

**Background:**

The Council periodically reviews TCDD’s Position Statements. In November, the Council will review the Criminal Justice, Right to Privacy, Service Coordination, and Transportation Position Statements. This quarter, TCDD staff asked Council members to review and recommend updates for the following Position Statements: Employment, Education, and Transition.

The following Position Statement documents are included for your review:

- A. **Employment** –
  - i. Current Position Statement with Markups\*
  - ii. Current Position Statement with Markups Accepted\*
- B. **Education** –
  - i. Current Position Statement with Markups\*
  - ii. Current Position Statement with Markups Accepted\*
- C. **Transition** –
  - i. Current Position Statement with Markups\*
  - ii. Current Position Statement with Markups Accepted\*

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

**Public Policy Committee — Agenda Item 7**

**Expected Action:**

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

**Council — Agenda Item 6**

**Expected Action:**

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

## Education Position Statement

The Texas Council for Developmental Disabilities supports the position that all students have a right to learn, play, and work together with students their own age, with and without disabilities, in the same schools, classrooms and other educational and extracurricular programs. ~~attended by their brothers, sisters and neighbors, and that s~~ Schools, classrooms, programs, and appropriate transportation must be both physically and programmatically accessible to all students. ~~It is the position of the Council, as well as the policy of the state, that a~~ All children ~~should~~ must be treated with dignity and respect ~~when addressing in~~ behavioral-social, emotional and academic ~~needs education.~~

The Council supports that position that serving the individualized needs of each student starts with appropriate identification of all students who have disabilities that require special education services or services provided under Section 504 of the Rehabilitation Act. The numbers of students requiring these services should not be predetermined according to fixed percentages of the general student population, but should be based exclusively on the objective assessment of each student's strengths and needs by qualified professionals.

All students with disabilities, ~~regardless of individual needs,~~ must be provided inclusive and integrated academic and vocational instruction, evidence-informed supports, and full access to the general curriculum, extracurricular activities, and related services, ~~in the least restrictive environment. Related services refer to developmental, corrective, and other supportive services, including psychological, counseling and medical diagnostic services and transportation. The delivery of individually~~ Individualized appropriate instruction and related services that enable the student with disabilities to benefit from education must be provided by highly qualified teachers and service providers ~~with administrative support and opportunities for continued and ongoing professional development in all areas of identified need.~~ Successful inclusion requires teacher education programs to prepare all educators and administrators, not only those providing special education services, to work with the full range of students in inclusive settings with access to co-teaching models and continued ongoing professional development in all areas of identified need.

All people with disabilities in Texas should have the opportunity to achieve their potential for independence, productivity, and integration into the community. Education is a lifelong process that is vital to attaining a full and complete life. ~~The results~~ Successful outcomes of an appropriate education for students with disabilities should be evidenced by employment and/or enrollment in postsecondary education, as well as meaningful engagement in community life, within one year of leaving high school.

~~Charter schools or schools accepting voucher payments must provide students the same educational rights and opportunities that they would be accorded in the public education system. The Council believes that schools that accept state or federal money to educate students must accept any student with a disability who may apply for admission to that school; abide by federal and state education laws that protect the rights of all students; abide by Section 504 of the Rehabilitation Act that requires any entity receiving federal funds to include people with~~

~~disabilities in its program, and accept any student at the state rate of payment asking for no additional tuition or fees beyond the normal fees required by the student's local education agency. If these criteria are not met, the Council opposes publicly funded school vouchers and charter schools. The Council does not support any initiative that would deplete funds from the public education system and ultimately from those available for the education of students with disabilities.~~

~~The full inclusion of Texas students with disabilities should be approached as a value and underlying philosophy by which we educate all students. We believe that s Successful inclusion requires teacher education programs to prepare all educators and administrators, not only those providing special education services, to work with the full range of students in inclusive settings. Special education is not a separate educational system, but rather a service provided to people with specific needs within the general educational system. Professional preparation programs should emphasize the shared responsibility of all educators and administrators for every student.~~

~~Full inclusion requires the ongoing, shared responsibility of students, parents, guardians, educators, administrators and the community at large to ensure that all students have the same opportunities to learn, to play, to be engaged with peers, and to fully experience student life.~~

~~Texas charter schools or schools accepting voucher payments must abide by federal and state education laws and accept students requiring special education services at the state rate of payment with no additional tuition or fees beyond the normal fees of the student's local education agency. The Council does not support any initiative that would take funds from the public education system or the education of students with disabilities.~~

~~The full, meaningful inclusion of Texas students with disabilities should be approached as a fundamental value and underlying principle by which we educate all students. The education of students with disabilities should result in self-determination, lifelong learning, employment, and community engagement.~~

Approved February 6, 2015

## Education Position Statement

The Texas Council for Developmental Disabilities supports the position that all students have a right to learn, play, and work together with students their own age, with and without disabilities, in the same schools, classrooms and other educational and extracurricular programs. Schools, classrooms, programs, and appropriate transportation must be both physically and programmatically accessible to all students. All children must be treated with dignity and respect in their social, emotional and academic education.

The Council supports that position that serving the individualized needs of each student starts with appropriate identification of all students who have disabilities that require special education services or services provided under Section 504 of the Rehabilitation Act. The numbers of students requiring these services should not be predetermined according to fixed percentages of the general student population, but should be based exclusively on the objective assessment of each student's strengths and needs by qualified professionals.

All students with disabilities must be provided inclusive and integrated academic and vocational instruction, evidence-informed supports, and full access to the general curriculum, extracurricular activities, and related services. Individualized appropriate instruction and related services that enable the student with disabilities to benefit from education must be provided by highly qualified teachers and service providers. Successful inclusion requires teacher education programs to prepare all educators and administrators, not only those providing special education services, to work with the full range of students in inclusive settings with access to co-teaching models and continued ongoing professional development in all areas of identified need.

All people with disabilities in Texas should have the opportunity to achieve their potential for independence, productivity, and integration into the community. Education is a lifelong process that is vital to attaining a full and complete life. Successful outcomes of an appropriate education for students with disabilities should be evidenced by employment and/or enrollment in postsecondary education, as well as meaningful engagement in community life, within one year of leaving high school.

Texas charter schools or schools accepting voucher payments must abide by federal and state education laws and accept students requiring special education services at the state rate of payment with no additional tuition or fees beyond the normal fees of the student's local education agency. The Council does not support any initiative that would take funds from the public education system or the education of students with disabilities.

The full, meaningful inclusion of Texas students with disabilities should be approached as a fundamental value and underlying principle by which we educate all students. The education of students with disabilities should result in self-determination, lifelong learning, employment, and community engagement.

Approved TBD

## Employment Position Statement

The Texas Council for Developmental Disabilities supports the ~~position that state's Employment First law and policy 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. People~~ people with disabilities have the right to meaningful employment at competitive wages that includes job training, and opportunities for career growth and enhancement- as lifelong learners. Employment opportunities in the community ~~job market~~ should be open readily available to people with disabilities without discrimination or segregation.

Through employment, people with disabilities gain an important point of entry into their communities, a sense of being valued, earned wages, ~~and~~ job benefits and an opportunity to make a meaningful contribution. With ~~both these~~ tangible and intangible rewards from employment, people with disabilities ~~secure-achieve~~ greater independence and freedom from public support service systems.

The Texas Council for Developmental Disabilities supports the position that affirms that:

- State agencies should ~~work together to implement-revise~~ policies to ~~enact-align-with~~ the state's Employment First law and policy ~~that competitive employment at a living wage in the general workforce is the first and preferred outcome of publicly-funded services for all working-age Texans with disabilities.~~
- ~~State agencies should work together to ensure that students~~ Students with disabilities ~~should~~ receive a strong social, emotional and academic sound foundation in their K-12 educational. ~~This foundation based on-should include~~ person-centered planning and that supports each the student's transition into higher education or a career after graduation. High school education must provide a range of choices in career preparation such as vocational training, career and technology education, preparation for higher education and opportunities for completive integrated employment ~~in the community~~.
- Transition plans should identify and fully support individualized, meaningful goals that reflect each student's highest potential and preferences. ~~and should be pursued ambitiously.~~
- People with disabilities have the right to self-determination in establishing their career path, career goals, job placement or self-employment options, retention, advancement, and retirement plans. People with disabilities who depend on public benefits for health care and long-term services and supports should be able to participate in employment without losing these supports.

- People with disabilities should have access to an array of individualized, flexible and coordinated support services including assistive technology ~~and supports~~, as long as necessary to obtain and keep employment.
- ~~People with disabilities should be able to participate in employment without losing necessary public benefits, especially access to health care.~~
- ~~Employment opportunities and the benefits of employment should be fully accessible to people with disabilities beginning with recruitment and continuing through retirement. Employers should strive to make the physical environment accessible, use accessible technology, and provide individualized, reasonable accommodations.~~
- ~~The e-E~~mployment needs of people with disabilities should be effectively addressed through a collaborative effort by businesses, professional organizations, state and local governments, and people with disabilities and their support networks.
- Entities involved in statewide employment initiatives should disseminate information about civil rights laws that protect and guarantee the rights of people with disabilities, ~~as well as~~ resources available to support people with disabilities in the workplace, and protection from workplace bullying and abuse.
- Entities involved in statewide employment initiatives should disseminate information to employers and the business community to overcome the negative perceptions and fears of hiring people with disabilities, and to ~~explain~~ promote the benefits and incentives ~~f~~or hiring people with disabilities.
- Entities involved in statewide employment initiatives should assist people with disabilities to develop successful self-employment ~~options~~ initiatives that can include micro-enterprises and other entrepreneurial ventures.

Work is a fundamental part of adult life, and for people with disabilities, taking part in working life is an essential condition to equal participation in society. Individuals with disabilities in the Texas competitive labor force have a positive financial impact on our economy, generating income that is ultimately returned in the form of tax revenues and the purchase of goods and services.

Approved ~~May 9, 2014~~

## Employment Position Statement

The Texas Council for Developmental Disabilities supports the state's Employment First law and policy 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. People with disabilities have the right to meaningful employment at competitive wages that includes job training, and opportunities for career growth and enhancement. Employment opportunities in the community should be readily available to people with disabilities without discrimination or segregation.

Through employment, people with disabilities gain an important point of entry into their communities, a sense of being valued, earned wages, job benefits and an opportunity to make a meaningful contribution. With both tangible and intangible rewards from employment, people with disabilities achieve greater independence and freedom from public support service systems.

The Texas Council for Developmental Disabilities supports the position that:

- State agencies should work together to implement policies to enact the state's Employment First law and policy.
- State agencies should work together to ensure that students with disabilities receive a strong social, emotional and academic K-12 educational foundation based on person-centered planning that supports each student's transition into higher education or a career after graduation. High school education must provide a range of choices in career preparation such as vocational training, career and technology education, preparation for higher education and opportunities for competitive integrated employment.
- Transition plans should identify and fully support individualized, meaningful goals that reflect each student's highest potential and preferences.
- People with disabilities have the right to self-determination in establishing their career path, career goals, job placement or self-employment options, retention, advancement, and retirement plans. People with disabilities who depend on public benefits for health care and long-term services and supports should be able to participate in employment without losing these supports.
- People with disabilities should have access to an array of individualized, flexible and coordinated support services including assistive technology, as long as necessary to obtain and keep employment.
- Employment needs of people with disabilities should be effectively addressed through a collaborative effort by businesses, professional organizations, state and local governments, and people with disabilities and their support networks.
- Entities involved in statewide employment initiatives should disseminate information about civil rights laws that protect and guarantee the rights of people with disabilities as well as resources available to support people with disabilities in the workplace, and protection from workplace bullying and abuse.

- Entities involved in statewide employment initiatives should disseminate information to employers and the business community to overcome the negative perceptions and fears of hiring people with disabilities, and to promote the benefits and incentives for hiring people with disabilities.
- Entities involved in statewide employment initiatives should assist people with disabilities to develop successful self-employment initiatives that can include micro-enterprises and other entrepreneurial ventures.

Work is a fundamental part of adult life, and for people with disabilities, taking part in working life is an essential condition to equal participation in society. Individuals with disabilities in the Texas competitive labor force have a positive financial impact on our economy, generating income that is ultimately returned in the form of tax revenues and the purchase of goods and services.

Approved TBD

## Transition from School to Adult Life Position Statement

The Texas Council for Developmental Disabilities supports the position that ~~people with disabilities have the right to live in and be an integral part of their communities, to be employed, to be independent and to make informed choices about their lives.~~ Each student with disabilities, as all youth, must be given opportunities to achieve academic success and develop, decision-making skills to foster independence and self-determination, to cultivate personal interests and preferences, to explore and pursue career opportunities and personal interests that are both relevant and meaningful, ~~and to participate in job training, job placement and community experiences as part of the transition from school to adult life.~~ Transition plans should identify and fully support individualized goals that reflect each student's highest potential and preference.

Transition plans ~~planning~~ are required for students receiving special education services beginning at age 14 and must be updated annually should with concrete steps to guide and prepare help a students to move from school to adult ~~lives life and~~ with the necessary skills, services and supports that will enable them to be fully included in their community and exercise control over their own life. Student training in decision-making, self-determination, self-advocacy, and individual rights must be part of the plan. must address key life areas related to health, work, recreation and leisure, home living, community participation, and opportunities to continue learning after high school. Transition planning ~~should~~ must also include ~~proactive pursuit of higher education options academic and vocational opportunities for students and should~~ that reflect the Texas "Employment First" law and policy , ~~stating~~ 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." ~~This can include a range of post-secondary opportunities, such as but not limited to attending higher education college, technical schools, or pursuing national service vocations. The individual services provided ultimately depend on the student's needs and interests, and choices.~~

The Council supports the direction of the Workforce Innovation and Opportunity Act (WIOA), which requires that:

- pre-employment transition services include job exploration, work-based learning experiences, counseling on opportunities for higher education, and workplace readiness training, as well as ~~In addition, it should include training education~~ in self-determination, self-advocacy, and individual rights;
- a person under age 25 cannot be paid subminimum wages unless the individual has received these pre-employment transition services or transition services under IDEA, and has applied for vocational rehabilitation services; and
- the individual must be given career counseling and information and referral to other resources for services to assist the individual in attaining competitive integrated employment by an entity that does not have a financial interest in the individual's employment outcome.

~~A comprehensive array of timely services supports, coordinated among and between all adult service agencies and the local education agency, is imperative to maximize choices and opportunities for students with disabilities to achieve independence and be contributing and respected members of their communities. The transition planning process should be a thoughtful, student-centered, student-led process that takes into account the individual's unique values, preferences, abilities and challenges. In addition, it should include training in self-determination, self-advocacy and individual rights.~~

Transition planning should include local and regional agencies that can help a student access ~~services and~~ supports beyond secondary school by providing essential information about the ~~opportunity process to apply~~ for applying for community-based long-term services and supports through Medicaid waiver and non-waiver services, Social Security disability benefits, affordable community-based housing options ~~in the community~~, Vocational Rehabilitation S workforce services, and available transportation options. Transition planning should clearly address student and family concerns about maintaining benefits, including health benefits, while the student pursues work and/or school.

Successful transition planning can only be accomplished when each student and his or her parents have the information, knowledge, skills, and access to supports and services that empower them to fully participate in the process of planning the student's future. The ~~w~~Whole communityies, including families, schools, businesses, employers, health care providers, public service agencies, and other stakeholders, must work together to identify, locate, and share resources to assist in promoting successful post-school outcomes. It should be the local education agency's responsibility to make information and education available to students and families regarding how to actively and effectively participate in transition planning, including resources ~~about~~ regarding how to secure an independently facilitated transition plan and resources to connect with others ~~parents with personal experience with transition planning~~. Students should have the opportunity to identify and select the participants in their transition planning processes.

~~Successful transition planning is facilitated when each student and his or her parents have the information, knowledge, skills, and access to supporting services that enable them to fully participate in the process of planning the student's future. That information, knowledge, skills, and access should be coordinated through the student's local education agency. If a student is not affiliated with a local education agency, the transition planning process should be coordinated by a single other agency, entity, or individual having responsibility for such planning and chosen by the student or family.~~

~~The Council values the diversity and unique contributions of each citizen of the state.~~ Fragmentation of the various service delivery systems results in the provision of inadequate, untimely, and/or inappropriate services and costly duplicative efforts. Coordination among young adults and their families, local education agencies, outside agencies, and others on information sharing, flexible scheduling, and ~~implementation timelines~~ the timeline for plan implementation is ~~critical-essential~~ to ensure successful transition from school to adult life.

~~The ultimate measure of successful transition planning is to increase the numbers of young adults engaged in stable employment in integrated settings at competitive wages after completing secondary and/or post-secondary education experiences. It is the Council's~~ The Council supports the position that providing effective transition planning and services for young adults with disabilities is beneficial for ~~benefits~~ each community and the entire state. People Students with disabilities who ~~are~~ become employed enrich the diversity of our communities, rely less on publicly-funded services, and contribute to the overall well-being of the community's economic base.

Approved May 9, 2014

## Transition from School to Adult Life Position Statement

The Texas Council for Developmental Disabilities supports the position that students with disabilities, as all youth, must be given opportunities to achieve academic success and develop decision-making skills to foster independence and self-determination, and pursue career opportunities and personal interests that are both relevant and meaningful. Transition plans should identify and fully support individualized goals that reflect each student's highest potential and preference.

Transition plans are required for students receiving special education services beginning at age 14 and must be updated annually with concrete steps to guide and prepare students to move from school to adult lives with the necessary skills, services and supports that will enable them to be fully included in their community and exercise control over their own life. Student training in decision-making, self-determination, self-advocacy, and individual rights must be part of the plan. Transition planning must include academic and vocational opportunities that reflect the Texas "Employment First" law and policy, 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."

The Council supports the direction of the Workforce Innovation and Opportunity Act (WIOA), which requires that:

- pre-employment transition services include job exploration, work-based learning experiences, counseling on opportunities for higher education, and workplace readiness training, as well as education in self-determination, self-advocacy, and individual rights;
- a person under age 25 cannot be paid subminimum wages unless the individual has received these pre-employment transition services or transition services under IDEA, and has applied for vocational rehabilitation services; and
- the individual must be given career counseling and information and referral to other resources for services to assist the individual in attaining competitive integrated employment by an entity that does not have a financial interest in the individual's employment outcome.

Transition planning should include local and regional agencies that can help a student access supports beyond secondary school by providing essential information about the process for applying for community-based long-term services and supports through Medicaid waiver and non-waiver services, Social Security disability benefits, affordable community-based housing options, workforce services and transportation options. Transition planning should clearly address student and family concerns about maintaining benefits, including health benefits, while the student pursues work and/or school.

Successful transition planning can only be accomplished when each student and his or her parents have the information, knowledge, skills, and access to supports and services that empower them to fully participate in the process of planning the student's future. The whole community, including

families, schools, businesses, employers, health care providers, public service agencies, and other stakeholders, must work together to identify, locate, and share resources to assist in promoting successful post-school outcomes. It should be the local education agency's responsibility to make information and education available to students and families regarding how to effectively participate in transition planning, including resources regarding how to secure an independently facilitated transition plan and resources to connect with others with personal experience. Students should have the opportunity to identify and select the participants in their transition planning processes.

Fragmentation of the various service delivery systems results in the provision of inadequate, untimely, and/or inappropriate services and costly duplicative efforts. Coordination among young adults and their families, local education agencies, outside agencies, and others on information sharing, flexible scheduling, and the timeline for plan implementation is essential to ensure successful transition from school to adult life.

The Council supports the position that providing effective transition planning and services for young adults with disabilities is beneficial for each community and the entire state. Students with disabilities who become employed enrich the diversity of our communities, rely less on publicly-funded services, and contribute to the overall well-being of the community's economic base.

Approved TBD