitive Employment**

The passage of WIOA is greatly encouraging. Work is a fundamental part of adult life for people with and without disabilities. It provides a sense of purpose, shaping who we are and how we fit into our community. Meaningful work is associated with positive physical and mental health benefits and is a part of building a healthy lifestyle as a contributing member of society. Because it is essential to economic self-sufficiency, as well as self-esteem and well-being, people with disabilities who want to work should be provided the opportunity and support to work competitively within the general workforce. Individually tailored and preference based job development, training, and support should recognize each person's employability and potential contributions to the labor market.

Individuals with disabilities are much less likely to have a job than individuals without disabilities. According to the Census Bureau American Community Survey, in 2014 about 75% of working-age Americans without disabilities were employed, in contrast to only 34% of people with disabilities. Less than 24% of individuals with cognitive disabilities were employed. Data for Texans is similar. Yet, the majority of non-employed people with disabilities would like to be working, and their job preferences are well within the mainstream — 80% said they would like a paid job now or in the future, which is comparable to the 78% of nondisabled, working-age people who are not employed. And like all workers, individuals with disabilities value job security, income, flexibility and chances for advancement and career.

These numbers challenge the idea that the low employment rate of people with disabilities is due to low motivation or job preferences — this data suggests the supply is there. With the coming labor shortages as baby boomers retire; people with disabilities represent a valuable and underutilized resource. Technology advances foster greater ease in integrating workers with disabilities in the workplace.

When individuals with disabilities are provided the appropriate supports to earn competitive wages alongside their non-disabled peers, they are given the opportunity to build wealth and assets, which lead to a higher quality of life and a greater degree of independence. The poverty rates of people with disabilities are much higher than that of the general population. Approximately 34% of people with disabilities live on a household income of less than \$15,000 per year, compared to 12% of people without disabilities. High levels of poverty lead to people with

disabilities being dependent on government funded programs. An Employment First policy that holds individuals with disabilities to the same employment standards and responsibilities of any working-age adult can help individuals with disabilities be independent in the community, build assets, reduce dependence on public funds and services, and avoid the costs associated with current programs.

Data from the National Core Indicators Project suggest that only 14.7% of working age adults supported by state I/DD agencies participated in integrated employment. Community rehabilitation providers (CRPs) reported that only 27% of individuals with I/DD supported by their organization worked in integrated jobs, including both individual jobs and group supported employment. Those who are employed typically work limited hours with low wages. At the same time, participation in facility-based and non-work services has grown, suggesting that employment services remain an add-on rather than a systemic change.

### **Purchasing from Persons with Disabilities Advisory Committee (PPDAC)**

At the state level, the abolition of the Texas Council for Purchasing from Persons with Disabilities, and the transfer of responsibilities to the Texas Workforce Commission, signals public recognition of the need for closer scrutiny and evaluation of the “State Use Program.” Under state law, governmental entities at state and local levels and well as certain others, can elect to forego bidding out contracts for goods and services by purchasing them directly from State Use Program providers. The providers employ thousands of people with disabilities, and with the exception of providers whose employees are blind, generally pay workers pennies on the dollar using 14(c) certificates. The group that manages this process charges a 6 percent fee on all sales, amounting to an annual income of well over one million dollars.

Part of TWC’s responsibilities has involved the appointment of members to the newly formed Purchasing from People with Disabilities Advisory Committee (PPDAC). The committee is charged with the development of performance standards for community rehabilitation programs, a large number of which currently hold special certificates and employ people with disabilities for subminimum wages.

Currently there are 116 certificate programs in Texas, employing more than 9,950 people at subminimum wages. Of these, at least 350 are working on federal contracts. TCDD is one of two VR advocates represented on the PPDAC and recently invited the director of the Department of Labor’s San Antonio Regional Office of Federal Contract Compliance Programs (OFCCP) to address the committee. OFCCP is responsible with enforcing Section 504 of the Rehabilitation Act, which prohibits discrimination against people with disabilities by federal contractors.

During the 2015 Texas Legislative Session a bill was introduced that would have set out timelines for the elimination of 14(c) programs from participation in the State Use Program. TCDD staff continue to respond to related legislative inquiries as part of its advocacy for Employment First and competitive integrated employment for all people with disabilities. Legislation likely will be reintroduced during the 2015 Texas Legislative Session.

## **Texas Workforce Investment Council (TWIC)**

TCDD reviewed and commented on the TWIC state plan, leading to clarification in several portions of text that “employment” is “competitive integrated employment.” TWIC is the designated state agency for implementing WIOA in Texas (February TCDD Binder).

## **Day Habilitation Services**

Earning a living wage through competitive employment in the general workforce is the priority and preferred outcome for working-age individuals with disabilities who receive public benefits. Texas is a long way from reaching this goal for people with disabilities and some Texans may choose not to work.

Day habilitation facilities provide services in a group setting during weekday work hours and are offered to DADS clients through community-based I/DD waiver and intermediate care facility programs. Day habilitation services are designed to help individuals make connections within their communities. Texas and other states developed day habilitation programs, work activities centers and sheltered workshops recognizing the need to have viable day program options for individuals with I/DD. While these programs were developed to meet real needs, these services are not inclusive and as currently designed, isolate individuals from meaningful involvement in community activities.

In fiscal year 2013, Texas spent more than \$96 million on day habilitation services. DADS requires program providers to ensure their subcontractors, including day habilitation facilities, provide safe and adequate services. However, these requirements vary across programs, and contracts between facility owners and providers are not required to include basic quality and safety measures.

Despite rising use of these facilities, DADS only recently has started to collect basic information on how many of its clients attend day habilitation, where the facilities are located, or problems at these facilities. Directing providers to include basic requirements in day habilitation contracts may improve services and add a layer of protection for clients who attend the facilities; however, it is important to note that some long-term services and supports providers also operate day habilitation facilities. Thus, the improvement would be minimal if a provider is put in a position to hold itself accountable to contract requirements. Tracking day habilitation information would allow the agency to identify trends and problems at these facilities and help its clients and providers choose a day habilitation facility.

## Employment Assistance and Supported Employment Verses Day Habilitation

**Employment Assistance (EA)** is a service that helps people “obtain” competitive, integrated employment.

**Supported Employment (SE)** is a service that helps people “maintain” competitive, integrated employment.

**Day habilitation (DH)** is defined as a facility-based service provided in a group setting during weekday work hours.

In 2013, SB 45 defined these services in law and required them to be offered in all Medicaid community-based waivers. These programs include case management/service coordination, services specifically designed to assist people to be employed, and to get other services to help them meet their goals. The tables below demonstrate that although people want to work, competitive employment is not a goal reflected on service plans.

**Table 1 — Supported Employment Utilization by Waiver FY 2015**

Waiver	Total People in Waiver	Number of People Approved for SE	Percent of People Approved for SE	Number of People Received SE	Percent of People Received SE
CLASS	5,169	10	0.2%	7	0.14%
DBMD	249	1	0.4%	0	0.0%
HCS	24,778	596	2.4%	420	1.7%
MDCP	6,423	0	0.0%	0	0.0%
TxHmL	8,157	211	2.6%	128	1.6%
<b>Grand Totals</b>	<b>44,776</b>	<b>818</b>	<b>1.83%</b>	<b>555</b>	<b>1.24%</b>

**Table 2 — Employment Assistance Utilization by Waiver FY 2015**

Waiver	Total People in Waiver	Number of People Approved for EA	Percent of People Approved for EA	Number of People Received EA	Percent of People Received EA
CLASS	5,169	3	0.06%	2	0.04%
DBMD	249	0	0.0%	0	0.0%
HCS	24,778	221	0.9%	109	0.4%
MDCP	6,423	0	0.0%	0	0.0%
TxHmL	8,157	198	2.4%	83	1.0%
<b>Grand Totals</b>	<b>44,776</b>	<b>422</b>	<b>0.94%</b>	<b>194</b>	<b>0.43%</b>

Although individuals are not required to include DH on their service plans, Medicaid community-based waiver participants' service plans typically include day habilitation (57%). Services offered in DH vary, but may include recreational activity, specialized therapy, and life skills training. It is widely accepted that DH programs require remediation for compliance with the HCBS Settings Rule.

Many DH programs are segregated, involve repetitive tasks rather than skill building activities or employment goals, and some are co-located with sheltered workshops where some workers are paid below minimum wage.

**Table 3 — Day Habilitation Utilization by Waiver FY 2015**

Waiver	Total People in Waiver	Number of People Approved for DH	Percent of People Approved for DH	Number of People Received DH	Percent of People Received DH
CLASS	5,169	322	6.2%	282	5.6%
DBMD	249	29	11.6%	27	10.8%
HCS	24,778	19,848	80.1%	18,182	73.4%
TxHmL	8,157	4,327	53.0%	3,509	43.0%
<b>GRAND TOTALS</b>	<b>38,353</b>	<b>24,526</b>	<b>63.9%</b>	<b>22,000</b>	<b>57.4%</b>

Texas Employment First Task Force has begun discussions about system improvements, but without sustained agency commitment and effort, some are concerned that their work will stall. Best practices to consider include Oregon state agencies who strengthened collaboration by entering into a Memorandum of Understanding to support transitioning students with disabilities to enter the workforce. They were able to leverage new funding as well as sequence existing funding strategies to support their efforts. The MOU addressed reporting by streamlining agency data collection and making it available to stakeholders. Other states, like Vermont and New Hampshire, have also reduced duplication of effort by implementing effective strategies and partnerships to efficiently coordinate resources.

### **Recommended Actions for System Improvement**

- Expect that employment is the first and preferred option provided to working age adults who receive public benefits.
- Designate employment supports as the primary method of funding state-financed day services.
- Initiate day activity plans before high school graduation by offering comprehensive transition programs that give students credit for working in the community within multiple work settings to explore interests and skills.
- Modify reimbursement methodologies because the current allocation supports segregated day options.
- Prohibit the co-location of sheltered workshops and day habilitation facilities.
- Ensure waiver participants know they may choose or decline to include day habilitation on their individual plans of care.
- Assist employed persons who receive SSI to implement work incentives to exclude money, resources, and certain expenses from total earned income.

# Transition: Keeping Parents Involved in ARD Meetings

## Transition: How to Keep Your Parents Involved in Your ARD Meetings

When students who receive special education services turn 18 years old, their parents are no longer automatically included in the students' Admission, Review, and Dismissal (ARD) committee meetings. However, students may still want their parents to be involved in the ARD committee meetings and decisions about their education. Multiple alternatives can enable parents to stay involved in their child's educational decisions **without placing the student under guardianship**.

### ARDs Before & After Turning 18

During transition, a student with a disability participates in activities designed to help them achieve their postsecondary goals, like going to college or getting a job. State and federal law require formal transition to begin when a student turns 14 years old. While in transition, a student learns self-advocacy and self-determination skills, and in some cases, may even lead the ARD committee meeting.

Until the student turns 18, the student's parents must be included in every ARD committee meeting and are considered members of the ARD committee. In that role, parents participate with teachers, administrators, and other school personnel in making decisions about the student's education. While parents are not the sole decision makers about their child's education, they are active and equal participants in the ARD committee's decisions.

However, when a student turns 18, he or she is legally an adult. As an adult, the student automatically becomes the educational decision maker in ARD committee meetings, regardless of disability or level of need. Under the law, all adults have the capacity for decision-making, including students who receive special education services.

Also, when the student turns 18, parents are no longer considered members of the ARD committee and the rights of the parents in the ARD process transfer to the student. At this point, the student and the parent will each receive notices about ARD committee meetings from the school (as required by Texas Administrative Code §89.1049(a) and IDEA, Part B). It is important to understand that ARD committee meeting notices are not an invitation for the parent to attend or participate in the meeting, or to make decisions about the student's education.

## Inviting Parents to ARDs

The adult student or the school can invite parents to attend an ARD committee meeting.

If the student invites the parent, a formal invitation is not required. The parents should tell the school if they plan on attending. However, being invited to attend does not automatically make the parents decision makers. Parents may continue to be involved in educational decisions only with the student's permission.

Some students may not want to invite parents to the ARD committee meeting, but the parents may ask the school for an invitation. Many schools see the benefit of continued parental participation in the meetings and may invite the parents to attend the meeting even if the student is opposed.

## Official Involvement without Guardianship

Some adult students may choose to make parental involvement in educational decisions official. There are a number of ways to do this that do not require placing the student under guardianship. Two of the simplest ways are by using a supported decision-making agreement or an educational power of attorney:

1. **Supported Decision-Making Agreement** — The student can invite the parent (or another person the student chooses) to enter into a supported decision-making agreement. The agreement allows the parent/person to be included in educational planning meetings and help the student understand the information necessary for the student to make his or her own decisions. The parent or other person does not make decisions for the student. A supported decision-making agreement is a legally valid document and it does not require an attorney or a trip to a courthouse. At the time it is signed, it also must be signed by two other people as witnesses or it can be signed in the presence of a notary public (notarized).
2. **Educational Power of Attorney** — An educational power of attorney is a legal document signed by the student that allows the student's parent or guardian to be included in all educational planning activities and communications without violating privacy laws. This is a good fit for students who can express their desire to have their parents continue to make educational decisions for them. Some schools can provide an educational power of attorney form and/or a parent can consult an attorney to access legal services. Like other types of powers of attorney, the educational power of attorney must be witnessed or notarized when signed.

These are just two of the options available for a parent to continue to be involved in educational decisions that can affect an adult student who receives special education services. Even though some guardianships are initiated when a student turns 18, a guardianship is not required to keep a parent involved in ARD committee meetings. Under the law, the alternatives described above – and others – must be considered before guardianship. The Texas Estates Code requires evidence that all less-restrictive alternatives, as well as supports and services, have been evaluated before guardianship is considered.

## UPDATE: AUTISM SERVICES IN TEXAS

### Autism Basics

The autism services system is expected to be addressed by the 85<sup>th</sup> Texas Legislature that convenes on January 17, 2016. A more comprehensive state strategy is evolving to meet the needs of increasing numbers of Texans diagnosed with autism. The most commonly cited estimate is that 1 in 68 children has an autism spectrum disorder (ASD), up from 1 in 88 in 2008. Some recent estimates place the incidence as high as 1 in 45. Males are diagnosed with autism four times more frequently than females. A genetic link has been established in some cases.

Many explanations are given about why there seems to be more ASD now than ever: Some of the increase is attributed to improved methods of assessment, to changes in diagnostic guidelines, and to greater public and professional awareness.

“Autism spectrum disorder” comprises a wide range of symptoms and levels of severity. People with autism are not all the same and their needs are not the same. Individuals diagnosed on the autism spectrum range from being gifted to having severe disabilities or being nonverbal.

Autism is a developmental disability in which the core diagnostic markers are behavioral: (1) impaired social interaction and communication, and (2) repetitive behavior and restricted interests. Because of this diagnostic emphasis, symptoms related to physical comorbidities, mental disorders, and the effects of trauma can sometimes be misunderstood as behavioral in nature.

Focusing exclusively on behavior does not take into account considerations such as level of language and intellectual disability and the presence of medical conditions which themselves affect the way a person behaves. Frequently co-occurring conditions include epilepsy or other seizures; immune conditions; sleep disorders; psychiatric disorders, such as anxiety and/or depression; gastrointestinal problems; food intolerance and other nutritional issues; and allergies.

People with ASD must have access to services and supports for the whole person, not just behaviors. Symptoms of physical illness, disorder, or pain may not receive appropriate or timely medical intervention when understood as behavioral problems. Significant variations in a person’s behavior require a medical (or dental) evaluation (e.g., earache? toothache? other acute pain? evidence of physical or emotional trauma?) before concluding behavior is the result of ASD, especially when expressive communication deficits are present. There is no “one size fits all” in providing treatment and support services.

The same is true of psychiatric disorders: When an individual’s behavior changes dramatically, and physical disorder and pain are ruled out, an assessment of whether there is an underlying mental disorder is required. Estimates are that as many as 60-70 percent of people with autism have one or more co-occurring psychiatric disorders. For example, 65% of people with Asperger’s syndrome also have anxiety and depression, compared with 18% of the general population.

Most important, when a person has ASD, normal responses to physical or psychological trauma may result in behaviors that are misunderstood and that lead to behavioral interventions that make the underlying trauma worse.

## **Current Autism Services in Texas**

Statewide planning for autism services in Texas is challenging. The existing patchwork of services does not meet the known demand.

For Medicaid-eligible children, the Early Periodic Screening, Diagnosis, and Treatment Program (EPSDT) provides a broad array of services, including physician services, private duty nursing services, personal care services, home health services, rehabilitative services, and medical equipment and supplies. Access to these services terminates when a child turns 21.

Some services are available to adults and children in Medicaid residential treatment programs and some waiver programs. For people who are not Medicaid eligible, most private insurance covers a portion of the cost of care. (Self-insured programs, such as insurance for state employees, are not required to cover autism.)

The only state-funded autism program is operated by the Department of Assistive and Rehabilitative Services (DARS). It charges a prorated copay and provides one type of therapy only, applied behavior analysis. This popular form of evidence-based therapy is favored by parents and teachers because it focuses exclusively on modifying children's behaviors that interfere with learning and community inclusion. However, unlike other state programs, it operates in the absence of federal oversight. Currently it does not prohibit the use of aversives or techniques causing pain or discomfort, nor does it currently fully inform adults and parents of children with autism of their rights under federal and state disability laws. Other issues involve provision of services by staff who may not be adequately trained or supervised.

During the 84<sup>th</sup> Texas Legislature, appropriations for the DARS autism program and related efforts were increased more than fourfold, to total more than \$24 million. DARS was appropriated \$14.4 million to expand applied behavior analysis services to serve 1,970 children (up from 295 children in 2014). The Texas Higher Education Coordinating Board (THECB) was given \$8.1 million to reach children with autism indirectly through grants for training their parents, teachers, and paraprofessionals in ABA techniques. An additional \$1.4 million was appropriated for research, development, and evaluation of innovative treatment models, with \$300,000 for administration.

## **Initiatives to Change the Shape of Autism Services in Texas**

### **Licensure of Board Certified Behavior Analysts (BCBAs)**

During the 84<sup>th</sup> Texas Legislature, Senate Bill 1871 was introduced to create a state license for BCBAs. The bill would have allowed BCBAs to more easily bill Medicaid and also to bill for work done by people that BCBAs supervise. It was hoped that state licensure would increase the numbers of BCBAs in Texas and discourage those who are unqualified from practicing unapproved methods.

The proposed qualifications for licensure, which were wholly based on the certification standards of the national Behavior Analyst Certification Board, did not require the same levels of training, experience, and supervision as similar licensed professions in Texas, such as social work and professional counselling.

The bill did not pass but is likely to be reintroduced in the 85<sup>th</sup> Texas Legislative Session that convenes January 10, 2017. The Children's Policy Council is considering a recommendation that BCBA licensure qualifications more closely align with similar licensed professions in Texas.

### **State Plan Amendment (SPA)**

The federal government has been active in shaping state autism policy for children with respect to scope of services. It has repeatedly directed states to broaden the array of Medicaid services and supports available to meet each individual's need.

In July 2014, the Centers for Medicaid and Medicare Services (CMS) issued guidance that ABA services could be made available but that they are not the only evidence-based services that should be made available. It instructed states to make all covered services under the Social Security Act available to meet each Medicaid-eligible child's individual needs, including ESPDT services (previously noted); vision, hearing, and dental services; and speech, occupational, and physical therapy services.

ASD treatment is not specifically referenced as a covered service under the Social Security Act, but many treatment modalities are within the scope of the Medicaid program under service categories such as other licensed practitioners, preventive services, and therapies. Services to address ASD can be provided in each of these categories.

Although stopping short of requiring states to put in place a state plan amendment (SPA), CMS stated that a SPA **"is strongly encouraged to articulate the state's menu of services for ASD treatment."** A menu of available services would be helpful not only to the person seeking services, but also to physicians and other health professionals who need to understand available options for care and treatment.

The issue of the role of applied behavior analysis as a treatment strategy was raised again in July 2015 by the US Department of Education (DOE). DOE issued a letter noting that the Office of Special Education Programs (OSEP) had received reports that a growing number of children with ASD were not receiving needed speech and language services. Further, it noted that when identifying special education services for children with ASD, programs were including applied behavior analysis (ABA) therapists exclusively without including, or considering input from, speech language pathologists and other professionals who provide different types of specific therapies that may be appropriate.

In 2015, Texas Medicaid officials began working on a state plan amendment to make services like those available to children enrolled in EPSDT available on a statewide basis to Medicaid-eligible adults. The plan would be inclusive and broad enough to respond to the needs of children

transitioning to adulthood and requiring different services at that time and later. A state plan amendment will greatly increase the numbers of Texans with ASD who receive services.

During the transformation and reorganization of health and human services agencies that was required by the 84<sup>th</sup> Texas Legislature, work on the state plan amendment slowed. The Children's Policy Council is considering a recommendation to the Health and Human Services Commission to take up this important initiative again. Legislative direction may be required.

### **The Takeaway**

- ➔ Autism services should be made available to everyone who needs them.
- ➔ Early assessment and intervention are critical but needs change over time. It is important that services available to children continue in the transition to adulthood and later.
- ➔ The scope of available services should be sufficient to ensure that individual needs are met on an ongoing basis.
- ➔ Treatment and support needs range across clinical (medical), educational, and behavioral spheres. People with ASD must have access to services and supports that treat the whole person, not just behaviors.
- ➔ When receiving services and supports, people with autism are protected by the same laws and have the same rights as other people with developmental disabilities. These protections need to be reflected in all federal and state-funded services for people with autism.

### **Resources**

- ➔ “Autism: Caring for Children with Autism Spectrum Disorders—A Resource Toolkit for Clinicians,” American Academy of Pediatrics (first 3 chapters free to download) [www.aap.org/autism](http://www.aap.org/autism)
- ➔ Centers for Disease Control, [www.cdc.gov/ncbddd/autism/index.html](http://www.cdc.gov/ncbddd/autism/index.html)
- ➔ National Institute of Mental Health, [www.nimh.nih.gov/](http://www.nimh.nih.gov/)
- ➔ Eunice Kennedy Shriver National Institute of Child Health and Human Development, [www.nichd.nih.gov/Pages/index.aspx](http://www.nichd.nih.gov/Pages/index.aspx)
- ➔ Texas Autism Research and Resource Center (TARRC), [www.dars.state.tx.us/tarrc/index.html](http://www.dars.state.tx.us/tarrc/index.html)
- ➔ HHS Autism Information (federal), <http://www.hhs.gov/programs/topic-sites/autism/index.html#>
- ➔ “Texas Register,” Title 40. Social Services and Assistance, Part 2. Department of Assistive and Rehabilitative Services, Chapter 105, Autism Program, 40 TexReg 9307-9315, December 18, 2015 [www.sos.state.tx.us/texreg/pdf/backview/1218/1218adop.pdf](http://www.sos.state.tx.us/texreg/pdf/backview/1218/1218adop.pdf)



*promoting progressive public policy for Texans with disabilities*

Email: [HHS\\_Transformation@hhsc.state.tx.us](mailto:HHS_Transformation@hhsc.state.tx.us)

April 15, 2016

Re: HHS Rules Process

To Whom It May Concern:

Thank you for addressing the accessibility of HHSC's rulemaking process to the public and other stakeholders. This is especially important given the consolidation and reorganization of health and human services functions, including the centralization of policy- and decision-making, and the changing role of public advisory committees in guiding those processes.

Texas Disability Policy Consortium (DPC) is an independent group of disability advocacy organizations committed to promoting the rights, inclusion, integration and independence of Texans with disabilities. DPC is made up of 21 members of statewide and local disability organizations. The Consortium provides an ongoing forum for analysis and discussion on important disability issues in Texas. Consortium members may take independent positions, as appropriate, on specific policies as they develop. DPC has a longstanding interest and priority supporting meaningful input by individuals with disabilities regarding how services are designed: "Nothing about us without us."

Rulemaking is often regarded by staff as a pro forma exercise. The reality is that rulemaking can be a powerful public relations tool through which an agency can engage its most interested stakeholders in working together toward a common cause. These stakeholders include employees. The approach an agency takes to rulemaking can strengthen an agency's public profile and can also lend stability to its internal landscape. This is especially true in times of transformation.

The extent to which the rulemaking processes of HHSC are transparent and accessible will facilitate its productive and timely transition. Clearly articulated policies and procedures governing rulemaking will benefit not only the public at large, but also HHSC employees who are charged with implementing and monitoring rules. **To help achieve that goal, DPC strongly recommends that HHSC convene a broad-based stakeholder group to provide advice concerning the design of its agency-wide rulemaking system.**

In response to HHSC's request for stakeholder input, the following balanced analysis and technical recommendations on behalf of the Disability Policy Consortium are based on provisions of the Government Code as well as our combined experiences as human services professionals and advocates:

1. **HHSC Proposal** — Establish an informal period during which draft rules are made available to stakeholders for review and comment prior to Executive Council meetings and posting of proposed rules in the “Texas Register.” This informal review period should allow sufficient time for staff to respond to stakeholders. The informal review period can consist of face to face or electronic communications between agency staff and stakeholders. Programs may also choose to solicit feedback from stakeholders prior to drafting rules:
  - a. Programs should be **encouraged**, and **required in most circumstances**, to solicit feedback from stakeholders prior to drafting rules. After a rule is drafted, the conceptual framework is set and very difficult to change except in relatively perfunctory ways. Understanding issues that prompt consideration of rule changes should be discussed with stakeholders prior to initial drafting in order to glean full knowledge of creative options that may already exist or could be developed. Information and opinions on rules that directly affect the quality of life of people receiving services merit discussion with stakeholders prior to rule drafting except in very limited emergency situations;
  - b. Given the range in education and experience of individuals leading rulemaking activities, some formalization of the consideration of pre-draft stakeholder input needs to occur in the form of an agency-wide policy. Formal training may also be needed;
  - c. In reviewing and responding to stakeholder input on draft rules, the same level of professionalism and attention needs to be paid to formulating a response to commenters as is taken in responding to comments on rule proposals;
  - d. Ideally, the formulation of rules should involve stakeholders representing a balanced range of legitimate interests **at the table** as rules are being developed;
  - e. Rules generally apply statewide and greater effort is needed to involve people who are not located in or near Austin in rulemaking processes. Consider using webinars for rules development and remote livestream to accept public comments. This will enable greater statewide participation, including rural areas.
2. **HHSC Proposal** — Modify the existing rules web page on the HHSC website to allow stakeholders to view draft rules and submit comments electronically. The web page may also contain a continuously updated list of rules that are in the drafting stage, so that stakeholders will be aware of draft rules to be posted for review at a later date:
  - a. Maintain public listing of stakeholders for each subchapter that is continuously (and automatically) updated so that they can be personally notified of impending changes to rules in which they have expressed interest. Any person or organization who requests placement on the list will be placed on the list with no further qualification required. The request can be made online, by mail, or by phone call;

- b. Continue to maintain a continuously updated online public index of all subchapters as required by the APTRA. The list should be formatted so that it can be printed out. Subchapter titles should link to subchapter content in the Texas Administrative Code;
  - c. Continue and expand broad use of govdelivery.com to provide notices of rule or policy development at each stage;
  - d. The public index of subchapters should include:
    - i. The effective date of the current subchapter, if applicable (new subchapters would not have effective dates);
    - ii. Whether the subchapter is currently being initiated, amended, or repealed;
    - iii. The stage of modification:
      - 1. Preliminary drafting;
      - 2. Proposal, indicating the date and page reference in the “Texas Register,” and a link to the content;
      - 3. If a public hearing is being held, the date, time, and place of the hearing;
      - 4. If recently adopted, the date and page reference in the “Texas Register,” with a link to the content.
    - iv. If a pending action is in response to federal or state legislation, a notation of the statutory reference(s) and link to the pertinent law(s);
    - v. If a pending action supports access to services in the most integrated setting;
    - vi. The name, office, and phone number of a contact for programmatic questions;
    - vii. The name, office, and phone number of a contact for legal questions.
  - e. Internal policies, procedural guidelines, handbooks, and manuals should also be listed, available online, and up-to-date. Rules should be cross-linked to these documents so that HHSC staff as well as external stakeholders can determine when a requirement is an administrative law (a rule) versus an internal procedure;
  - f. Consider developing a way for individuals and employees to easily identify the rules governing programs in which they have an interest, which minimally would provide a keyword search across chapter, subchapter, and rule titles. Given the complexity of how rules are created and titled, it may also be of benefit to provide groupings of rules by service setting, service recipient, or other descriptor that enables individuals to easily identify all pertinent provisions.
3. **HHSC Proposal** — Use agency advisory committees for feedback on rules, during public meetings or through electronic communications. This is not a proposed requirement to take all rules to an advisory committee (unless there is a statutory requirement to do so), but

relevant advisory committees could be identified at the initiation of new rules projects as a valuable sounding board for rules development:

- a. The larger issue is determining whether all relevant stakeholders have been identified and given a reasonable opportunity to provide comments on draft and proposed rules. Even if not statutorily required, advisory committees with responsibilities in an area under consideration for rulemaking should be invited to comment or invited to send a representative to participate in rulemaking activities. Given the change in the role of most advisory committees away from decision making, advisory committee recommendations that are made generally are not required to be followed but should be invited and considered in the course of normal business.
4. **HHSC Proposal** — Allow public testimony on rules at meetings of the new HHS Executive Council, as established under Government Code Section 531.0051:
- a. A pragmatic way to meet this requirement is needed. The volume of rulemaking by HHSC exceeds the capacity of the Executive Council to entertain comment on all rules being proposed and/or adopted;
  - b. One way to provide a public forum for stakeholders to deliver public comments is through public hearings. These hearings can be transcribed by court reporters for accuracy and the comments can be summarized by staff. Hearings regarding rules that directly affect the quality of life of people receiving services need to be routinely held **without requiring a request to do so**. Certainly issues in controversy should allow for the broadest public participation and a public hearing provides this opportunity;
  - c. Public comments should be taken on each agenda action item prior to the vote on the action and informational items that are considered emergency should be kept to a minimum so that assigned advisory committees and the public have a meaningful role in rulemaking.
5. **Other considerations:**
- a. The hallmarks of quality rulemaking are not limited to the legal requirements contained in APTRA. The responsibilities of HHSC are sufficiently broad, and the numbers of programmatic and legal staff sufficiently varied, that some common ground agency-wide needs to be found for how rulemaking is to meet minimum standards as being both rational and responsive to stakeholder interests and concerns. For example, in responding to public comment, both informally and especially in the “Texas Register,” HHSC should require all programs to specify the reason(s) why a suggested change is or is not being accepted;
  - b. Agency-wide procedures are needed to make rules **and related documents** easily retrievable. For example, rule requirements found in policies (such as State Supported Living Center facility policies), procedures, standards, etc., as well as

letters of interpretation, should be indexed, updated, and made available in the same way that rules are made available. HHSC should develop criteria that staff can use to determine when policies and procedures are internal versus public, i.e., affecting private rights and procedures and requiring rulemaking. These suggestions are for the benefit of both the public and staff. We urge formal rulemaking for facilities such as SSLCs rather than “facility policies;”

- c. To the extent that the decisions that HHSC makes about its rulemaking processes affect private rights and interests, those decisions should be reflected in rules about how HHSC makes rules.

These recommendations are not comprehensive but provide a measure of the importance that rulemaking holds for public entities and are intended to help HHSC develop and maintain its profile as a publicly accountable and responsive agency. Attention to details of process and content like these will save employees, stakeholders, and the general public time and confusion. Now is the time to provide a groundwork for transparent, productive interaction around issues that directly affect the lives of Texans who both deliver and receive health and human services.

We look forward to continuing as external stakeholders in partnership with the health and human services system throughout the decision making process to create informed and effective policies.

For additional information, please contact:

Jeff Miller, Chair, Disability Policy Consortium

[jmiller@disabilityrightstx.org](mailto:jmiller@disabilityrightstx.org)

Linda Logan, Texas Council for Developmental Disabilities

[linda.logan@tcdd.texas.gov](mailto:linda.logan@tcdd.texas.gov)



## Texas Council for Developmental Disabilities

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

## 2015 Public Policy Priorities

### Long Term Services and Supports:

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

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### Employment:

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

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### Education:

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

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### Guardianship Reform and Supported Decision Making:

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

**Background:**

The Council will review the minutes from the February 5, 2016, Council meeting and the February 4, 2016, Committee of the Whole meeting.

**Council — Agenda Item 3**

**Expected Action:**

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

**COUNCIL MEETING  
DRAFT MINUTES  
FEBRUARY 5, 2016**

**COUNCIL MEMBERS PRESENT**

Mary Durham, Council Chair	Ivy Goldstein, DSHS	Meagan Sumbera, A&M CDD
Hunter Adkins	Barbara Kaatz, TEA	David Taylor
Patty Anderson, DRT	Ruth Mason	Lora Taylor
Kimberly Blackmon	Scott McAvoy	Rick Tisch
Gladys Cortez	Michael Peace	John Thomas
Kristen Cox	Dana Perry	Donnie Wilson, DADS
Mateo Delgado	Brandon Pharris	April Young, HHS
Stephen Gersuk	Amy Sharp, UT CDS	

**COUNCIL MEMBERS ABSENT**

Kristine Clark	Andrew Crim	Jennifer Kaut, DARS
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**STAFF MEMBERS PRESENT**

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

**GUESTS PRESENT**

Justin Babineaux	Shiloh Gonzales
Isabel Evans	Darryl Powell

**CALL TO ORDER**

The Texas Council for Developmental Disabilities convened on Friday, February 5, 2016, in the Colony Ballroom C of the Sonesta Bee Cave Austin Hotel, 12525 Bee Cave Parkway, Bee Cave, TX 78738. Council Vice-Chair Kristen Cox called the meeting to order at 9:03 AM. Cox noted that Council Chair Mary Durham requested that Cox facilitate the meeting since Durham was unable to attend Thursday's Committee meetings.

**1. INTRODUCTIONS**

Council members, staff and guests were introduced.

**2. PUBLIC COMMENTS**

No public comments were offered to the Council.

**3. CONSENT ITEMS**

Vice-Chair Cox reviewed 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 and Andrew Crim. Cox then announced that Crim had submitted a letter of resignation from his position on the Council and read the letter citing work and family conflicts that prevent him from devoting time and attending meetings as necessary.

**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:** Mary Durham

**SECOND:** Lora Taylor

The motion **passed** unanimously.

**4. CHAIR'S REPORT**

Vice-Chair Cox noted that the Council will miss Andy Crim and encouraged members to become friends with him on Facebook to follow his advocacy efforts as well as the progress of his son. No other report items were offered.

**5. EXECUTIVE DIRECTOR'S REPORT**

Executive Director Beth Stalvey provided an update on TCDD staff to note that Grants Management Director Sonya Hosey has returned to the office from medical leave on a part-time basis and expects to progress to full-time in the upcoming weeks. There is still a vacant Grants Management Specialist position following interviews that were conducted before the holidays. The position will be posted again for applications and members were encouraged to notify potential applicants of the vacancy.

Stalvey reported the notice of grant award for Council funding for FY 2016 was just received into the office. A slight increase is expected as there was a \$1 million increase from FY 2015 to all DD Councils throughout the country. Details will be sent to Council members as soon as they are known.

**6. ELECTION OF COUNCIL VICE-CHAIR AND SELF-ADVOCATE MEMBER OF EXECUTIVE COMMITTEE**

Chair Durham noted that she would facilitate discussions on the elections of the Council Vice-Chair and Self-Advocate Member of the Executive Committee. She reminded members that the Nominating Committee was established at the November meeting to include Rick Tisch, David Taylor and Brandon Pharris. Pharris was elected to serve as Chair of the Nominating Committee and Durham asked him to report on the Committee's recommendations. Pharris noted that the Nominating Committee recommended continuing Kristen Cox as Council Vice-Chair and Michael Peace as Self-Advocate Member of the Executive Committee. No other nominations were offered from the Council.

**MOTION:** To elect Kristen Cox to a second term as Council Vice-Chair.

**MADE BY:** Brandon Pharris (motions from Committee do not need a second)

The motion **passed** unanimously.

**MOTION:** To elect Michael Peace to a second term as Self-Advocate Member of the Executive Committee.

**MADE BY:** Brandon Pharris

The motion **passed** unanimously.

**7. REVIEW AND PROPOSED REVISIONS TO THE TEXAS ADMINISTRATIVE CODE**

Vice-Chair Cox noted that no public comments were received following the Texas Register posting of proposed revisions to TCDD Rules in the Texas Administrative Code. Executive Director Stalvey reminded members of the revisions that were proposed at the November 2015 meeting and approved for posting in the Texas Register and again noted that no comments were received during the 30-day posting period.

**MOTION:** To approve revisions to TCDD Rules in the Texas Administrative Code

**MADE BY:** Kristen Cox for the Executive Committee

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

Stalvey explained that the next step in the process is to consider revisions to Council Policies and Procedures to implement and further define the changes in the Texas Administrative Code. She reviewed a draft of proposed revisions and explained that Council members now have the opportunity to review and propose any additional revisions. An official 10-day notification of consideration will be provided prior to the May 2016 meeting. Revisions include:

- Definition of Council representatives based on programs defined in the DD Act instead of Texas State Agencies
- Further clarification on withholding payments from grantees that are not compliant with reporting
- Further clarification on appeals process for funding applicants
- Attendant and respite care reimbursement rates for Council members during travel to meetings and other Council business

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

Project Development Committee Chair Gladys Cortez reported on Committee discussion of an executive summary for a Higher Education Collaborative that expands best practices for students with disabilities to succeed in higher education. The project is recommended for up to five years with a funding amount to be established based on proposals.

**MOTION:** To approve the Executive Summary for a Higher Education Collaborative project for up to five years.

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

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

Cortez reported on Project Development Committee discussions of the executive summary of a proposed project for Promotion of Supported Decision-Making and Alternatives to Guardianship. It was noted that the DD Network Partners (TCDD, Disability Rights Texas, UT Center for Disability Studies and A&M Center on Disability and Development) have discussed the possible implementation of this based on collaborative efforts of all organizations.

**MOTION:** To approve up to \$100,000 to secure a contractor for one year to implement a collaborative project between the DD Network Partners on the Promotion of Supported Decision-Making and Alternatives to Guardianship.

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

The motion **passed** without opposition. Patty Anderson (DRT), Ruth Mason, Amy Sharp (UT CDS) and Meagan Sumbera (A&M CDD) abstained from voting. (Attachment 3)

Cortez reported that the Project Development Committee reviewed the Future Funding Priorities list and agreed to place the newly approved projects in the second and third priority positions. The remaining projects stay in the same order

**MOTION:** To approve revisions to the Future Funding Priorities

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

The motion **passed** without opposition. Ruth Mason and Meagan Sumbera abstained from voting.

## 9. POSITION STATEMENT REVIEW

Public Policy Committee Chair Lora Taylor reported that the Public Policy Committee reviewed draft revisions to four position statements. The first statement reviewed was Emergency Preparedness and the Committee recommends minor revisions as presented in Council materials.

**MOTION:** To approve proposed revisions to the TCDD Emergency Preparedness Position Statement.

**MADE BY:** Lora Taylor for the Public Policy Committee

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

Taylor reported that the Public Policy Committee discussed the Family Support Services position statement and recommends minor revisions as presented in Council materials.

**MOTION:** To approve proposed revisions to the TCDD Family Support Services Position Statement.

**MADE BY:** Lora Taylor for the Public Policy Committee

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

Taylor reported that the Public Policy Committee discussed the Alternatives to Guardianship position statement and she noted that the draft revisions are extensive to the existing document due to changes in state legislation. She referred members to the documents in Council materials that show the statement with tracked changes as well as the statement with only the proposed language. The Committee recommends approval of the proposed revisions with one additional edit to replace “which” with “that” in the first sentence of the second paragraph.

**MOTION:** To approve proposed revisions to the TCDD Alternatives to Guardianship Position Statement.

**MADE BY:** Lora Taylor for the Public Policy Committee

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

Taylor reported that the Public Policy Committee reviewed proposed changes to the Children and Families position statement and while there appears to be a significant amount of revisions it is mostly to use plain language in this statement. One substantial difference to the existing position statement occurs in the 6<sup>th</sup> bullet point on the participation of families in a child’s care plan when they cannot remain in their own home. One other minor edit in the 3<sup>rd</sup> bullet changes “assistant” to “assistance”.

**MOTION:** To approve proposed revisions to the TCDD Children and Families Position Statement.

**MADE BY:** Lora Taylor for the Public Policy Committee

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

## 10. STATE PLAN GOALS AND OBJECTIVES

Vice-Chair Cox reminded members of the discussion during the Committee of the Whole regarding FY 2017 – FY 2021 State Plan Goals and Objectives. She asked if members had any additional revisions or recommendations and none were offered.

**MOTION:** To approve the FY 2017 – FY 2021 State Plan Goals and Objectives

**MADE BY:** Kristen Cox for the Committee of the Whole

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

#### **11. EXECUTIVE COMMITTEE REPORT**

Senior Grants Management Specialist Cynthia Ellison reviewed the Independent Audit Status Report and noted there were no significant findings for this quarter. She also reviewed the Grants Monitoring Exceptions report and noted that Region 17 Education Service Center is still waiting on an audit report but others with a “pending” status are now complete. She discussed the Risk Assessment report that highlights the projects that were approved for continuation grant funding during the Executive Committee meeting.

Ellison reviewed the that three projects were approved for continuation grant funding including the Health and Fitness projects from Any Baby Can and Texas SILC and the Higher Education project from DARS. Seven projects will be considered for continuation grant funding at the May 2016 meeting. Seven conference stipends were approved during the quarter. One new grant project was approved for funding to Texas SILC for Accessible Transportation Summits. Vice-Chair Cox encouraged members to attend Executive Committee meetings to hear the details of funding for projects. Executive Director Stalvey noted that during the May 2016 meeting, the Executive Committee will consider funding for Leadership and Advocacy Training projects as well as Public Policy Fellows projects.

Operations Director Martha Cantu briefly reviewed the Quarterly Financial reports noting that more in-depth reviews were presented at the Committee of the Whole meeting. Vice-Chair Cox reiterated to members that while there appears to be an excess of funds available there remains time to obligate and spend these funds on grant projects.

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 that new projects have begun from the National Disability Institute on employment and Disability Rights Texas on alternatives to guardianship training. The Committee hopes to consider executive summaries on peer-to-peer supports, community based non-work options, and youth leadership forums at future meetings. It was noted that projects on workplace bullying will be discussed after the 2017 legislative session.

Committee members also discussed funding limits for conference stipends. It was suggested that the funding for stipends could be increased to \$7,500 per event (each for consumer stipends and speaker stipends) and up to \$100,000 overall per year. This will be put on the agendas for consideration at the May 2016 meetings.

#### **13. PUBLIC POLICY COMMITTEE REPORT**

Public Policy Committee Chair Taylor reported that the Public Policy Committee received updates on the federal budget, affordable housing and children in institutions. The Committee had a good discussion on workplace bullying.

**12. ANNOUNCEMENTS AND UPDATES**

Council members discussed dates and locations of future meetings of May 4-6, 2016 (Doubletree Arboretum), August 3-5, 2016 (Horseshoe Bay Resort), November 2-4, 2016 (tentative date) and February 1-3, 2017.

Council member Kimberly Blackmon spoke about her experiences at Eastern New Mexico University and offered her support of expansion of higher education projects.

Council member David Taylor informed members of the International Fragile X Conference that will take place July 20-24, 2016, in San Antonio.

Members were encouraged to submit requests to attend conferences that can provide further education on developmental disabilities issues to Council Chair Durham.

**ADJOURN**

Council Vice-Chair Cox adjourned the meeting at 9:51 AM.

\_\_\_\_\_  
Beth Stalvey  
Secretary to the Council

\_\_\_\_\_  
Date

# Attachments

# 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 then 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.

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**COUNCIL PROCEDURES  
REVISIONS APPROVED MAY 2011****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  
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- 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.

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- 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

# 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 36<sup>th</sup> 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 84<sup>th</sup> 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 84<sup>th</sup> 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.



## 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~~ ~~le~~ ~~ar~~ ~~ac~~ ~~cess~~ ~~ib~~ ~~il~~ ~~it~~ ~~y~~ 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

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

<b>GOAL 1: Create and Support Promising Practices</b>	<b>Suggestions for Changes to Objectives</b>	<b>Suggestions for Implementation</b>
<p>1) Review public/stakeholder input</p> <p>2) Monitor, report on existing projects (education, employment, health and fitness)</p> <p>3) Create/support/evaluate practices that demonstrate:</p> <p>a) People with developmental disabilities can have jobs of their choice and keep benefits</p> <p>b) Full inclusion in education (include higher education)</p> <p>c) Support for people with complex medical or behavioral health needs</p> <p>d) Community-based non-work activities</p> <p>e) Full inclusion in community organizations</p> <p>f) How to address needs of diverse groups/cultures</p> <p>g) How to address needs of people with developmental disabilities and caregivers who are aging</p>	<ul style="list-style-type: none"> <li>• Support healthy relationships, including healthy sexuality</li> <li>• Include caregivers</li> <li>• Teach children with disabilities about God</li> <li>• Develop reliable, accountable service to do paperwork, service seeking and monitoring for adult with disability</li> <li>• Add point to point rides on campus at state universities</li> <li>• Improve the housing situation</li> <li>• Develop alternate supported housing or group home models for people with dual diagnosis</li> <li>• Inform the justice system on state services that allow people with developmental disabilities to live in their communities</li> <li>• Create community-based person-centered practices in the Coastal Bend</li> <li>• Define "promising practice" and state how it will be determined</li> <li>• 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?)</li> <li>• Rephrase "goals identified as important to them" - it could be misleading</li> </ul>	<ul style="list-style-type: none"> <li>• (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.</li> <li>• Publicize efforts</li> <li>• Make training on accessing benefits and how easy it is to lose them more universal</li> <li>• (Re: Obj. 3.a) Ensure that families can access the training and information</li> <li>• Realize that people need more understandable materials and individualized, in-person help</li> <li>• Partner with the 22 ADRCs across the state (2)</li> <li>• Increase the number of up-to-date studies about people with IDD who are aging</li> </ul> <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

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

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

**\*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

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

**\*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.**

**COMMITTEE OF THE WHOLE  
DRAFT MINUTES  
FEBRUARY 4, 2016**

**COUNCIL MEMBERS PRESENT**

Kristen Cox, Council Vice-Chair	Ivy Goldstein, DSHS Barbara Kaatz, TEA	Meagan Sumbera, A&M CDD David Taylor
Hunter Adkins	Jennifer Kaut, DARS	Lora Taylor
Patty Anderson, DRTX	Ruth Mason	John Thomas
Kimberly Blackmon	Scott McAvoy	Richard Tisch
Kristine Clark	Michael Peace	April Young, HHSC
Gladys Cortez	Dana Perry	Donnie Wilson, DADS
Mateo Delgado	Brandon Pharris	
Stephen Gersuk	Amy Sharp, UT CDS	

**COUNCIL MEMBERS ABSENT**

Mary Durham, Council Chair	Kristine Clark	Andrew Crim
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**STAFF MEMBERS PRESENT**

Beth Stalvey, Executive Director	Cynthia Ellison	Jessica Ramos
Martha Cantu	Danny Fikac	Fernando Rodriguez
Belinda Carlton	Ashley Ford	Joshua Ryf
Joanna Cordry	Wendy Jones	Koren Vogel
	Linda Logan	

**GUESTS PRESENT**

Justin Babineaux	Isabel Evans	Darryl Powell
Danny Castro	Shiloh Gonzales	Brian White
Mary Castro	Rachel Harmen	Dan Zhang, A&M CDD
Stephen Castro	DeAnn Lechtenberger	
Wesley Dotson	Megan Morgan	

**CALL TO ORDER**

The Committee of the Whole of the Texas Council for Developmental Disabilities convened on Thursday, February 4, 2016, in the Colony Ballroom C of the Sonesta Bee Cave Austin Hotel, 12525 Bee Cave Parkway, Bee Cave, TX 78738. Council Vice-Chair Kristen Cox called the meeting to order at 9:34 AM. Council Chair Mary Durham was absent and asked Vice-Chair Cox to facilitate the meeting.

**1. INTRODUCTIONS**

Council members, staff and guests introduced themselves.

**2. PUBLIC COMMENTS**

No public comments were offered to the Committee.

**3. CHAIR AND EXECUTIVE DIRECTOR REMARKS**

Vice-Chair Cox advised that she did not have further report items.

Executive Director Beth Stalvey reported on strategic planning process activities from the National Association of Councils on Developmental Disabilities (NACDD). CDD and other state council colleagues are providing input for this process. She also reported on One Vote which is a partner

project of NACDD and other disability advocacy organizations to enhance the voting bloc of people with disabilities and protect the fundamental right of one person, one vote. More information on this project can be found at [www.onevotenow.org](http://www.onevotenow.org).

Stalvey presented highlights of the 2015 Annual Program Performance Report (APPR) which summarizes Council activities of FY 2015. The report provides a State of the State update, shows the impact of TCDD grantees and highlights public policy activities, public information activities and Council priorities and activities. Stalvey reviewed details of the State of State update which include implementation of Community First Choice, legislation on supported decision-making, state supported living center census, interest lists for community based supports, and Sunset recommendations for health and human services consolidation and to continue TCDD as an agency. Stalvey further provided details of TCDD activities and grant highlights and she reviewed input from stakeholders on what TCDD does well and what improvements can be made.

Council members shared personal updates on family activities as well as advocacy efforts related to long-term services and transition issues.

#### **4. GRANTEE HIGHLIGHTS AND PRESENTATION**

TCDD Grants Management Specialist Wendy Jones briefly discussed Texas Tech University's Higher Education Project CASE noting that with four of the five project years completed, the project has already passed the project goal to have ten students with significant disabilities graduate from the program. Jones introduced project manager DeAnn Lechtenberger and Wes Dotson to provide project highlights. Lechtenberger thanked the Council for the investment of this project. The project will allow students with significant disabilities to earn a college degree or certificate in the field of their choice and gain competitive employment after graduation. The program focuses on providing the additional societal and academic supports needed for students with developmental disabilities. She discussed barriers to obtaining accommodations and being successful in the college environment. Project CASE is fully inclusive and provides individualized supports, contains programs at the 4-year university as well as 2-year community colleges, uses strength-based assessments and programming, and emphasizes degree programs as well as competitive employment. She discussed the variety of college majors and internships that are available to students who participate in Project CASE. Dotson reviewed data of project participants noting that 26 students have completed internships, 14 students have graduated with 11 in competitive employment and 3 in graduate programs, 25 students are currently enrolled with 8 employed. Project CASE has a 76% retention rate which is equal to Texas Tech freshmen, higher than South Plains Community College freshmen, and more than double the national rate for students with disabilities.

Current Project Case student Stephen Castro along with his parents provided his personal story of his experiences in the program. Castro completed his Associate's Degree in Radio/Television at South Plains College and is currently working on his Bachelor's Degree at Texas Tech University. Castro stated that he was diagnosed with Asperger's Syndrome at the age of four and was told he would not succeed in his education. Today, with support he was able to graduate high school. He was referred to Project Case and has experienced not only academic support but has gained confidence through social activities. Castro's parents described their experiences with Stephen's education and noted that during transition planning they were pushed to enroll him in a vocational program and told "not to dream big" but through the efforts of Project CASE he has shown tremendous growth in both education and as a self-advocate.

Lechtenberger and Dotson closed with future goals for Project CASE, noting that they serve 20-25 students per year but that potentially 11,000 students with disabilities in the state of Texas could be

eligible for these type services. They noted that more information is needed about what services are available throughout the state and suggest a collaborative effort to develop and promote resources. They also offered suggestions to collaborate with the Higher Education Coordinating Board on unfunded mandates to collect data on the needs of students with disabilities and best practices for students to be successful in college.

#### **5. PUBLIC INFORMATION REPORT**

TCDD Communications Coordinator Joshua Ryf provided an update on public information activities during the past quarter. He noted that informational campaigns were conducted on Legislative Interim Committee Charges, Extending Health Care Insurance for Adult Children, public input opportunities to HHSC on IDD Managed Care Pilots, and STAR Kids.

Ryf discussed statistics related to Facebook and noted that the Texas Council has more followers than any other DD Council in the country.

Ryf explained the upcoming Side-By-Side campaign for DD Awareness month in March. The campaign celebrates togetherness by showcasing stories and photographs of people with disabilities participating in activities along with people without disabilities. Members were encouraged to participate in this social media campaign by posting pictures or stories and using #sidebyside.

Ryf discussed opportunities to profile Council members on social media with a photo and short bio to inspire others to become Council members.

#### **6. TCDD FINANCIAL REPORT**

TCDD Operations Director Martha Cantu reviewed the quarterly financial reports and explained the amounts left over for each fiscal year. She noted that while all of FY 2014 funds have been obligated, approximately \$1 million will carry over from FY 15 to grant projects. When that is added to planned projects, it is still expected that \$1 million will again carry over from FY 16. Members were encouraged to consider new projects to that would allow these funds to be obligated.

Executive Director Stalvey explained that the national organizations work hard every year to advocate for level or increased funding from Congress and that the allotment from FY 16 was increased from FY 15 by \$1 million for all DD Councils. TCDD expects a small increase once the notice of grant award is received.

#### **7. FY 2017-2021 STATE PLAN GOAL AND OBJECTIVES**

Planning Coordinator Joanna Cordry reviewed the input received during the public comment period for the proposed FY 2017 – FY 2021 State Plan Goals and Objectives. She noted that more than 70 people commented overall and that 45-60 comments were received on each goal. A summary of all public comments was provided in in the Council meeting materials. Cordry focused the discussion on changes that were needed to the draft State Plan Goals and Objectives based on the input received. She noted that if major changes were recommended the plan would need to be posted again for public comment but if the plan is approved during the this Council meeting, staff will move forward in developing the activities that go along with the goals and objectives.

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; and focuses on diversity, changing systems, self-advocacy and collaboration. She also discussed that further development of the plan will include details on key activities, expected outcomes, expected sub-outcomes, and data evaluation and measurement.

Council members discussed public comments on suggested changes to objectives as well as implementation of each of the four goals of the FY 2017-2021 State Plan:

- 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

No significant changes to the existing goals and objectives were recommended.

**MOTION:** To recommend Council approval of the FY 2017 – FY 2021 State Plan Goals and Objectives

**MADE BY:** Rick Tisch

**SECOND:** Mateo Delgado

The motion **passed** unanimously.

#### **8. COUNCIL CHALLENGE**

Council members participated in an education and training activity in the form of a *Jeopardy* style challenge that covered the topics of the TCDD State Plan Development, Housing, Children in Institutions, and Texas specific policy.

#### **ADJOURN**

Council Vice-Chair Cox adjourned the Committee of the Whole adjourned at 1:25 PM.

\_\_\_\_\_  
Beth Stalvey  
Secretary to the Council

\_\_\_\_\_  
Date

**Background:**

Data and details regarding TCDD's communications activities for the previous quarter:

- Website
- Facebook
- Twitter
- Email
- Information and Referral Requests and Distribution
- Marketing and Outreach
  - Side-by-Side Texas
  - TCDD at Disability-Related Events
- Blog Posts
  - RFP: Higher Education Collaborative to Expand Best Practices
  - RFP: Policy Fellows Needed to Impact Advocacy

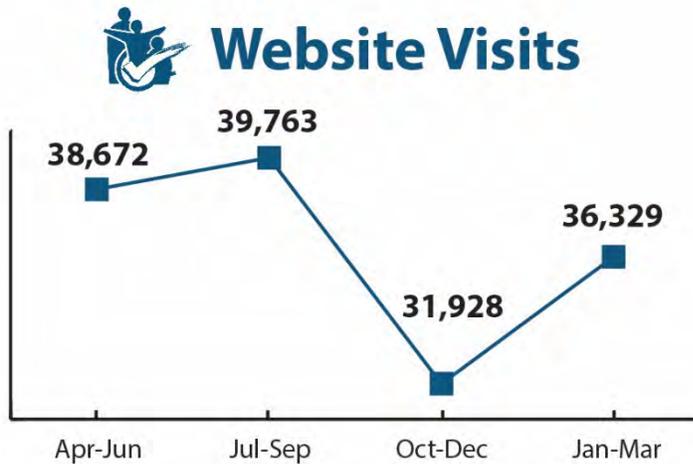
**Council — Agenda Item 8****Expected Action:**

The Council will discuss the report and may provide further guidance to staff.

# Communications Report

May 2016

## WEBSITE



### Top 20 Webpages Visited

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

Webpage	Number of Visits
Total webpage visits for quarter	36,329
<b>People First Language</b>	6,313
Home Page	4,539
<b>Texas Legislature</b>	2,053
<b>Supported Decision-Making</b>	872
Funding Available	815
<b>What is a Developmental Disability?</b>	723
<b>Guardianship Alternatives</b>	675
<b>Medicaid Waiver Foster Payments Become Tax Exempt</b>	600
<b>Workplace Bullying: Know Your Rights</b>	537
Publications and Multimedia	440
Jobs	397
<b>Legislative Advocacy Tips</b>	344
Current Grant Projects	344
Grants	340
<b>The Next Step</b>	330
Staff Directory	325
<b>Updated Texas Service Dog Law 14 Facts for 2014</b>	312
About Us	312
<b>Extending Health Insurance for an Adult Child</b>	280
News and Information	280

### PDF Downloads from Website

PDFs highlighted in **bold** are print versions of TCDD blog posts and webpages.

Publication/Blog Post	Number of Downloads
Total PDF downloads for quarter	1,163
People First Language	351
<b>Supported Decision-Making Agreement</b>	<b>265</b>
2014 Higher Education Resource Guide	96
Next Step Users Guide	39
TCDD Brochure	36
2014 Annual Report	30
TCDD Grants Manual	28
2014 Biennial Disability Report	20
<b>Extending Health Insurance Adult Child</b>	<b>18</b>
How a Bill Becomes a Law	14
<b>Medicaid Benefits Transition Managed Care</b>	<b>10</b>
<b>Autism Services Update</b>	<b>9</b>

## FACEBOOK

### Facebook Fans



### Top Facebook Posts

Posts highlighted in **bold** are TCDD original content.

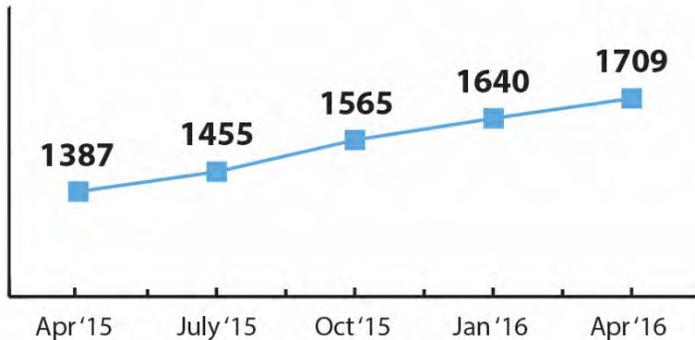
Post Message	Total Reach
<b>GRADUATION: SIDE-BY-SIDE</b>	<b>9,683</b>
TRAINING ON IDD NOW REQUIRED FOR POLICE RECRUITS	6,179
<b>WHAT DO YOU CALL A PERSON WITH A DISABILITY? A PERSON.</b>	<b>4,365</b>
TAKE THE PLEDGE: SPREAD THE WORD TO END THE WORD	4,315
H-E-B PROVIDES TALKING PRESCRIPTION LABELS	3,269
COURT SETTLEMENT LEADS TO INTEGRATED EMPLOYMENT	3,041
WIND CHIMES HELP AGGIES NAVIGATE CAMPUS	2,929
<b>TCDD COUNCIL MEMBER'S ADVOCACY JOURNEY</b>	<b>2,563</b>
SSLC EMPLOYEE ARRESTED FOR ASSAULTING GIRL WITH DISABILITY	2,307
'BORN THIS WAY' RENEWED FOR SECOND SEASON	2,270
100 BODIES MISSING AT SSLC CEMETERY	2,219
WHAT DOES ECI MEAN TO YOU AND YOUR FAMILY?	2,141
<b>WHAT IS A DEVELOPMENTAL DISABILITY?</b>	<b>2,044</b>

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

## TWITTER



### Twitter Followers



### Top Tweets

Tweets highlighted in **bold** are TCDD original content.

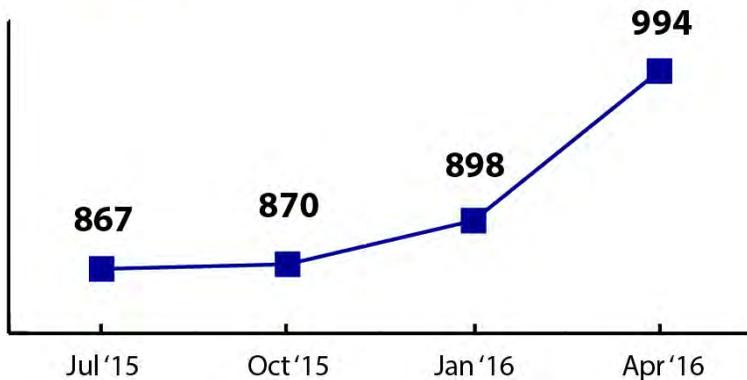
Tweet	Total Impressions
<b>Q: What do you call a person with a #disability? A: A person. Learn about People First Language: <a href="https://t.co/LSOfnfsAYD">https://t.co/LSOfnfsAYD</a> #PeopleFirst</b>	<b>1,290</b>
<b>.@TexasHHSC seeks input from people with IDD and their families on IDD managed care pilot: <a href="https://t.co/qQ9GfHZPTh">https://t.co/qQ9GfHZPTh</a> #Texas #ManagedCare</b>	<b>1,065</b>
ICYMI: Are you satisfied with DADS #employment assistance? Take the survey: <a href="https://t.co/dD2EJx8aiJ">https://t.co/dD2EJx8aiJ</a> Survey closes 1/29/16. #disability #jobs	918
<b>ICYMI: Learn about the transition to STAR Kids at a @TexasHHSC information session: <a href="https://t.co/JtPAGIYRJA">https://t.co/JtPAGIYRJA</a> #Medicaid #SSI #Texas #children</b>	<b>873</b>
<b>Visit TCDD at #CTAAFSC to learn how you can get involved and create change for people with #disabilities. @ATCICnews <a href="https://t.co/yWfHW6WEfJ">https://t.co/yWfHW6WEfJ</a></b>	<b>812</b>
<b>Youth with #disabilities develop their advocacy skills at the #Texas Capitol with project from @TAMU. #SideBySideTX <a href="https://t.co/10bMP9ywsj">https://t.co/10bMP9ywsj</a></b>	<b>811</b>
<b>Camp LIFE from @TAMU gave students with and without #disabilities a weekend of inclusive adventures. #SideBySideTX <a href="https://t.co/RId6DeojFE">https://t.co/RId6DeojFE</a></b>	<b>788</b>
<b>Students with #disabilities attended a professional development program through a @TAMU project. #SideBySideTX <a href="https://t.co/pyg9TzKutn">https://t.co/pyg9TzKutn</a></b>	<b>767</b>
<b>TCDD eNews: extending health insurance, STAR Kids info sessions &amp; HIPP. Read: <a href="https://t.co/E8Sv8NkJgy">https://t.co/E8Sv8NkJgy</a> Subscribe: <a href="https://t.co/LrPySEmcUb">https://t.co/LrPySEmcUb</a></b>	<b>735</b>
Health and Human Services Transition Legislative Oversight Committee is under way at the Capitol. Watch at <a href="https://t.co/tW3pS1d4ux">https://t.co/tW3pS1d4ux</a>	726

*Impressions: the number of times a tweet has been seen*

## EMAIL



## Email Subscribers



### Email Messages

The following emails were sent to eNews subscribers.

Email Subject	Opens	Clicks
Extending Health Insurance for an Adult Child	29.5%	8.3%
HHSC Seeks Public Input on IDD Managed Care Pilot	24.6%	5.3%
Interim Committees to Hold Public Hearings	27.2%	2.4%
TCDD Council & Committee Meetings: February 3-5, 2016	21.5%	1.8%
Interim Committees to Hold Public Hearings	28.1%	2.6%
TCDD Seeks Grants Specialist	24.7%	1.9%
Opportunities for Public Input in March	27.3%	2.7%
Side-By-Side Texas	29.3%	1.9%
RFP: Policy Fellows Needed to Impact Advocacy	41.9%	5.7%
Interim Committees to Hold Public Hearings	26.8%	2.8%
RFP: Higher Education Collaborative to Expand Best Practices	42.9%	7.4%
Upcoming Interim Committee Hearings	24.9%	1.7%

## I&R REQUESTS & DISTRIBUTION

**Information & Referral (I&R) Requests:** Staff responded to 71 requests for information and referral.

### Printed Materials Distributed:

- Annual Report: 1 English
- 2014 Biennial Disability Report: 1 English
- People First Language Handout: 12

## **MARKETING & OUTREACH**

### **Side-By-Side Texas**

#### **Overview**

Side-By-Side Texas (also referred to as #SideBySideTX) is a social media campaign conducted during Developmental Disabilities (DD) Awareness Month (March). The campaign is designed to raise awareness about the importance of inclusion of people of all abilities. All over Texas, people with and without disabilities make contributions to their communities, participate in meaningful employment, and have fun together — side-by-side.

In 2016, Side-By-Side Texas was organized by the state’s DD Network Partners:

- Center on Disability and Development at Texas A&M University (CDD)
- Disability Rights Texas (DRTx)
- Texas Center for Disability Studies at The University of Texas at Austin (TCDS)
- Texas Council for Developmental Disabilities (TCDD)

In the first year of the campaign, the primary audience was people already in our existing networks (email subscribers, Facebook fans, and Twitter followers). In 2017, we will consider strategies for expanding beyond our audiences and possibly reach out to legislators, state agencies, providers, disability organizations, and businesses/chambers of commerce.

2016 campaign activities:

1. Raise awareness about the campaign
2. Post or share #SideBySideTX photos
3. Cross-promote each other

#### **Activities**

##### **Raise Awareness**

We developed digital content, hard copy materials, and a press release to raise awareness about #SideBySideTX and the opportunity to participate in the campaign.

Digital content:

- Banner image for website, Facebook, Twitter and email (consistent look across all platforms)
- Blog post about the campaign with banners (a place for people to find the campaign if they Google it)
- Social media posts announcing campaign (direct people back to blog post to learn more)
- Email message announcing campaign (direct people back to blog post to learn more)

Hard copy materials for events:

- Table sign
- Half- and full-page flyers

Press release: the partners developed a joint-press release to give local media an opportunity to let their audiences know about the campaign. CDD and DRTx distributed the press release.

##### **Post Photos**

Because the campaign was new and the general public was not aware of it, we anticipated there not being a lot of organic content/participation. So, our strategy for content during the campaign was to

utilize photos we already had and to encourage people who are involved in our organizations to participate. By posting photos and raising awareness this year, next the campaign will be more familiar to the general public, which will increase the likelihood of their participation.

CDD shared many photos from their various projects that have students with and without disabilities participating side-by-side in activities. TCDS also posted photos of students participating in activities in the classroom, on the tennis court, and in the water (canoeing).

TCDD Council members contributed the majority of TCDD's original content for social media. The following Council members either posted or provided a photo for the campaign:

- Kris Clark
- Gladys Cortez
- Kristen Cox
- Ruth Mason
- Scott McAvoy
- Rick Tisch

There also was a small amount of organic participation from individuals and other organizations, including the Easter Seals Coalition Serving Texas, Rouse Amazing Raiders Club (high school in Leander), The Arc of Texas, and Texas in Transition.

### **Cross-Promotion**

The DD Network Partners each promoted the other partners' Facebook pages on their own Facebook pages during the campaign. For example, TCDD would post a link to the DRTx Facebook page with a message like "If you like disability rights, like DRTx." The cross-promotion allowed the partners to expose their audiences to the other partners.

The cross-promotion was successful. Below are the increases in page likes that each partner experienced during the campaign:

- CDD – 60
- DRTx – 103
- TCDS – 57
- TCDD – 70

The success of the cross-promotion has prompted the partners to (A) continue promoting each other's Facebook pages on a regular basis (perhaps monthly) and (B) to include each other in #FollowFriday tweets.

### **Going Forward: 2017 Campaign**

The partners were all satisfied with this year's campaign and are interested in conducting a campaign again in 2017. Some advantages we'll experience in the second year of the campaign are that we'll have more lead time to develop content and to promote the campaign in advance. Also, the campaign will have more name recognition in its second year. If the partners continue to grow their social followings by cross-promoting each other, next year's audience will be bigger, too.

Other strategies to implement in 2017:

- Expanded outreach to new audiences (as mentioned above, e.g., legislators, businesses, etc.)
- Side-By-Side stories to pitch to media outlets

*Side-By-Side is a campaign conducted nationally by the Association of University Centers on Disabilities, the National Association of Councils on Developmental Disabilities, and the National Disability Rights Network.*

### **TCDD at Disability-Related Events**

To raise awareness about TCDD and the opportunities we provide for people and organizations to get involved with TCDD, we had a presence at multiple disability-related events in Texas. At some events, TCDD had a table that participants could visit to learn about our funding opportunities, becoming a Council member, and more. TCDD staff were at the table to engage with attendees, answer questions, and encourage people to connect with us. At other smaller events, TCDD didn't have a table, but attended to raise awareness about the opportunities we provide and to connect with new audiences.

At larger events where TCDD had a table, hard copies of multiple resources were available to conference-goers, including the People First Language handout, information about alternatives to guardianship, etc. TCDD has many articles on its website that can be printed, so at each event, the TCDD table featured handouts that were tailored to the event's specific audience. The TCDD table also features opportunities for people to connect with us. We provide business cards with our social media handles so people can follow us and the table always has an email sign-up sheet so people can subscribe to TCDD eNews.

At smaller events and presentations, TCDD provided folders for attendees. The folders featured many of the items that would be at our table if we were at a larger event.

Also, if TCDD provides an event stipend to an organization, the organization provides TCDD with the names and email addresses of the people who were able to participate in the event due to the stipend. These individuals are invited to connect with TCDD via eNews subscription and social media.

### **Events this quarter**

TCDD had a presence at the following events.

<b>Event</b>	<b>Location</b>	<b>Received TCDD Info</b>	<b>Email Subscribers</b>	<b>Potential Council Members</b>
Central Texas African American Family Support Conference	Austin	50	22	2
Family to Family Network's 11th Annual Special Education & Transition Conference & Resource Fair	Houston	40	17	8
Texas State Independent Living Council Conference	San Antonio	35	17	2
Bluebonnet Trails Community Services – Service Coordinators Meeting	Round Rock	30	25	0
The H.E.A.R.T. Program Open House	Houston	30	2	0
Harris Center Picnic in the Park	Houston	75	38	3
<b>Totals</b>		<b>260</b>	<b>121</b>	<b>15</b>

### **Upcoming events**

- April 29 – 4<sup>th</sup> Annual LoneStar LEND Conference, Houston
- June 17-18 – 12<sup>th</sup> Annual TxP2P Conference



## **RFP: Higher Education Collaborative to Expand Best Practices**

The Texas Council for Developmental Disabilities (TCDD) issued a Request for Proposals (RFP) to fund a project for up to five years to expand best practices that support students with developmental disabilities (DD) to succeed in post-secondary programs that have traditionally been attended by students without disabilities. The project will establish a sustainable Higher Education Collaborative that provides technical assistance and disseminates resources to develop and maintain similar programs at other institutions. The deadline to submit a proposal is May 13, 2016.

### **Background**

TCDD funds Higher Education for Employment projects that aim to develop, demonstrate, and evaluate inclusive models of post-secondary education through which students with DD receive necessary supports to succeed in post-secondary education programs originally designed for students without disabilities. TCDD currently funds the following Higher Education for Employment projects:

- Texas A&M University's Bridge to Career in Human Services created a program for students to learn the skills needed to be successful in a certificate program for becoming a Direct Support Professional. Some of the credits earned by students in this program transfer to Blinn College.
- Texas Tech University's Project CASE (Connections for Academic Success and Employment) is a collaborative effort with South Plains College (SPC) that incorporates resources from both schools to identify, recruit, and retain students with DD who are interested in furthering their education, exploring career pathways, and pursuing meaningful employment.
- The Texas Department of Assistive and Rehabilitative Services' Project HIRE (Helping Individuals Reach Employment) supports individuals with DD to complete post-secondary education at South Texas College. Vocational Rehabilitation supports are supplemented with wrap-around services.

### **About the RFP**

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 10 other campuses across the state to replicate the

best practice models (models that have evidence they achieve the intended outcomes) and evaluate their success by the end of the project. The collaborative will be expected to ensure that new programs recruit and support students from diverse cultures.

The Higher Education Collaborative will include TCDD's Higher Education for Employment projects and other post-secondary programs that have demonstrated success in fully including students with DD. To continue to receive funding from TCDD, the Collaborative must have the involvement and support of at least four post-secondary programs, including at least one of the Higher Education for Employment projects. The Collaborative will become sustainable by the end of the project.

TCDD expects the organization that receives this grant to:

- Develop a Higher Education Collaborative to expand post-secondary options for students with intellectual and/or developmental disabilities.
- Partner with TCDD's Higher Education for Employment grantees and other programs that support students with DD to attend 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.
- Support at least 10 institutions to implement innovative approaches and program models that provide post-secondary education for people with disabilities.
- Increase public awareness about post-secondary education options.
- Measure the outcomes of students after leaving the post-secondary programs developed.
- Ensure the sustainability for the collaborative and the programs developed.

## Eligibility

Organizations that may apply are public agencies, private not-for-profit agencies, institutions of higher education, schools, and private for-profit organizations. The organization that applies for this grant must be the organization that will administer the grant and receive, disburse, and account for grant funds. Individuals may not apply for this grant.

## Key Dates

Proposals are due to TCDD by 5 p.m. Central Standard Time on May 13, 2016. Late proposals will not be accepted. TCDD will notify proposers of decisions between August 8, 2016, and August 19, 2016. The earliest expected project start date is November 1, 2016 (this date may change).

## More Information & Submitting a Proposal

More information, including the complete RFP, is available on the DD Suite website ([www.ddsuite.org](http://www.ddsuite.org)). Proposals for this RFP and all forms must be submitted using DD Suite.

## Questions

If you have questions after reviewing the complete RFP, contact Danny Fikac, Planning Specialist, at [danny.fikac@tcdd.texas.gov](mailto:danny.fikac@tcdd.texas.gov) or at 512-437-5415.



## **RFP: Policy Fellows Needed to Impact Advocacy**

The Texas Council for Developmental Disabilities (TCDD) issued a Request for Proposals (RFP) to fund up to two Texas organizations to hire and support a full-time TCDD Policy Fellow. Fellows will develop a deep understanding of policy affecting people with developmental disabilities (DD) and also build skills to promote self-determination and self-advocacy. The deadline to submit a proposal is May 9, 2016.

### **Background**

TCDD invests in general, broad-based leadership and advocacy training for Texans with DD and their families so they can advocate for their right to be fully included in community life and exercise control over their own lives. While it is important to continue these efforts, it is equally important to ensure that new policy-focused professionals receive training and mentoring that will help them to collaborate with self-advocates and families to develop future policies and procedures.

Both public agencies and advocacy organizations currently face an ensuing loss of institutional knowledge and experience as many advocates and policy professionals are preparing for retirement. Opportunities to be mentored by seasoned, long-time experts may diminish in the near future. Unfortunately, tight budgets and the current fiscal climate have increased the difficulty organizations have in hiring individuals who would benefit from having experienced mentors.

Providing support to pair seasoned mentors with less experienced policy professionals through a fellowship program can maximize the skill sets of all involved, while also supporting organizations to continue to create positive change through their advocacy work.

### **About the RFP**

TCDD hopes to fund up to two Texas organizations to select, hire, train and employ a paid full-time TCDD Policy Fellow for up to two years. Two years after the project ends, the Fellows are expected to be employed in positions that impact public policy that addresses issues important to individuals with DD.

The majority of the Fellow's work should be on issues important to people with DD; however, the Fellow may work on some cross-disability issues. The Fellow, in collaboration with the organization (grantee), will be able to select their core areas of focus. The Fellow must use research

and data to justify the particular policy they choose as their focus. When proposing the issues they will work on, and the specific policy activities they will engage in, the Fellow must demonstrate how strategic progress in their work constitutes a “win” or significant incremental accomplishment on the way to a longer-term public policy goal that is consistent with TCDD's Mission and Guiding Principles.

Fellows are expected to contribute meaningfully to the missions of the grantee organizations for whom they work and may be given substantial responsibility. Each organization will be required to identify a mentor for the Fellow.

## Eligibility

Eligible grant applicants include public agencies, private not-for-profit agencies, schools, and private for-profit organizations. Fellows must be (A) recent graduates of post-graduate programs in law, social work, public policy or other related programs, or (B) self-advocates or siblings of persons with disabilities who have demonstrated post-graduate level skills and knowledge in public policy advocacy.

## Grant Funds Available

TCDD has made available up to \$67,500 per year, per organization, for up to two organizations, for up to two years. Funding for the second year is not automatic. The organizations receiving the grants must use the grant funds to cover:

- the salary of a full-time Fellow (expected to be approximately \$35,000 - \$45,000 per year);
- benefits equal to those of the other organization's employees;
- mentoring; and
- professional development.

## Key Dates

Proposals are due to TCDD by 5 p.m. Central Standard Time on May 9, 2016. Late proposals will not be accepted. TCDD will notify proposers of decisions between August 8, 2016, and August 19, 2016. The earliest expected project start date is September 1, 2016 (this date may change).

## More Information & Submitting a Proposal

More information, including the complete RFP, is available on the DD Suite website ([www.ddsuite.org](http://www.ddsuite.org)). Proposals for this RFP and all forms must be submitted using DD Suite.

## Questions

If you have questions after reviewing the complete RFP, contact Joanna Cordry, Planning Coordinator, at [Joanna.Cordry@tcdd.texas.gov](mailto:Joanna.Cordry@tcdd.texas.gov) or at 512-437-5410.

**Quarterly Council and Committee Meetings**

**Tentative Dates:**

**August 3–5, 2016**

Horseshoe Bay Resort

**November 2–4, 2016**

**February 1–3, 2017**

**May 3–5, 2017**

**Council Meeting — Agenda Item 13**

**Expected Action:**

Discussion only; no action is anticipated.