

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

Meeting Schedule

Wednesday, November 2, 2016

2:00 PM — 3:30 PM

Audit Committee Meeting
Room: Colony Ballroom E

3:30 PM — 6:00 PM

Executive Committee Meeting
Room: Colony Ballroom E

Thursday, November 3, 2016

8:30 AM — 9:15 AM

Council Meeting Overview
Room: Colony Ballroom C

9:30 AM — 1:00 PM

Committee of the Whole
Room: Colony Ballroom C
Lunch provided for Council Members and staff

1:30 PM — 4:00 PM

Project Development Committee Meeting
Room: Colony Ballroom D

Public Policy Committee Meeting

Room: Colony Ballroom E

4:00 PM — 5:00 PM

Council Member Work Session
Room: Colony Ballroom D

4:30 PM — 5:00 PM

Executive Committee Meeting
Room: Colony Ballroom E

Friday, November 4, 2016

9:00 AM — 12:00 Noon

Council Meeting
Room: Colony Ballroom C

Executive Committee Meeting — Agenda

Sonesta Bee Cave — Austin

Room: Colony E

Wednesday, November 2, 2016, 3:30 PM — 6:00 PM

Call to Order

- 1. Introductions of Committee Members, Staff and Visitors**
- 2. Public Comments**
- 3. Consideration of August 3, 2016, Minutes — TAB 1 — ACTION ITEM**
- 4. Chair's Report**
 - A. Council Member Absences
 - B. Other Updates
- 5. Executive Director's Report — TAB 2**
 - A. Stipends Approved
 - B. Staff Updates
 - C. Other Updates
- 6. Disproportionalities and Disparities Discussion**
- 7. Grants Activities Reports — TAB 3**
 - A. Grants and Projects Update
 - B. Independent Audit Status Report
 - C. Grants Monitoring Exceptions Report
- 8. TCDD Quarterly Financial Report — TAB 4**
- 9. Appeal of Funding Decision — TAB 5 — ACTION ITEM**
- 10. Consideration of Continuation Grant Awards — TAB 6 — ACTION ITEM**
 - A. Community Healthcore — “Building Community Capacity through Collaboration”
 - B. Disability Rights Texas — “Guardianship Alternatives Training”
 - C. Reaching Families Advocacy and Support Group — “Culturally Appropriate Family Supports”
- 11. Consideration of Review Panel Members — TAB 7 — ACTION ITEM**
- 12. Discussion of TCDD Council Members Website**
- 13. Conflict of Interest Disclosures**

Recess

Thursday, November 3, 2016 4:30 PM — 5:00 PM

Reconvene

- 14. Continuation of Unfinished Business**
- 15. Committee Chair Debriefing**

Adjourn

Committee of the Whole Meeting — Agenda

Sonesta Bee Cave — Austin
Room: Colony Ballroom C
Thursday, November 3, 2016, 9:30 AM — 1:00 PM

Call to Order

- 1. Introductions of Committee Members, Staff and Visitors**
- 2. Public Comments**
- 3. 85th Legislature Preparation — TAB 14**
 - A. Education
 1. Special Education Services
 2. School Choice
 - B. Health and Human Services Commission Legislative Appropriations Request Summary
- 4. Screening of “Bottom Dollars” Documentary**

Adjourn

Project Development Committee Meeting — Agenda

Sonesta Bee Cave — Austin

Room: Colony Ballroom D

Thursday, November 3, 2016, 1:30 PM — 4:00 PM

Call to Order

- 1. Introductions of Committee Members, Staff and Visitors**
- 2. Public Comments**
- 3. Consideration of August 4, 2016, Minutes — TAB 8 — ACTION ITEM**
- 4. Chair's Remarks**
 - A. Member Absences
 - B. Chair's Quarterly Activities
- 5. Member Updates:** Reports of Members' quarterly activities
- 6. Disproportionalities and Disparities Discussion**
- 7. Staff Reports**
 - A. Status of New Projects
 - B. Project Funds Available
 - C. Other Updates
- 8. Future Activities for State Plan Implementation — TAB 9 — ACTION ITEM**
 - A. State Plan Projects List
 - B. Executive Summary — Texas Sibling Network
- 9. Future Project Funding Priorities — TAB 10 — ACTION ITEM**
- 10. Selection of TCDD Nominating Committee Member — TAB 11 — ACTION ITEM**
- 11. Other Discussion Items**

Adjourn

Public Policy Committee Meeting — Agenda

Sonesta Bee Cave — Austin

Room: Colony Ballroom E

Thursday, November 3, 2016, 1:30 PM — 4:00 PM

Call to Order

- 1. Introductions of Committee Members, Staff and Visitors**
- 2. Public Comments**
- 3. Consideration of August 4, 2016, Minutes — TAB 12— ACTION ITEM**
- 4. Chair's Remarks**
 - A. Member Absences
 - B. Chair's Quarterly Activities
- 5. Member Updates:** Reports of Members' quarterly activities
- 6. Disproportionalities and Disparities Discussion**
- 7. Position Statement Review — TAB 13 — ACTION ITEM**
 - A. Transportation
 - B. Criminal Justice
 - C. Right to Privacy
 - D. Service Coordination
 - E. Education
- 8. Public Policy Staff Activities — TAB 14**
 - A. State Policy Activities
 - B. State Supported Living Centers Update
 - C. Federal Policy Activities
- 9. Selection of TCDD Nominating Committee Member — TAB 11 — ACTION ITEM**
- 10. Other Discussion Items**

Adjourn

Council Meeting — Agenda

Sonesta Bee Cave — Austin

Room: Colony Ballroom C

Friday, November 4, 2016, 9:00 AM — 12:00 Noon

Call to Order

1. **Introductions of Committee Members, Staff and Visitors**
2. **Public Comments**
3. **Consent Items**
 - A. Consideration of August 4–5, 2016, Minutes — **TAB 15 — ACTION ITEM**
 - B. Excused Absences of Council Members
4. **Chair's and Executive Director's Report**
 - A. Staff Updates
 - B. Conferences
 - C. Other Discussion
5. **Consideration of FY 2016 Annual Internal Audit Report — TAB 20 — ACTION ITEM**
6. **Selection of TCDD Nominating Committee Member — TAB 11 — ACTION ITEM**
7. **Future Activities for State Plan Implementation**
 - A. Texas Sibling Network — **TAB 9 — ACTION ITEM**
 - B. Future Funding Priorities — **TAB 10 — ACTION ITEM**
8. **Position Statement Review — TAB 13 — ACTION ITEMS**
 - A. Transportation
 - B. Criminal Justice
 - C. Education
 - D. Service Coordination
 - E. Right to Privacy
9. **Presentation: Region 17 Education Service Center — Family Involvement in Schools**
10. **Disproportionalities and Disparities Discussion**
11. **Communications and Marketing Activities Report — TAB 16**
12. **Executive Committee Report**
 - A. Grant Awards
 1. Continuations
 2. Stipends
 - B. Grant Activities Report
 - C. Appeal of Funding Decision
 - D. Approval of Potential Review Panel Members
 - E. TCDD Financial Reports
 - F. TCDD Council Members Website
 - G. Conflict of Interest
 - H. Other Discussion Items
13. **Project Development Committee Report**
 - A. Grants and Projects Report
 - B. Other Discussion Items

14. Public Policy Committee Report

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

15. Audit Committee Report

- A. Update — FY 2015 Audit of Controls and Procedures
- B. Review of FY 2016 Findings and Observations for Website Maintenance
- C. Review of FY 2017 Audit Plan
- D. RFP Process to Select Internal Auditors for FY 2018 — FY 2021
- E. Other Discussion Items

16. State Agency Representatives Quarterly Activities Update

17. Announcements and Updates — TAB 21

Adjourn

Audit Committee Meeting — Agenda

Sonesta Bee Cave - Austin

Room: Colony E

Wednesday, November 2, 2016, 2:00 PM – 3:30 PM

Call to Order

- 1. Introductions of Committee Members, Staff and Visitors**
- 2. Public Comments**
- 3. Consideration of October 13, 2015, Minutes — TAB 17 — ACTION ITEM**
- 4. Update – FY 2015 Audit of Controls and Procedures**
- 5. Review of FY 2016 Findings and Observations for Website Maintenance — TAB 18**
- 6. Review of FY 2017 Audit Plan — TAB 19**
- 7. Consideration of FY 2016 Annual Internal Audit Report — TAB 20 — ACTION ITEM**
- 8. Discussion of RFP Process to Select Internal Auditors for FY 2018-FY 2021**
- 9. Other Discussion Items**

Adjourn

Background:

Minutes of the August 3–4, 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 August 3-4, 2016 — MINUTES

<u>Committee Members Present</u>	<u>Committee Members Absent</u>	<u>Staff Present</u>
Mary Durham, Council Chair	Michael Peace	Beth Stalvey, Executive Director
Gladys Cortez		Martha Cantu
Kristen Cox	<u>Council Members Present</u>	Joanna Cordry
Lora Taylor	Amy Sharp	Cynthia Ellison
	<u>Guests Present</u>	Danny Fikac
	Kyle Cox	Jessica Ramos
		Joshua Ryf
		Koren Vogel

Thursday, August 3, 2016

Call To Order

The Executive Committee of the Texas Council for Developmental Disabilities convened on Wednesday, August 3, 2016, in the Limestone Room at the Horseshoe Bay Resort, 200 Hi Circle, Horseshoe Bay, TX 78657. Council Chair Mary Durham called the meeting to order at 3:05 PM.

1. Introductions

Committee members, staff and guests were introduced.

2. Public Comments

No public comments were offered to the Committee.

3. Consideration of Minutes

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

MOTION: To approve the minutes of the May 4, 2016, Executive Committee meeting as presented.

MADE BY: Kristen Cox

SECOND: Lora Taylor

The motion **passed** unanimously.

4. Chair's Report

Council Chair Durham reported the expected absences for the meeting, which include Kristine Clark, Dana Perry and Brandon Pharris. Ron Roberts of Texas Education Agency will attend meetings as a non-voting member. He expects to be named as the representative of that agency but official notification has not been received. Rachel Jew of the Department of State Health Services also expects to be named as that agency's representative to replace Manda Hall and she will attend along with alternate representative Ivy Goldstein. Durham noted that she and Executive Director Beth Stalvey continue to work with staff at the Governor's appointments office

and hope that Council member vacancies will be filled in the near future. Durham also discussed member absences and referred members to the attendance chart in the Council meeting materials.

5. Executive Director's Report

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

- American Association on Intellectual and Developmental Disabilities – Texas Chapter (AAIDD-TX): Events stipend for up to \$6,000 for the 41st AAIDD-TX Convention on July 19-22, 2016, in San Antonio.
- Texas Advocates: Events stipend for up to \$5,950 for the 2016 Texas Advocates Annual Convention on August 12-14, 2016, in San Marcos.
- Down Syndrome Diagnosis Network (DSDN): Speakers stipend for up to \$3,450 for the Rockin' Mon Retreat on September 9-10, 2016 in Grapevine.
- Providers Alliance for Community Services of Texas (PACSTX): Speakers stipend for up to \$7,500 for the PACSTX 2016 Annual Convention on September 14-16, 2016 in Galveston.
- Texas Tribune: Events stipend for up to \$7,400 for the 6th Annual Texas Tribune Festival on September 23-25, 2016 in Austin.
- Helpful Interventions: Events stipend for up to \$3,720 for the Gulf Coast of Texas African American Family Support Conference on October 8, 2016 in Houston.
- Helpful Interventions: Speakers stipend for up to \$3,750 for the Gulf Coast of Texas African American Family Support Conference on October 8, 2016 in Houston.

Stalvey provided an update on TCDD staff noting that Public Policy staff have had an intern for the summer, Lindsey Zischkale, who worked on issues related to long-term services and supports. Public Policy Director Jessica Ramos added that Zischkale's work was especially helpful in providing background information for TCDD public input and in updating the sections of the Biennial Disability Report on those issues.

An offer of employment has been extended to a candidate for the vacant Public Policy Specialist position and it is hoped that an announcement will be available soon. The vacant Grants Management Specialist will be posted again for applications following an interview process that selected an applicant who ultimately turned down the position.

Stalvey provided further staff updates to note that Joanna Cordry's position has been reclassified to a Planning Director position in response to reflect her increased responsibilities in federal reporting, and planning development as well as oversight, staff supervision and Committee support.

Stalvey reported that A Circle of Ten (C10) has filed a formal complaint following the close of their Building Community Capacity through Collaboration project. The complaint centers around

equipment purchased with grant funds that C10 does not feel should have to be returned. TCDD policies allow for a formal complaint to be filed when a grantee is in disagreement with a staff member's decision and C10 has exercised that option. The procedure for a formal complaint is that an investigation into the complaint be conducted and that the Council be made aware of the status of the complaint on a quarterly basis. Stalvey has confirmed with Texas Education Agency as well as the technical assistance center at the National Association of Councils on Developmental Disabilities (NACDD) that the request to C10 for the return of two laptop computers and a braille printer meets federal and state guidelines. A response stating this confirmation of policy was sent to C10 as well as to the legislators and other organizations that were made aware of the original complaint. Staff will continue to provide updates to the Council on the progress of C10's compliance.

TCDD received an increase to FY 2016 funding due to a one time re-allotment of funds from Puerto Rico. The money was distributed across all DD Councils and TCDD received \$102,470 and this will be noted in the financial reports.

Stalvey reminded Committee members of previous Committee action to recommend Council consideration of updates to the Council Policies and Procedures based on recent updates to the Council's Administrative Code. Per Council policy, members received written notice of these revisions more than 10 days prior to consideration and this topic is now on the Council agenda for Friday's meeting.

Stalvey reviewed activities planned for the Committee of the Whole meeting that will focus on employment for people with disabilities. Texas Workforce Commission (TWC) Executive Director Larry Temple will discuss the transition of vocational rehabilitation and other services provided by the Department of Assistive and Rehabilitation Services to TWC. Employment First Taskforce Chair Stephanie Sokolosky will update members on taskforce recommendations. Jean Langendorf will present findings from the recent Disability Rights Texas report on Sub-minimum wage entitled *Living on a Dime and Left Behind*. Chair Durham will report on her participation with the National Taskforce on Workforce Development and Employability for People with Disabilities. And Public Policy Specialist Linda Logan will discuss federal and state policies on employment.

Stalvey also noted that during Friday's Council meeting a local member of the community will give his story about his son with disabilities as he moved through different educational settings as well as his employment and access to services and supports, specifically in a rural area. Committee members expressed an interest in a presentation from someone who previously resided in an institution and now lives in the community. A presentation from Eva Luna Castro on tax structure and funding for services was also suggested.

Stalvey and Planning Director Cordry attended the annual NACDD conference in July where staff and participants from Texas Tech University provided a well-received presentation on the TCDD higher education project (Project CASE). In conjunction with the NACDD conference, the Technical Assistance Institute hosted by the Administration on Intellectual and Developmental Disabilities (AIDD) was held and Stalvey and Cordry learned of new performance measures as well as the new format for FY 2017 reporting. The Administration on Community Living (ACL),

which oversees AIDD, has instituted the new reporting system and requires DD Councils to be the first agencies to use the new system. The FY 2017 – 2021 state plan will be submitted on August 15, 2016 using this new system.

The Council has applied to ACL for a Partnerships in Employment grant which requires a partnership collaborative and the components of the grant are similar to Employment First Taskforce activities and would focus on transition activities for young adults. Notifications of the grant award will happen in September.

6. Grants Activities Reports

Grants Management Director Cynthia Ellison provided an update on new leadership and advocacy grant projects noting that Family to Family began that project on August 1, 2016, Paso del Norte will begin on September 1, 2016, and Easter Seals is still in negotiations for a start date and other project details. Ellison reviewed the Independent Audit Status Report noting that ten audits were completed during the quarter without any significant findings. She also reviewed the Grants Monitoring Exceptions Report noting that four onsite reviews were completed during the quarter and that the pending status for Reaching Families Advocacy and Support Group has now been completed.

7. TCDD Quarterly Financial Report

Operations Director Martha Cantu reviewed the TCDD Administrative and Expense budget, noting that with 9 months of the fiscal year complete, 68% of the budget has been spent. This is average for this point in the fiscal year and staff have no concerns regarding expenditures.

Cantu next reviewed the summary of funds and explained new formatting that includes Committee member recommendations. The color coding of categories coordinates with a pie chart that shows amounts and percentages of the budget for each category. Operating expenses are broken down into two categories to document the amount of administrative funds being spent on state plan activities. Federal requirements are that at least 70% of funding is spent on state plan activities with TCDD currently spending 84% on those activities.

All FY 2015 funding has been assigned with no plans to return any of that year's funds to AIDD. \$1,046,093 of FY 2016 funding remains to be assigned and this will happen before September 1, 2017. Amounts shown for FY 2017 and FY 2018 are projected based on amounts equal to FY 2016.

8. FY 2017 Operating Expense Budget

Operations Director Cantu reviewed the proposed budget for FY 2017 operating expenses and noted this is based on level funding from FY 2016. She noted that the proposed budget increases by \$155,316 from the previous year but added that it is less than the increase from FY 2015 to FY 2016. The increases are a result of reclassifications to staff positions but other categories such as professional services were decreased.

MOTION: To recommend Council approval of the proposed FY 2017 Operating Expense budget at \$1,958,780.

MADE BY: Gladys Cortez

SECOND: Lora Taylor

The motion **passed** unanimously.

9. Appeal of Funding Decision — Mounting Horizons

Executive Director Stalvey discussed the appeal of funding decision from Mounting Horizons who submitted an application for the Leadership and Advocacy RFP. In her investigation, there is no evidence that TCDD process was not followed in the review of the proposal. The content of the appeal letter contained additional information about the proposed project in direct response to the comments from the independent review panel. Consideration of this new content would constitute a two-step proposal review process and that is not allowable under TCDD policy.

MOTION: To uphold the Executive Committee decision to not fund a Leadership and Advocacy project with Mounting Horizons.

MADE BY: Gladys Cortez

SECOND: Lora Taylor

The motion **passed** unanimously.

10. Consideration of Continuation Grant Awards

TCDD Grants Management Specialists Sonya Hosey and Wendy Jones provided information to the Committee via conference call. Hosey reviewed the executive summary for continuation funding to Volar Center for Independent Living for its Building Community Capacity through Collaboration project. The project's intent is to reduce the need for institutionalization of people with developmental disabilities. Areas of focus include behavior support, supported employment, youth leadership, transition planning, and post-secondary education. Highlights of the project include a network increase of 26 partnerships, six students enrolled in higher education with seven more planned for the upcoming school year, 30 individuals served in the youth leadership development initiative, 33 families are being served in the I/DD transition planning initiative, and 116 participants in seminars on behavioral support. Funding has been requested for the third year of this five year project at \$150,000. No concerns were noted for this project. Committee members requested a greater acknowledgement of TCDD funding through social media and other efforts.

MOTION: To approve up to \$150,000 in continuation funding to Volar Center for Independent Living for the third year of a five-year Building Community Capacity through Collaboration project.

MADE BY: Lora Taylor

SECOND: Kristen Cox

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

Grants Management Specialist Wendy Jones reviewed the executive summary for continuation funding to Texas Tech University for its support of Project SEARCH grant. The intent of this project is to provide support to school districts, businesses, and/or entities that wish to contract on this business-led school-to-work transition model. The primary goal is to assist ten new Project SEARCH sites and at the completion of the 4th year of the project, 11 new sites have been established with plans for an additional three for the final year. 83% of the students who have completed the program have obtained employment. No major compliance issues were noted but the project staff were counseled on the lack of a first quarter project advisory committee meeting and this should not happen again.

MOTION: To approve up to \$174,348 in continuation funding to Texas Tech University for the final year of a five-year support for Project SEARCH project.

MADE BY: Lora Taylor

SECOND: Gladys Cortez

Members questioned the level of need for the students served through Project SEARCH and it was noticed that although data is not collected, the national model serves a large number of students with autism. The motion **passed** unanimously. (Attachment 2).

Grants Management Director Ellison reviewed the executive summary for continuation funding to Light & Salt Association for the second of a four year Culturally Appropriate Family Supports project known as Project SMILE. The project is an expansion of the previous Outreach and Development project to help individuals with developmental disabilities and their families receive culturally appropriate community-based services and supports. All of the first year goals have been met. 46 classes have been held for students with developmental disabilities, 19 monthly support groups were held throughout the Houston area with 302 participants, three online support group meetings were held and 50 one-on one counseling sessions took place. Through these sessions families obtain assistance with development of IEPs and gaining access to social services.

MOTION: To approve up to \$75,000 in continuation funding to Light and Salt Association for the second year of a four-year Culturally Appropriate Family Supports project.

MADE BY: Lora Taylor

SECOND: Gladys Cortez

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

11. Review Panel Recommendations

Planning Director Cordry presented the review panel recommendations for Public Policy Fellows projects. Cordry noted that two proposals were received but only one was reviewed because the second came in just minutes after the deadline. The evaluated proposal was submitted by EveryChild, Inc. and would focus on family-based alternatives, specifically the policy issues regarding transitioning children from institutions to family-based alternative settings such as Medicaid waiver funding. Strengths include the organization's previously established relationships with government and other entities, and a clear understanding of the Texas systems that provide support to families. No significant concerns were noted by the review panel or staff members.

MOTION: To approve grant funding of up to \$67,500 per year for up to two years to EveryChild, Inc. for a Public Policy Fellowship project.

MADE BY: Gladys Cortez

SECOND: Kristen Cox

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

Cordry and Planning Specialist Danny Fikac presented review panel recommendations for a Higher Education Collaborative project. The purpose of the project is to develop a sustainable collaborative that includes TCDD's Higher Education for Employment projects and other post-secondary programs that have demonstrated success in fully including students with developmental disabilities. Project activities would include the gathering of information about needed system changes, providing technical assistance to at least ten institutions by the end of the project, increasing awareness of and access to programs, developing and implementing a plan to measure student outcomes, and ensuring sustainability of the collaborative.

Two proposals were received from West Central Texas Regional Foundation (WCTRF) and Texas A&M University (TAMU) and were evaluated by an independent review panel. Both were found to be of high quality and both were recommended as fundable options. Committee members discussed the proposed funding amounts for each project noting that WCTRF proposed \$727,582 per year and A&M proposed an average of \$458,740 per year. Cordry reminded members that the RFP did not specify a funding amount but asked for budgets based on the proposed work. Final grant amounts would be negotiated between TCDD and the selected organization.

WCTRF would include institutions in approximately 1/3 of the state, covering 95 counties and 27 designated poverty areas. Strengths noted by the review panel include internships as a critical component, employment opportunities for people with developmental disabilities, an increasing number of participants throughout the project, and collaboration with a diverse group of partners. Concerns included the fact that many key project personnel had not been identified and qualifications not established, and a lack of an effective outline for a service delivery system that would promote inclusion.

Texas A&M proposed to close gaps for individuals with intellectual disabilities having access to traditional post-secondary settings by expanding the Texas Post-Secondary Education models within Texas A&M and the University of Texas to ten different universities. Strengths noted by the review panel include well qualified personnel to carry out the project, a demonstrated history of successfully providing best practices, and the use of already established networks. Concerns included a lack of innovation and unclear plans to include underserved populations.

Committee members discussed details of both project proposals and inquired about review panel discussions. It was reported that the review panel cited strengths of WCTRF in terms of “out of the box thinking”, the location of the project, and inclusion of underserved populations. Members cited the strength of Texas A&M to have a more statewide reach, and including more universities.

Members clarified that proposed funding amounts for Texas A&M were as follows: year 1) \$377,217; year 2) \$450,789, year 3) \$525,616, year 4) \$532,939, and year 5) \$407,137.

MOTION: To approve grant funding of an average of up to \$458,740 per year for up to five years to Texas A&M University for a Higher Education Collaborative.

MADE BY: Kristen Cox

SECOND: Lora Taylor

The motion passed unanimously. (Attachment 5)

Cordry next presented a proposal for an Outreach and Development project from Imagine Enterprises on behalf of a staff member who is volunteering in the El Paso area to increase participation in the Project HIGHER education program and improve employment outcomes through a targeted campaign to Hispanic families. Imagine Enterprises would help with infrastructure, match funding, reporting and financial management. Activities would include printing and distribution of Spanish language materials, hosting bilingual town hall meetings regarding Project HIGHER, recruitment of community partners, and collection of data for best practices.

Committee members discussed the proposal and clarified that it will involve outreach for a new project, Project HIGHER, which does not receive TCDD funding but is modeled after TCDD Project HIRE.

MOTION: To approve grant funding of up to \$10,000 for up to 18 months to Imagine Enterprises for an Outreach and Development project.

MADE BY: Kristen Cox

SECOND: Lora Taylor

The motion passed unanimously. (Attachment 6)

12. Approval of Review Panel Members

Planning Director Cordry requested a change in process to approving TCDD Independent Review Panel members and recommends bringing a short list of applicants to each quarterly Executive Committee meeting that includes basic qualifications for each applicant instead of the annual review. Chair Durham agreed to this new process for a standing agenda item. Cordry presented six names of individuals who have submitted recent applications along with their stated qualifications. Members discussed the names presented and agreed to add three individuals to the Review Panel list.

MOTION: To approve Elizabeth Lewis, Ann Outlaw and Jessica Smith to be included in the list of potential TCDD Independent Review Panel members.

MADE BY: Kristen Cox

SECOND: Lora Taylor

The motion passed unanimously. (Attachment 7)

13. Memorandum of Understanding with Texas Education Agency

Operations Director Cantu presented the FY 2017 Memorandum of Understanding with Texas Education Agency (TEA). She noted that the only change for the upcoming year is for TEA to manage TCDD's toll-free phone number through their administrative services.

MOTION: To recommend Council approval of the FY 2017 Memorandum of Understanding with Texas Education Agency.

MADE BY: Lora Taylor

SECOND: Gladys Cortez

The motion passed unanimously.

14. Conflict of Interest Disclosure

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

15. Other Updates

Committee members discussed the dates of the February 2017 Council and Committee meetings noting that the meeting will be shifted to the second week in February due to hotel availability.

16. Executive Session: Evaluation of Executive Director

Chair Durham announced 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 5:21 PM on August 3, 2016.

At 5:39 PM on August 3, 2016, the Executive Committee reconvened in open session. Chair

Durheim announced the Committee did not take any action during its closed meeting discussion on personnel matters.

Recess

Chair Durheim recessed the Executive Committee at 5:40 PM.

<u>Committee Members Present</u>	<u>Committee Members Absent</u>	<u>Staff Present</u>
Mary Durheim, Council Chair	Kristen Cox	Beth Stalvey, Executive
Gladys Cortez	Michael Peace	Director
Lora Taylor		Martha Cantu
		Joanna Cordry
		Cynthia Ellison
		Jessica Ramos
		Koren Vogel

Thursday, August 4, 2016

Reconvene

Chair Durheim reconvened the Executive Committee in the same location on Thursday, August 4, 2016 at 4:40 PM.

17. Committee Chair Debriefing

Public Policy Committee Chair Lora Taylor reported that the Public Policy Committee will recommend Council approval of the 2017 Public Policy Priorities. TCDD Position Statements were also discussed and the Committee will recommend Council approval of statements on Employment and Transition but elected to table discussion on the Education statement in order to obtain more research on charter schools.

Project Development Committee Chair Gladys Cortez noted that the Project Development Committee will recommend Council approval of the executive summary on future Public Policy Fellows projects.

Adjourn

Chair Durheim adjourned the Executive Committee at 4:52 PM

Beth Stalvey, Secretary to the Council Date

Attachments

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

ITEM: A

Date: 8/3/16

Grantee: Volar Center for Independent Living

Year: 3 of 5

Project Title: Building Community Capacity through Collaboration

Project Location: El Paso

Website: www.volarcil.org

TCDD RFP Intent: The project intent is to establish and/or strengthen a network of appropriately diverse organizations to develop a strategic plan to build the capacity of that community to provide community-based services that will decrease the need for individuals with developmental disabilities to be served in an institution.

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

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

Project Goals for Year 1–2:

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

Year 1: The network includes representation from 55 agencies and organizations and implemented five approved initiatives to provide a variety of services including emergency respite, supported employment, transition planning, youth leadership, and post-secondary education. Received 32 referrals for transition planning initiative and 21 families received support. One student helped by the planner was in the process of being admitted to a State Supported Living Center (SLLC). Under the post-secondary initiative, 18 students were referred and 6 students selected to participate in the first cohort of the 2015 fall semester at El Paso Community College (EPCC). The Youth Leadership Development (YLD) Assistant provided leadership and advocacy training to 30 young people with disabilities. As result of the training, some of the YLD participants met with legislators on Capital Day in Austin. The project also provided 391 hours of emergency respite assistance.

Year 2: The network is comprised of 81 partners from public and private organizations and individuals and family members which implemented five approved initiatives to provide a variety of services including 1) behavioral support, 2) supported employment, 3) transition planning, 4) youth leadership development, and 5) post-secondary education. Six students enrolled in the first cohort of post-secondary education resulted in enrollment in the Machinist Certificate program, Information and Technology in Business program, Office Assistant program; and, in the Travel Counselor/Airline Reservations certificate program. These students received educational coach support and specialized support services to address their individual academic and personal needs. One student experienced a crisis and the El Paso Police Department was initially called. Therefore, with the intervention of the Project Higher educational coach, the student received the necessary services and supports to deal with the issues that were creating a volatile situation. For the 2016-2017 academic year, seven students was selected to participate in the second cohort of the fall semester for Project Higher. Since the beginning of the project, 328 people attended presentations provided by the Youth Development Coordinator which provided information on adult and community services, leadership, advocacy, self-determination, career and employment, and transition planning to include postsecondary goals and resources. Under the I/DD transition planning initiative which provides comprehensive/interagency linkage, transition planning and family support, the initiative has received 40 referrals, seven did not qualify and 33 new families are being served. One 18-

year-old individual which had no services and prior medical history in the United States is now enrolled in high school, linked to a primary doctor, receives speech, occupational and physical therapy, receives Medicaid and enrolled in the interest list of the Medicaid waiver programs and DARS. The behavioral support initiative conducted two seminars geared to understanding children's behavior and had 116 participants. Thirty students are being served under the leadership development program.

Proposed Goals and Objectives for Year 3:

Goal 1: Same as above

Objectives: 1) Assist families and young adults that have I/DD and a co-occurring mental health diagnosis, between the ages of 13-21 with a comprehensive person centered transition plan; 2) The I/DD Institute will establish a project advisory committee of community and provider representatives to provide input and support to identify provider staff training needs, existing resources and training in the community; 3) Provide Educational Coach Model as a support service for students with I/DD in need of intensive and wraparound services at EPCC; and, 4) The Youth Leadership Development program will provide advocacy and leadership skills to 30 students ages 16-22 in high school or college to participate in post-secondary education, and/or employment, and participate in the community.

Staff Recommendations:

Grant Management Considerations: Considerable risk monitoring (awards within awards; award amount).

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

Continuation Budget Detail Summary

Year	Federal Amount Expended	Match Amount Expended	Expended Total Amounts
Expended Year 1 (12 months) (Consultant: \$82,915)	\$125,000/\$125,000	\$14,483/\$25,408	\$139,483/\$150,408
Expended Year 2 (8 months) (Consultant: \$(103,274))	\$150,000/\$92,124	\$18,174/\$17,818	\$168,174/\$109,942

Amounts Requested for Year Three Budget

Expense Item	Federal Amount Requested	Match Amount Requested	Total Amount Requested
1. Personnel Services	\$39,989	\$39,989	39,989
2. Travel	\$1,153	\$0	\$1,153
3. Purchased Services (Consultants: \$105,025)	\$105,025	\$7,500	\$112,525
4. Property/Materials	\$1,411	\$0	\$1,411
5. Rental/Leasing	\$1,881	\$3,370	\$5,251
6. Utilities	\$541	\$0	\$541
7. Other (Indirect Costs)	\$0	\$5,988	\$5,988
Budget period totals:	\$150,000	\$16,858	\$166,858

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

ITEM: B

Date: 8/3/16

Grantee: Texas Tech University

Year: 5 of 5

Project Title: Project SEARCH

Project Location: Statewide

Website: www.projectsearch.us

TCDD RFP Intent: The project intent is to provide support for school districts, businesses, and/or other entities who wish to contract with Project SEARCH. Project SEARCH is a business-led school-to-work transition model with demonstrated success in developing internships for students with developmental disabilities.

Authorized Funding: TCDD has approved up to \$175,000 for up to five years.

Expected Results: TechWorks for Texas (TWT) will support the development of 10 newly certified Project SEARCH sites in Texas by the end of Year 5 of this grant

Project Goals and Accomplishments for Year 1-4:

Goal: 1) Develop the infrastructure and leadership team who will be responsible for the development and implementation of a strategic plan. 2) Develop a marketing plan to identify and recruit communities who wish to establish a site. 3) Assist entities across the state indicating an interest to establish a site to receive technical assistance and training. 4) Provide evaluative information on the implementation of Project SEARCH in Texas community sites to TCDD, DARS and other relevant stakeholders.

Accomplishment per goal: Texas has 11 sites through support from this project. Preliminary numbers indicate that 83% of students who completed the program obtained employment. Final data will be announced at the Project SEARCH National Conference in August. There were 10 programs that graduated Project SEARCH interns in 2014-2015, with an estimated 90 students completed the program. A total of 36 student interns were employed throughout the state from the TCDD supported sites. The project has arranged for 7 new programs that will start students in fall 2016.

Project Goals and Objectives for Year 5:

Goal 1: TechWorks for Texas (TWT) will continue to support the 10 newly certified Project SEARCH sites in Texas by the end of Year 4, 2) Assist entities across the state indicating an interest to establish a Project SEARCH site to receive technical assistance and training; 3) Provide evaluative information on the implementation of Project SEARCH in Texas community sites to TCDD, DARS, and other relevant stakeholders

Objectives: 1) TechWorks for Texas (TWT) will support the development of up to 3 newly certified Project SEARCH sites in Texas by the end of Year 5 of this grant; 2) Assist entities across the state indicating an interest to establish a Project SEARCH site to receive technical assistance and training; and 3) Provide evaluative information on the implementation of Project SEARCH in Texas community sites to TCDD, DARS, and other relevant stakeholders

Council Considerations:

Grant Management Considerations: The project did not conduct a first quarter PAC meeting; Risk Assessment: Considerable.

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

Continuation Budget Detail Summary

Year	Federal Amount Expended	Match Amount Expended	Expended Total Amounts
Expended Year 1 (Consultant: \$45,000)	\$174,854/\$174,854	\$58,784/\$59,523	\$233,638/\$234,377
Expended Year 2 (Consultant: \$45,000)	\$174,666/\$174,666	\$58,751/\$58,751	\$233,417/\$233,417
Expended Year 3 (Consultant: \$45,000)	\$174,716/\$174,715	\$58,768/\$58,768	\$233,484/\$233,483
Expended Year 4 (7 months) (Consultant: \$51,780)	\$174,656/\$55,159	\$58,748/\$18,553	\$233,404/\$73,712

Amounts Requested for Year Three Budget

Expense Item	Federal Amount Requested	Match Amount Requested	Total Amount Requested
1. Personnel Services	\$82,821	\$0	\$82,821
2. Travel	\$21,039	\$0	\$21,039
3. Purchased Services (Consultants: \$53,000)	\$53,000	\$0	\$53,000
4. Property/Materials	\$1,636	\$0	\$1,636
5. Rental/Leasing	\$0	\$0	\$0
6. Utilities	\$0	\$0	\$0
7. Other (Indirect Costs)	\$15,850	\$58,643	\$74,493
Budget period totals:	\$174,346	\$58,643	\$232,989

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

ITEM: C

Date: 8/3/16

Grantee: Light and Salt Association

Year: 2 of 4

Project Title: Project SMILE

Project Location: Harris, Fort Bend, Montgomery, Brazoria, Galveston

Website: www.light-salt.org

TCDD RFP Intent: The project intent is to help selected organization(s) build on the work done during the previous project from TCDD to help individuals with developmental disabilities and their families receive culturally appropriate community-based services and supports.

Authorized Funding: TCDD has approved up to \$75,000 for up to 4 years.

Expected Results: At least one conference or training and other activities to support at least 100 families or individuals to get their needs from service providers met; support at least 3 leaders from the individuals being trained and provide information to TCDD to change programs or policies to promote culturally appropriate services and supports; and, grow the organization.

Project Goals and Accomplishments for Year 1:

Goal: To improve the quality of life among Asian Americans (AA) affected by developmental disabilities and to increase public awareness about developmental disabilities.

Accomplishment per goal: Outreach strategies were implemented to increase public awareness of developmental disabilities through television and radio programs, seminars, newsletters and musical performances; 46 classes were held in which 16 students with developmental disabilities attended; through the individual assistance services, a student has obtained employment with Walmart; 19 monthly support groups were held throughout the Houston area with a total of 302 participants, three online support group meetings with 27 families participating; 50 units of one-to-one counseling sessions and individual assistance to parents with children with developmental disabilities; and, two parents with children with developmental disabilities attended the Texas Transition Conference.

Project Goals and Objectives for Year 2:

Goal: Same as above

Objectives: Increase public awareness of DD; improve the life of at least 100 individuals with DD by providing culturally and linguistically personalized counseling and/or language assistance during the IEP meeting for family members of DD-impacted children; empower at least 100 Asian American family members with better knowledge, resources, and skills to raise children that have DD; and, recruit and train at least three individuals with DD or their family members to become advocates for individuals with DD.

Staff Recommendations:

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

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

Continuation Budget Detail Summary

Year	Federal Amount Expended	Match Amount Expended	Expended Total Amounts
Expended Year 1) (7 months) (Consultant: \$10,278)	\$75,000/\$34,445	\$36,262/\$23,030	\$111,262/\$57,475

Amounts Requested for Year Three Budget

Expense Item	Federal Amount Requested	Match Amount Requested	Total Amount Requested
1. Personnel Services	\$54,685	\$19,200	\$73,885
2. Travel	\$500	\$0	\$500
3. Purchased Services (Consultants: \$53,000)	\$12,770	\$4,500	\$17,270
4. Property/Materials	\$1,045	\$0	\$1,045
5. Rental/Leasing	\$6,000	\$2,600	\$8,600
6. Utilities	\$0	\$360	\$360
7. Other (Indirect Costs)	\$0	\$0	\$0
Budget period totals:	\$75,000	\$26,660	\$101,660

2016-1 TCDD Policy Fellow

Organization: EveryChild, Inc.

Funding Requested: \$67,500

Location of Main Office: Austin, TX

Match: \$22,500

Summary of Proposal:

The target population for the policy work will be children and young adults under age 22 with developmental disabilities and their families. The Policy Fellow will learn about family based alternatives for children and youth with intellectual and developmental disabilities who are living in facilities under the auspices of the Texas Department of Aging and Disability Services (DADS) and the Department of Family and Protective Services (DFPS). They will also learn about state Medicaid and Medicaid waivers that can support children to live with families instead of in institutions and other relevant state and community level disability policies affecting the ability of children and youth with developmental disabilities to live a full and meaningful life in a family.

Strengths Noted by the Review Panel:

- EveryChild has developed many relationships with government and other entities.
- The proposal identifies existing resources or opportunities.
- Self-determination is not discussed specifically; however, through the Project Advisory Committee (PAC), families and people with disabilities will be included and provide expertise.
- They were very thorough in the plan to train the policy fellow.
- The proposal reflects meaningful input from a range of stakeholders, including people with developmental disabilities. The proposal promotes full inclusion and independence for individuals with developmental disabilities and their families.
- EveryChild appears to have a clear understanding of the Texas system that provides support to families and individuals as well as how to create policy change.
- Significant emphasis is placed on building relationships.
- The TCDD Policy Fellow will be provided with a mentor from EveryChild to help in developing a deep understanding of policy and skills to effectively engage in policy issues.
- The mentor, EveryChild staff, and additional stakeholders, will meet at least weekly.
- Raised public awareness could impact large numbers of individuals and their families.

Additional Strengths Noted by TCDD Staff:

- EveryChild would be a quality placement for a public policy fellow.

Concerns Noted by the Review Panel:

- There does not appear to be clear evidence of collaboration with non-traditional partners, although it is assumed EveryChild will do so.
- The proposal does not show how, other than through the PAC, individuals with disabilities would be assisting with the project.
- There are no specifics about recruiting from around Texas, although this is probably the case.
- It's assumed the program director will be the mentor, but job duties should be better defined.

Additional Concerns Noted by TCDD Staff:

- EveryChild's proposed budget needs clarification and revision.

2016-2 Higher Education Collaborative Proposal Ranked Second

Organization: Texas A&M University

Funding Requested: \$458,740 (avg)

Location of Main Office: College Station, TX

Match: \$168,827 (avg)

Summary of Proposal:

The Higher Education Collaborative (HEC) project will provide an opportunity to close gaps for individuals with intellectual disabilities having access to and succeeding in postsecondary education settings traditionally attended by students without disabilities. Through the HEC project, ten additional higher education programs and fields of study will be accessible to individuals with intellectual/developmental disabilities (IDD). The HEC project goal is to support ten replications of the Texas Post-Secondary Education models within the Texas A&M University and University of Texas systems as well as two additional institutions. Replication of the four TPSE model frameworks will support individuals with IDD access to higher education in specific career fields of their choice.

Strengths Noted by the Review Panel:

- Overall the application is well written, with some areas (e.g., milestones) more descriptive than others (e.g., sustainability).
- The institutions and personnel are well qualified to carry out the proposed project.
- The proposal certainly addresses best practices as noted in the research and literature review.
- The project appears well-planned to make a strong impact towards providing post-secondary schooling for individuals with developmental disabilities in an inclusive environment.
- Individuals are also included on the advisory committee.
- The proposal describes the development of an exceptionally strong collaborative effort between universities and other government agencies.
- Public awareness is one of the biggest benefits, as communities in Texas will see individuals with disabilities successfully employed in various employment settings. Because some of the larger universities will be targeted, the project should increase public awareness.
- The applicant has a demonstrated history of successfully providing innovative best practices and services that promote inclusion, person centered practices and statewide conferences.

- Most effort is directed at U.T. and A & M systems. This allows use of already established statewide networks.
- The proposal includes a plan for a summer preparatory program, which is a strong activity.
- The applicant is an institute of higher education and a current grantee, which should facilitate both networking and a realistic understanding of how to "sell" the project.
- Sustainability will be facilitated by using existing networks.

Additional Strengths Noted by TCDD Staff:

- The Texas A&M response discusses principles of Employment First and indicates the grant's public policy contribution will be the development a model that other institutes of higher education can use.
- The A&M response reflects knowledge of current policy issues related to disparities in employment of people with and without disabilities.

Concerns Noted by the Review Panel:

- Although the project pulls together a number of resources to support post-secondary education for students with a developmental disability, it suffers from a lack of innovation and rigor.
- Only superficial references are made to underserved populations.
- The project only funds one year for each replication of the project which may minimize the overall impact of the project.
- Much less effort will be put into smaller universities or community colleges, many of which provide the career training mentioned in the proposal.
- The employer piece seems vague.
- The applicant refers to some previous research on higher education inclusion programs, but the proposal would have been stronger by the translation of research into practice or the adoption of innovation.
- The evaluation plan is pretty general; what should be measured, when, and how not very clear. For example, the applicant says a goal is to establish a more tightly coupled system with wrap-around services, but it is not addressed in the evaluation plan.

- Discussion of challenges of higher education inclusion programs in general is good, but the application would have been stronger if the applicant had been more specific about how the program had successfully overcome some of these challenges in the current project.

Additional Concerns Noted by TCDD Staff:

- Texas A&M University's proposed budget needs clarification and revision.

TO: TCDD Executive Committee
FROM: Joanna Cordry, Planning Coordinator
Cynthia Ellison, Grants Management Director
Jessica Ramos, Public Policy Director
SUBJECT: Summary of Outreach and Development Proposal
DATE: July 14, 2016

The TCDD staff review panel reviewed one Outreach and Development proposal received this quarter. If funded, this would be the final project eligible for funding prior to September 2016, after which the new Outreach and Development Request for Proposals (RFP) will be posted.

Background

The Council offers grants of up to \$10,000 each for up to 18 months to groups made up of people who are black or African American, Hispanic/Latino, Asian, or Native American that are working to improve the lives of individuals with disabilities from ethnic minority cultures. TCDD expects these grants to be an avenue through which TCDD learn from individuals who are typically unserved and/or underserved.

TCDD's Goals in Funding These Grants:

1. Increase TCDD's understanding of different values, cultures, and customs that exist in Texas and how cultural issues may impact how services should be provided; and
2. Support activities that the community determined will help people they work with who have disabilities to receive support that is culturally appropriate.

Criteria for Evaluation of Proposals

The reviewers use only the following criteria based on the RFP requirements to evaluate proposals:

- Those conducting project activities are people who identify closely with a specific ethnic/cultural minority group working in an appropriate manner to increase access to culturally appropriate supports and services for individuals with disabilities of a similar cultural background.
- The project will deepen TCDD's understanding of that culture's values, cultures, and customs.

When proposals meet the criteria noted above, staff will recommend them for consideration for funding. If funded, TCDD grants staff ensure that all activities conducted are allowable under law and TCDD policies. Staff also provide technical assistance to assist the grantee to meet TCDD's expectations. If proposed activities and budget items are both allowable and reasonable and will result in the intended outcomes, proposals are not expected to meet additional requirements.

Recommendations:

TCDD staff recommend the Council consider the attached proposal for funding.

Applicant: Imagine Enterprises to provide infrastructure, match, and help with reporting and financial management; Project activities will be conducted by a life-long Hispanic member of the El Paso community who is employed by Imagine Enterprises.

Length of time in existence: Project as described — less than one year, Imagine Enterprises — 22 years

Group Size: 1 person with multiple partners

Geographic Location: El Paso

Amount Requested: \$10,000

Meeting Frequency: regular, unscheduled meetings/contact with other partners

Ethnic/Cultural Group Served: The proposed project and project director works primarily with people who are Hispanic. Imagine Enterprises serves Hispanic/Latino, Black, Caucasian.

Organization Mission: No mission stated.

Project goal: to increase participation in the Project HIGHER education program and improve employment outcomes through a targeted campaign to Hispanic families in El Paso County.

Planned Activities:

- Print and distribute materials in Spanish.
- Host bilingual town hall meetings to address questions/concerns about Project Higher.
- Recruit more community partners and conduct training opportunities about resources.
- Partner with Project Higher to provide more support and education to Hispanic families.
- Help Project Higher and community organizations to secure supports for employment.

- Collect data and publish a “best practices” list for future marketing, recruitment, and follow-up activities.

TCDD Staff Comments: The proposal includes a description of cultural issues that may limit self-determination and result in Hispanic families not seeking help for their children outside of their immediate or extended family and proposes to work directly with families to address issues and concerns.

Current partners include El Paso Community College, the University of Texas at El Paso, Children’s Disabilities Information Coalition; and Businesses United for Inclusion, Leadership, and Diversity. Others, including the Department of Assistive and Rehabilitative Services, Volar ILC, and Education Service Center 19 help students procure employment in his/her field of study following attainment of their certificate.

The staff person who will be doing the work in El Paso, Celeste Perez Contreras, is employed by Imagine Enterprises. She has been working toward the project goal as a volunteer. It is assumed that the funding provided by TCDD would provide her with support to expand her work, but it is unclear from the budget how much of the funding will be used for her salary/wages. Staff also have additional questions concerning the budget.

While Imagine Enterprises is not the type of organization typically funded for these type of projects, TCDD has previously providing funding to the Arc of Greater Houston to support one of their staff to implement a support/education group for Spanish-speaking mothers (2010).

New Reviewer Applications

Last Name	First Name	Home City	Qualifications (as provided by applicant)
Baskerville	Markee	Fort Worth	I am knowledgeable in employment, transportation, recreation, child care, advocacy and community organization, education and early Intervention, health/mental health.
Castillo	Elizabeth	Houston	My son is 4 yrs. old and was diagnosed with Autism. He is currently on speech, occupational and music therapy. I have tried enrolling him in the Applied Behavior Analysis program and insurance has denied it. This was recommended by his neurologist.
Inyanza	Filex	Frisco	I provide non-medical transportation to individuals with disabilities to medical appointments, picking up drug prescriptions, and running some errands.
Lewis	Elizabeth	Austin	I am a cultural and medical anthropologist specializing in cultural understandings of disability. I have conducted long-term research on family experiences raising children with disabilities, parent-led advocacy, disability rights, diagnostic trends, and health. I also have a sister with multiple disabilities, so on a personal level I am closely familiar with family experiences across the life course. Finally, I have conducted research on the experiences of (typical) siblings of individuals with disabilities.
Outlaw	Ann	Austin	I have worked on numerous National Institute for Disability, Independent Living, and Rehabilitation Research projects in my role at American Institutes for Research (formally SEDL). I have more than 14 years of experience, the past four of which have been dedicated to developing expertise in disability research and knowledge translation, and getting research results into the hands of people with disabilities and practitioners. Prior to joining SEDL in 2011, I was a policy analyst at the Texas Council on Family Violence, where I focused on monitoring legislation, providing training and technical assistance on best practices of safe technology use by survivors of domestic violence, legal rights of people with limited English proficiency; and I researched trends for constituents. I also was a case manager for people with disabilities at Austin Integral Care (formally Austin Travis County MHMR) and for youth with behavioral and mental health issues at Mercy Home for Boys and Girls at Chicago.

New Reviewer Applications

Last Name	First Name	Home City	Qualifications (as provided by applicant)
Smith	Jessica	Austin	I have been working in the field of Applied Behavior Analysis (ABA) and Autism for over 4 years. I have a Master of education in special education with a focus on Autism and related developmental disorders and a specification on Applied Behavior Analysis. I am a board certified behavior analyst (BCBA) and currently work as a case manager for one of the largest ABA providers in the country. I provide 1:1 ABA therapy to individuals on the ASD spectrum and develop skills programs for their learning needs.

Background:

- **Stipends Grants Applications Approved** — TCDD Policies provide for the Executive Director to approve applications for Events Stipends and Presentation Support Stipends. Five (5) stipend applications were approved during the quarter to the following organizations. The summaries of each are enclosed.
 1. **Texas Center for Disability Studies** for “The Texas Gathering” October 20-22, 2016, in Arlington. (Events Stipend)
 2. **Texas Center for Disability Studies** for “The Texas Gathering” October 20-22, 2016, in Arlington. (Speakers Stipend)
 3. **NAMI Texas** for the “2016 NAMI Annual Convention” November 7-8, 2016, in Austin. (Events Stipend)
 4. **Arc of Greater Houston** for the “First Annual Positive Futures Conference” November 18, 2016, in Houston. (Events Stipend)
 5. **Volar Center for Independent Living** for the “Our Lives Disabilities Conference and Service Providers Expo” November 28, 2016, in El Paso. (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 \$7500 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 \$7500 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 12. A**Expected Action:**

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

CONSUMER STIPENDS PROPOSALS
Executive Director Review

ITEM: 1

Date: 7/27/16

Organization: Texas Center for Disability Studies

City, State: Austin, TX

Federal: \$7,500

Match: \$855

Event: Conference: The Texas Gathering

Date: October 20-22, 2016

Hotel: First United Methodist Church

City, State: Arlington, Texas

Previously Funded: **Yes: 2015**

Comments: The goal of the Texas Gathering is to teach attendees about Person Centered Practices (PCP). Self-Advocates and Family Members will learn skills that improve lives of people with IDD and change systems supporting people. Professionals will be updated on state and national use of PCP, learn skills for PC system change in organizations.

Considerations:

The conference sponsors propose to provide stipends to cover:

Lodging: 20 individuals (20 individuals @ \$60.00/individual for two nights) = \$2,400

Meals: 20 individuals (20 @ \$100.00 for 3 days) = \$2,000

Transportation: 10 individuals (10 @ 54 cents per mile for 203.7 miles) = \$1,100

Respite: 10 individuals (10 individuals @ \$100/day for two days) = \$2,000

Total cost (federal): = \$7,500

Applicant match covers registration:

Registration: 14 family members (14 family members @ \$45.00/individual) = \$630

Registration: 15 individuals (15 individuals @ \$15.00/individual) = \$225

Total cost (match): = \$855

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

Approved: yes no Beth Stalvey

Digitally signed by Beth Stalvey
DN: cn=Beth Stalvey, o, ou, email=beth.stalvey@todd.texas.gov, c=US
Date: 2016.08.01 13:40:43 -0500

Date: 8-1-2016

Comments: _____

CONSUMER STIPENDS PROPOSALS

Executive Director Review

ITEM: 2

Date: 7/27/16

Organization: Texas Center for Disability Studies

City, State: Austin, TX

Federal: \$4,000

Match: \$1,000

Event: Conference: The Texas Gathering

Date: October 20-22, 2016

Hotel: First United Methodist Church

City, State: Arlington, Texas

Previously Funded: **Yes: 2015**

Comments: Annual Gathering that recertifies PCTbinking Trainers in the state, provides information to professionals, self advocates and family members about the federal and state requirements for inclusion and use of person centered practices to enhance the lives of people using services and supports through disability and aging services.

Considerations:

The conference sponsors propose to provide stipends to cover:

Speaker: 1 individual (1 @ \$4,000, \$3,600 Speaker's Fee & \$1,400 travel, meals & lodging) = \$4,000

Total cost (federal): = \$4,000

Applicant match covers registration:

Speaker: 1 individual (1 @ \$1,000 for travel and meals) = \$1,000

Total cost (match): = \$1,000

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

Approved: yes no Beth Stalvey

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DN: cn=Beth Stalvey, o, ou, email=beth.stalvey@tcdd.texas.gov, c=US
Date: 2016.08.01 13:43:40 -0500

Date: 8-1-2016

Comments: _____

CONSUMER STIPENDS PROPOSALS
Executive Director Review

ITEM: 3

Date: 7/28/16

Organization: NAMI Texas City, State: Austin, TX

Federal: \$7,500

Match: \$3,600

Event: Conference: 2016 NAMI Texas Annual Conference

Date: November 7-8, 2014

Hotel: Marriott Hotel South

City, State: Austin, Texas

Previously Funded: Yes: 2014, 2012, 2011, 2010, 2009, 2008, 2007, 2005, 2004, 2002

Comments: This conference will provide people with mental illness and their families with the latest information from local, state and national experts about advocacy and new clinical treatment for mental illness. Collaboration, employment and education will also be addressed.

Considerations:

The conference sponsors propose to provide stipends to cover:

Registration: 60 individuals (60 @ \$125.00/individual) = \$7,500.00

Total cost (federal): = \$7,500.00

Applicant match covers registration:

Registration plus Expenses: 2 individuals (2 @ \$300/individual) = \$600.00

Registration: 24 individuals (24 individuals @ \$125.00/individual) = \$3,000.00

Total cost (match): = \$3,600.00

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

Approved: yes no Beth Stalvey

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DN: cn=Beth Stalvey, o, ou, email=beth.stalvey@todd.texas.gov, c=US
Date: 2016.08.01 13:32:12 -0500

Date: 8-1-2016

Comments: _____

CONSUMER STIPENDS PROPOSALS
Executive Director Review

ITEM: 4

Date: 8/22/16

Organization: The Arc of Greater Houston City, State: Houston, TX

Federal: \$1,875

Match: \$1,875

Event: Conference: First Annual Positive Futures Conference

Date: November 18, 2016

Hotel: Houston Food Bank Conference Center

City, State: Houston, Texas

Previously Funded: No:

Comments: This conference will provide people with information about best practices in transition and adult services: Dr. Stephen Hall (Griffin/Hammis) and Ms. Susan Rinne are both national speakers in the field and will be doing keynotes and presentat ions on needed policy changes for community services; transition from school to work; Employment First, and Customized employment. There will also be some local/state presenters on Project Search and other best practices in school/transition services, AT, and Supported Employment.

Considerations:

The conference sponsors propose to provide stipends to cover:

Registration: 75 individuals (75 @ \$25.00/individual) = \$1,875.00

Total cost (federal): = \$1,875.00

Applicant match covers registration:

Registration: 75 individuals (75 individuals @ \$25.00/individual) = \$1,875.00

Total cost (match): = \$1,875.00

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

Approved: yes no Beth Stalvey

Digitally signed by Beth Stalvey
DN: cn=Beth Stalvey, o, ou, email=beth.stalvey@tcdd.texas.gov, c=US
Date: 2016.08.23 22:25:02 -0500

Date: August 23, 2016

Comments: _____

CONSUMER STIPENDS PROPOSALS
Executive Director Review

ITEM: 5

Date: 8/23/16

Organization: Volar Center for Independent Living City, State: El Paso, TX

Federal: \$6,000

Match: \$885

Event: Conference: Our Lives Disabilities Conference & Service Providers Expo

Date: November 29, 2016

Hotel: ESC Region 19 Head Start Multipurpose Center

City, State: El Paso, Texas

Previously Funded: Yes: 2015, 2014, 2013, 2012, 2011, 2010, 2009, 2008, 2007, 2005

Comments: The "Our Lives Disabilities" Conference is planned as a motivating, educational, non-threatening means of outreach and empowerment to the disability community, including persons with developmental disabilities, in the El Paso Southwest area.

Considerations:

The conference sponsors propose to provide stipends to cover:

Registration: 54 individuals (54 @ \$65.00/individual) = \$3,510.00

Sign Language Interpreters: 3 individuals (3 @ \$40.00/hour for 10 hours) = \$1,200.00

Spanish Interpreters: 3 individuals (3 @ \$43/hour for 10 hours) = \$1,290.00

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

Applicant match covers interpreters, respite & meals expenses:

Personal Care Attendants: 3 individuals (3 @ \$10/hour for 10 hours) = \$300.00

Meals: 3 individuals (3 @ \$65.00/meal) = \$195.00

Sign Language Interpreters: 3 individuals (3 @ \$65.00/individual) = \$195.00

Total cost (match): = \$885.00

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

Approved: yes no Beth Stalvey

Digitally signed by Beth Stalvey
DN: cn=Beth Stalvey, o, ou, email=beth.stalvey@tcdd.texas.gov, c=US
Date: 2016.08.24 22:29:00 -0500

Date: 8-23-16

Comments: _____

Council Member	August 2016	May 2016	February 2016	November 2015	August 2015	May 2015	February 2015	November 2014
DARS	Present	Present	Present Thursday Excused Absence Friday	Present	Present	Present	Present	No data
DSHS	Present	Present	Present	Present	Present	Present	Present	Present
HHSC	Present	Present	Present	Present Thursday Excused Absence Friday	Present	Present	Present	Excused Absence
TEA	Present	Present	Present	Excused Absence	Present	Present	Excused Absence Thursday Present Friday	Present

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 7**Expected Action:**

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

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

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

Texas Council for Developmental Disabilities Independent Audit Status Report

Grantee	Fiscal Year End	Date Received	Audit Firm	Exceptions Noted	Recommendations/Resolutions
Any Baby Can of San Antonio, Inc	6/30/2015	12/10/2015	BDO USA, LLP	None.	None/Done.
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	12/31/2015	9/15/2016	Bennoch & Walker, LLC5	None.	None.
Imagine Enterprises Inc	12/31/2014	2/18/2016	Bennoch & Walker, LLC5	None.	None/Done.

Key: Audits were submitted to TCDD during the fiscal year (October 1, 2015 to September 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, October 10, 2016

Grantee	Fiscal Year End	Date Received	Audit Firm	Exceptions Noted	Recommendations/Resolutions
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 A&M University	8/31/2015	2/4/2016	State Auditor's Office	None.	None/Done
Texas State Independent Living Council	8/31/2015	8/5/2016	Montemayor Hill Britton & Bender PC	None.	None.
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.

Key: Audits were submitted to TCDD during the fiscal year (October 1, 2015 to September 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, October 10, 2016

Grantee	Fiscal Year End	Date Received	Audit Firm	Exceptions Noted	Recommendations/Resolutions
Texas Tech University	8/31/2013	10/31/2015	State of TX	None.	None/Done.
Volar Center for Independent Living	9/30/2014	6/14/2016	White plus Samaniego plus Campbell, LLP	None.	Forward for desk review.
Volar Center for Independent Living	9/30/2013	6/14/2016	White plus Samaniego plus Campbell, LLP	None.	Forward for desk review.

Key: Audits were submitted to TCDD during the fiscal year (October 1, 2015 to September 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, October 10, 2016

Grants Monitoring Exceptions Report

Grantee Project Title	Type of Onsite	Date of Onsite	Actions Required from Onsite Review	Corrective Actions	Status
<p>Reaching Families Advocacy and Support Group (Culturally Appropriate Family Support Group)</p>	Initial	4/21/16	<p>Documentation for affirmative action and civil rights procedures; building standards for ADA requirements; federal regulations policies for individuals with DD; written procedures for purchase / procurement of goods; PAR's with required signatures and correct percentages of time; independent audit report; fiscal control procedures; verification of accrual basis accounting; project related costs for travel; service agreements/contracts; photocopy logs; equipment inventory list; lease space agreement; utility costs; and, all match costs.</p>	<p>Documentation requested: 3/18/16 Documents due: 4/21/16 Additional follow-up information requested: 4/28/16, 5/31/16 Documents received: 4/28/16, 4/29/16, 5/2/16, 5/27/16, 7/28/16</p>	Complete
<p>National Disability Institute (Employment)</p>	Initial	8/31/16	<p>Documentation on PAR's of TCDD duties performed; fiscal control procedures; travel reimbursement invoiced for new grantee orientation; service agreements/contracts for consultant for in approved budget; equipment purchase list; and, documentation for match costs.</p>	<p>Documentation requested: 7/19/16 Documents due: 8/31/16 Additional follow-up information requested: 9/20/16 Documents received:</p>	Pending

Grantee Project Title	Type of Onsite	Date of Onsite	Actions Required from Onsite Review	Corrective Actions	Status
Texas Statewide Independent Living Council (Accessible Transportation Summits)	Initial	7/19/16	Facility accessibility checklist for summit venue; supervisor signature for PAR's for Regina Blye; evidence of revised flyers including TCDD funding credit; service agreement for Texas A&M Transportation Institute; and, documentation that PAC committee meeting log reflects correct allowable rate for PAC meetings.	Documentation requested: 7/11/16 Documents due: 7/19/16 Additional follow-up information requested: 7/20/16 Documents received: 7/20/16, 7/25/16	Pending

Date Revised: 10/10/16

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

RISK ASSESSMENT OF TCDD PROJECTS QUARTERLY UPDATE NOVEMBER 2016

Number	Grantee	TCDD Fund Amount	Other Federal Fund Amount	Date of Last Onsite	Next Onsite Due By	Risk Activity	Risk Code
1.	Region 17 ESC (FIS)	\$300,000	\$1,687,806	11/13/15	2016	2	Extensive Risk
2.	Epilepsy Foundation of Texas (Health and Fitness)	\$250,000	\$390,600	5/27/16	2017	2	Extensive Risk
3.	Texas State Independent Living Council (Health and Fitness)	\$238,000	\$395,083	4/29/16	2017	2	Extensive Risk
4.	DARS (Higher Education)	\$225,000	\$488 million	12/15/15	2016	2	Extensive Risk
5.	Educational Programs Inspiring Communities, Inc. (Enabling Technology)	\$225,000	\$200,000	12/3/15	2016	2	Extensive Risk
6.	Code Blue: Texas A&M University (Higher Education)	\$225,000	\$244 million	9/22/15	2016	2,3	Extensive Risk
7.	Texas Tech University (Higher Education)	\$225,000	\$35 million	11/12/15	2016	2,3	Extensive Risk
8.	Strategic Education Solutions, LLC (Enabling Technology)	\$224,925	\$0	11/30/15	2016	2	Extensive Risk
9.	National Disability Institute (Understanding Employment Options and Supports)	\$150,000	\$2,481,931 million	Does not apply	2017	1, 2, 7	Extensive Risk
10.	Any Baby Can (Health and Fitness)	\$174,887	\$0	12/10/14	2016	2	Considerable Risk
11.	Texas Tech University (Project SEARCH)	\$174,346	\$35 million	10/1/2014	2016	2,3	Considerable Risk

Number	Grantee	TCDD Fund Amount	Other Federal Fund Amount	Date of Last Onsite	Next Onsite Due By	Risk Activity	Risk Code
12.	Volar Center for Independent Living (BC3)	\$150,000	\$203,823	4/29/2015	2017	2	Considerable Risk
13.	Code Blue: Sabine Valley Regional MHMR Center (dba Community Healthcore) (BC3)	\$139,440	\$4,663,336	2/11/2015	2017	2, 3, 5	Considerable Risk
14.	Imagine Enterprises (Project SPEAK)	\$125,000	\$725,000	12/3/15	Does not apply	2	Considerable Risk
15.	VSA Arts of Texas (Self-Advocates as Speakers)	\$125,000	\$10,000	10/26/15	Does not apply	2	Considerable Risk
16.	Code Blue: Texas Advocates (Self-Advocates Grassroots Community Organizing)	\$100,000	\$0	7/13/2015	2017	2, 5	Considerable Risk
17.	Texas State Independent Living Council (Accessible Transportation Summits)	\$150,000	\$520,587	Does not apply	To be determined	2	Considerable Risk
18.	Light and Salt Association (Culturally Appropriate Family Support)	\$75,000	\$448,606	1/26/16	2019	2	Moderate Risk
19.	Reaching Families Advocacy and Support Group (Culturally Appropriate Family Support)	\$79,606	\$0	4/21/16	2019	2	Moderate Risk
20.	Disability Rights Texas (Stakeholder Training on Guardianship Alternatives)	\$40,000	\$8 million	4/27/16	2019	2	Moderate Risk

Number	Grantee	TCDD Fund Amount	Other Federal Fund Amount	Date of Last Onsite	Next Onsite Due By	Risk Activity	Risk Code
21.	Paso del Norte Children's Development Center	\$75,000	\$0	Does not apply	To be determined	1, 2	Moderate Risk
22.	Family to Family (Leadership Development and Advocacy Skills Training Project)	\$75,000	\$0	Does not apply	To be determined	1, 2	Moderate Risk
23.	Easter Seals Central Texas (Leadership Development and Advocacy Skills Training Project)	\$64,394	\$5.7 million	Does not apply	To be determined	1, 2	Moderate Risk
24.	EveryChild, Inc. (Developmental Disabilities Policy Fellows)	\$67,500	\$441,125	Does not apply	To be determined	1, 2	Moderate Risk
25.							Low Risk
26.	Imagine Enterprises (Outreach and Development)	\$10,000	\$725,000	Does not apply	Does not apply	Does not apply	Monitor and Accept
27.	Stipends	See stipend report in Tab 4 Financial Reports	Does not apply	Does not apply	Does not apply	Does not apply	Final Report Only

Color Coded Blue grantees indicate additional monitoring strategies this quarter.

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

Risk Color Coded 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** — Low Risk (basic monitoring only)
- WHITE** — Monitor or Accept

Risk Activities Numbers 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 for Grants Monitoring Fiscal Year 2016

Risk Activities	Less than \$75,999 Award Amount	\$76,000 to \$199,999 Award Amount	\$200,000 to \$499,999 Award Amount	\$500,000 Plus 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 Color Coded Key: 1st letter denotes impact; 2nd letter denotes probability.

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

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

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

LL, LM — Acceptable Risk (basic monitoring only)

Risk Management Plan Color Coded Key:

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.

Annual Audit or Review Determination Color Coded Key:

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 Fiscal Year 2016

Stipends (\$7,500 or less):

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

Mini-Grants (\$10,000 to \$24,999):

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 Months	

Level 1 — GRAY

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

Level 2 — GREEN

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

Level 3 — YELLOW

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

Level 4 — RED

Orientation	Final Program Performance Report
Onsite Review — Initial and Annual	A-133 Audit — Annual (Independent under \$500k)
Program Performance Review — Quarterly	Audit Desk Review — Annual
RAR Documentation Review	Project Staff Meeting (2 times per year)
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-orientation,
- 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 and 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:

- **FY 2016 Expense Budget** – This report compares the approved annual 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 annual budget adopted by Council. The Expense Report shows twelve months spent.
- **Summary of Funds FY 2015-2018** – The report summarizes funds budgeted from the federal award for each fiscal year and shows funds available per category and funds spent to date. The color coded categories on the summary correspond to the color coded pie chart, which shows the percent of each category spent to date relative to the federal award. A projected balance allows funds available to be used by Council for grants and projects.

Note: Spent funds are tied to the federal fiscal year grant awarded to TCDD regardless of whether those funds are spent during the 1st, 2nd, or 3rd year when they are available.

- **Current Grantees** – The current grantees represents projects scheduled to end in years 2016-2021.
- **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 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 federal fiscal years for initial awards/assignment of funds, and allows three federal fiscal years for final expenditure/spending of funds.

Executive Committee — Agenda Item 8

Expected Action:

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

Council — Agenda Item 12. E.

Expected Action:

The Council will receive a report on Executive Committee discussion.

TCDD Admin and Expense Budget — October 1, 2015 thru September 30, 2016

Expenses (Council Operations)	Yearly Budget	12 Months Expended	Balance - 0 Months Remaining
Personnel (17 FTEs)	no data	no data	no data
Salaries	\$1,033,324	\$994,637	\$38,687
Benefits	\$349,784	\$354,207	-\$4,423
Total Personnel	\$1,383,108	\$1,348,844	\$34,264
Operating	no data	no data	no data
Professional Services ¹	\$98,000	\$57,622	\$40,378
Out-of-State Travel ²	\$15,000	\$11,529	\$3,471
In-State Travel ³	\$58,000	\$55,308	\$2,692
Supplies	\$12,000	\$16,969	-\$4,969
Utilities	\$32,000	\$22,741	\$9,259
Rent, Building, Space	\$69,989	\$59,602	\$10,387
Rent, Computers, Equip ⁴	\$40,000	\$35,942	\$4,058
Capital Expenditures	no data	no data	no data
Other OE ⁵	\$95,367	\$75,249	\$20,118
Total Operating	\$420,356	\$334,961	\$85,395
Total Expenses	Budget	Actual	Balance
no data	\$1,803,464	\$1,683,805	\$119,659
Admin Reim to TEA	\$50,000	93.4%	no data
TOTAL	\$1,853,464	\$1,733,805	no data

Notes:

1) Auditor: \$37,700/\$25,000; CPA Desk Reviews: \$9,000/\$9,000; Legal Services: \$3,000/\$289; Web Hosting: \$1,800/\$1,650; Data Center Services: \$5,000/\$3,573; Other Professional Services: \$30,500/\$9,410; Reviewers: \$4,000/\$3,700; DD Suite: \$0/\$5,000.

2) Travel: Out-of-State Council: \$7,500 /\$3,609; Out-of-State Staff: \$7,500 /\$7,921.

3) Travel: In-State Council: \$41,500 /\$38,747; In-State Staff: \$16,500 /\$16,561.

4) Computer lease: \$8,890/\$8,148; AV Equipment: \$26,500/\$23,579; Copier: \$4,610/\$4,158.

5) Other OE: NACDD Dues: \$22,000/\$20,363; Interpreter services, registration fees, other training, maintenance, advertising, postage, printing, software, furniture, non-cap equip, security, and janitorial services: \$54,886.

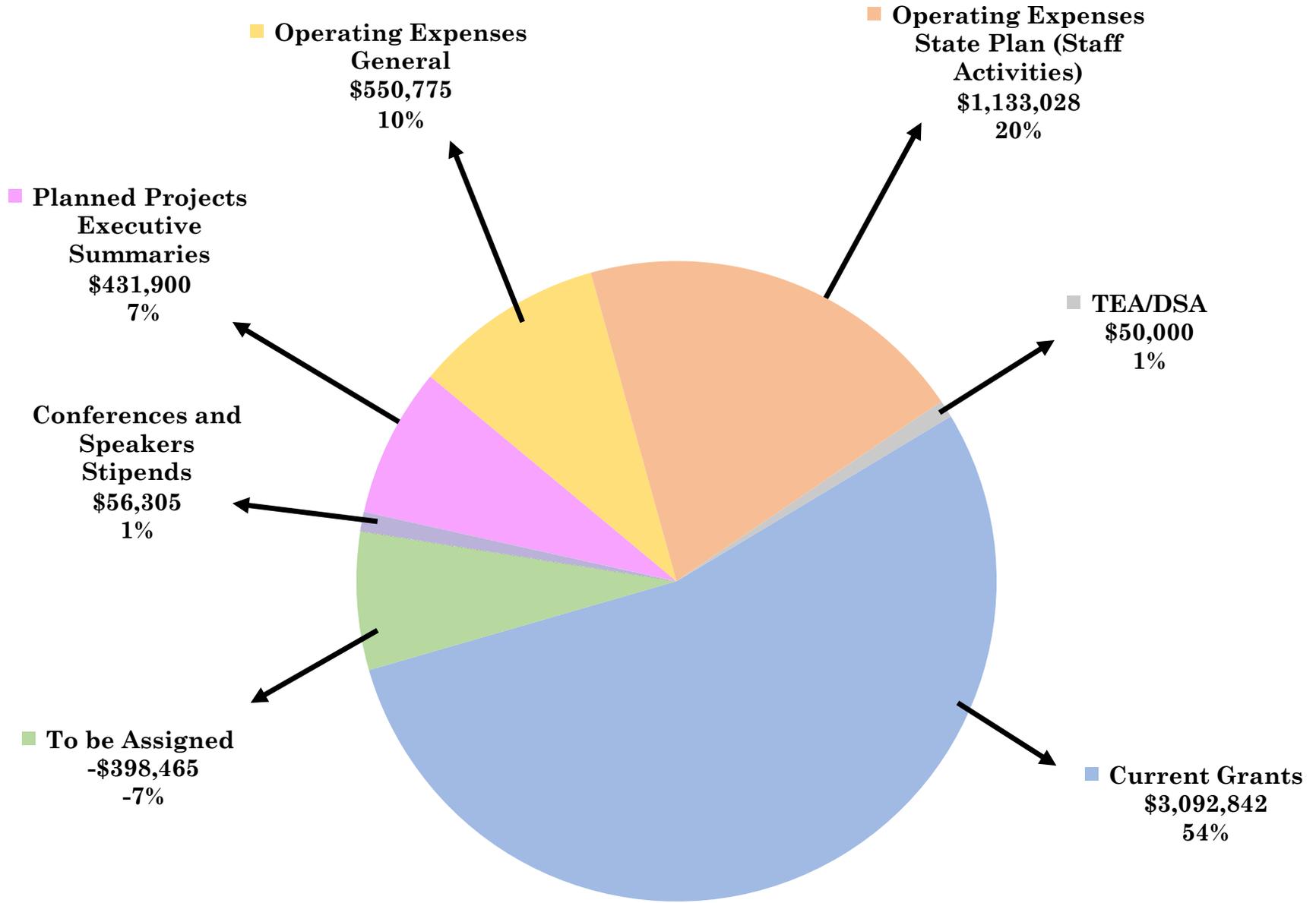
TCDD Summary of Funds Fiscal Years 2015 to 2018 through October 2016

Fiscal Year and Award Period	Fiscal Year 2015	Fiscal Year 2016	Projected Fiscal Year 2017	Projected Fiscal Year 2018
(2 years to assign to grantees; 3 years to spend)	10/1/2013 to 9/30/2016	10/1/2014 to 9/30/2017	10/1/2015 to 9/30/2018	10/1/2016 to 9/30/2019
Federal Award:	\$4,742,116	\$4,916,387	\$4,767,409	\$4,767,409
Operating Expenses: Council Approved Operating Budget	\$1,646,128	\$1,803,464	\$1,958,780 ¹	\$2,009,200
Operating Expenses: Actual General ²	\$521,654	\$550,776	\$0	\$0
Operating Expenses: State Plan (Staff Activities) ³	\$1,017,468	\$1,133,029	\$0	\$0
Total Operating Expenses Expended:	\$1,534,247	\$1,683,805	\$0	\$0
TEA/DSA: Administrative Cost to TEA/DSA	\$50,000	\$50,000	\$50,000	\$50,000
Grants: Funds Available for Grants	\$2,998,344	\$3,082,582	\$2,708,629	\$2,608,209
Grants: Current Grants	\$2,998,334	\$3,092,842	\$2,180,780	\$1,595,616
Stipends: Funds Available for Stipends	\$75,000	\$100,000	\$100,000	\$100,000
Stipends: Current Stipends	\$60,830	\$56,305	\$0	\$0
Planned Projects: Executive Summaries (see priority list) ⁴	\$0	\$431,900	\$795,000	\$920,000
To Be Assigned: Balance to assign to grants or give back ⁵	\$0 Assign by 9/30/16 Spend by 9/30/2017	-\$398,465 Assign by 9/30/17 Spend by 9/30/2018	-\$565,616 Assign by 9/30/18 Spend by 9/30/2019	-\$373,023 Assign by 9/30/19 Spend by 9/30/2020

Notes:

- 1) Fiscal Year 2017 award is a projected amount.
- 2) Operating Expenses: General is 16% of Total Personnel plus Total Operating Expenses (See Fiscal Year 2016 Admin and Expense Budget report in TAB 4).
- 3) Operating Expenses: State Plan (Staff Activities) is 84% of Total Personnel (See Fiscal Year 2016 Admin and Expense Budget report in TAB 4).
- 4) See Priority List for Planned Projects and Amounts.
- 5) Funds to be reassigned or returned to AIDD.
- 6) Numbers in [color-coded blue](#) represent projected numbers.

Fiscal Year 2016 Funds Spent and To Be Spent



CURRENT GRANTEES

Grantee Name	Project Period	Year of Project	Project Title	Awarded Amount	Expended Amount	Remaining Balance
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
no data	no data	no data	Subtotal 2016:	\$628,100	\$464,095	\$233,237
Texas Tech University	10/1/2011 – 2/28/2017	5 of 5	Higher Education — 1	\$222,924	\$118,060	\$104,864
Any Baby Can of San Antonio, Inc	3/1/2012 – 2/28/2017	5 of 5	Health and Fitness — 1	\$131,165	\$63,577	\$67,588
Strategic Education Solutions, LLC	4/1/2012 – 3/31/2017	5 of 5	Enabling Technology — 2	\$224,465	\$52,253	\$172,212
Educational Programs Inspiring Communities, Inc.	4/1/2012 – 3/31/2017	5 of 5	Enabling Technology — 1	\$225,000	\$25,100	\$199,900
Texas State Independent Living Council	4/1/2012 – 3/31/2017	5 of 5	Health and Fitness — 3	\$230,000	\$67,259	\$162,741
Epilepsy Foundation Texas	4/1/2012 – 3/31/2017	5 of 5	Health and Fitness — 2	\$250,000	\$52,038	\$197,962
Texas Workforce Commission (formerly DARS)*	9/1/2016 – 4/30/2017	5 of 5	Higher Education — 3	\$194,840	\$0	\$194,840
Imagine Enterprises Inc	5/1/2013 – 4/30/2017	4 of 4	Self-Advocacy as Speakers — 2	\$125,000	\$36,807	\$88,193
VSA Arts of Texas	5/1/2013 – 4/30/2017	4 of 4	Self-Advocacy as Speakers — 1	\$125,000	\$32,663	\$92,337
Texas Center for Disability Studies	9/1/2015 – 8/31/2017	2 of 2	Support for Advisory Committee Member Travel	\$39,070	\$0	\$39,070
Texas Tech University	10/1/2012 – 9/30/2017	4 of 5	Project SEARCH	\$174,656	\$139,609	\$35,047
Imagine Enterprises Inc	10/1/2016 – 9/30/2017	1 of 1	Outreach and Development — 16	\$10,000	\$0	\$10,000
no data	no data	no data	Subtotal 2017	\$1,952,120	\$587,366	\$1,364,754
Texas Advocates	4/1/2015 – 3/31/2018	1 of 3	Self Advocate Community Organizing	\$100,000	\$98,862	\$1,138

Grantee Name	Project Period	Year of Project	Project Title	Awarded Amount	Expended Amount	Remaining Balance
Region 17 ESC	6/1/2013 – 5/31/2018	4 of 5	Families in Schools	\$300,000	\$4,215	\$295,785
National Disability Institute	6/1/2016 – 5/31/2018	1 of 2	Understanding Employment Options and Support Training	\$150,000	\$11,398	\$138,602
Austin Ribbon and Computer Supplies Inc.	9/1/2015 – 8/31/2018	2 of 3	Targeted Online Training (Contract)	\$10,500	\$0	\$10,500
EveryChild, Inc.	10/1/2016 – 9/30/2018	1 of 2	Developmental Disabilities Policy Fellows — 3	\$67,500	\$0	\$67,500
no data	no data	no data	Subtotal 2018	\$628,000	\$114,475	\$513,525
Disability Rights Texas	2/1/2016 – 1/31/2019	1 of 3	Stakeholder Training on Guardianship Alternatives	\$40,000	\$8,230	\$31,770
Community Healthcore	9/1/2014 – 7/31/2019	3 of 5	Building Community Capacity through Collaboration Projects — 2	\$78,329	\$58,479	\$19,850
Volar Center for Independent Living	10/1/2014 – 9/30/2019	3 of 5	Building Community Capacity through Collaboration Projects — 3	\$150,000	\$143,332	\$6,668
Light and Salt Association	11/1/2015 – 10/31/2019	1 of 4	Culturally Appropriate Family Supports — 1	\$75,000	\$56,404	\$18,596
no data	no data	no data	SUBTOTAL–2019	\$343,329	\$266,445	\$76,884
Reaching Families Advocacy and Support Group	2/1/2016 – 1/31/2020	1 of 4	Culturally Appropriate Family Supports — 2	\$70,606	\$43,169	\$27,437
no data	no data	no data	Subtotal 2020	\$70,606	\$43,169	\$27,437
Texas State Independent Living Council	6/1/2016 – 5/31/2021	1 of 5	Accessible Transportation Project	\$150,000	\$31,170	118,830
Family to Family Network Inc	8/1/2016 – 7/31/2021	1 of 5	Leadership Development and Advocacy Training — 2	\$75,000	\$0	\$75,000
Paso del Norte Children's Development Center	9/1/2016 – 8/31/2021	1 of 5	Leadership Development and Advocacy Training — 1	\$75,000	\$0	\$75,000
Easter Seals	9/1/2016 – 8/31/2021	1 of 5	Leadership Development and Advocacy Training — 3	\$64,394	\$0	\$64,394
Johnson Applied Solutions, LLC	9/1/2016 – 8/31/2021	1 of 5	Partners in Policymaking (Contract)	\$150,000	\$6,900	\$143,100
no data	no data	no data	Subtotal 2021:	\$514,394	\$38,070	\$476,324
no data	no data	no data	Grand Totals:	\$3,756,014	\$1,109,258	\$2,646,756

*DARS project transferred to TX Workforce Commission (TWC) as of 9/1/16.

Stipend Expenditures

Fiscal Year End 9-30-15 Organizations	Event Month	Expended	People Served	People Previously Served	Speakers
Centro de Salud Familiar La Fe, Inc.	October 2014	\$4,355	67	25	No
Volar Center for Independent Living	October 2014	\$6,000	65	29	No
Helpful Interventions	November 2014	\$6,000	2	0	Yes
Helpful Interventions	November 2014	\$917	7	0	No
NAMI Texas	November 2014	\$3,520	16	0	No
National Association for the Dually Diagnosed (NADD)	November 2014	\$910	2	0	No
ADDA-SR	February 2015	\$5,428	35	0	No
Austin Travis County Integral Care	February 2015	\$6,000	2	0	Yes
Austin Travis County Integral Care	February 2015	\$6,000	19	6	No
The Arc of Texas	February 2015	\$5,730	42	7	No
Children's Disabilities Information Coalition	March 2015	\$1,000	100	0	No
Coalition of Texans with Disabilities	March 2015	\$5,528	46	7	No
Harris County Department of Education	June 2015	\$4,714	6	0	Yes
Texas Parent to Parent	June 2015	\$6,000	39	6	No
American Association on Intellectual & Developmental Disabilities Texas Chapter (AAIDD-TX)	July 2015	\$2,600	5	3	No
Childhood Apraxia of Speech Association of North America	July 2015	\$6,000	9	0	Yes
Texas Advocates	July 2015	\$5,971	52	17	No
University of North Texas	July 2015	\$5,400	80	0	No
Providers Alliance for Community Services of Texas (PACSTX)	September 2015	\$6,000	2	0	Yes
Totals:	no data	\$88,073	596	100	21

Fiscal Year End 9-30-16 Organizations	Event Month	Expended	People Served	People Previously Served	Speakers
Volar Center for Independent Living	October 2015	\$6,000	55	18	No
Coalition of Texans with Disabilities	November 2015	\$1,330	46	0	No
Texas Center for Disability Studies	November 2015	\$1,400	5	0	Yes
ADDA-SR	February 2016	\$5,970	51	0	No
Austin Travis County Integral Care	February 2016	\$6,000	3	0	Yes
Austin Travis County Integral Care	February 2016	\$6,000	24	7	No
The Arc of Texas	February 2016	\$4,200	37	4	No
Children's Disabilities Information Coalition	March 2016	\$2,000	5	0	No
Family to Family Network Inc	March 2016	\$3,930	131	0	No
Texas State Independent Living Council	April 2016	\$6,000	23	9	No
Texas Parent to Parent	June 2016	\$6,000	38	9	No
American Association on Intellectual & Developmental Disabilities Texas Chapter (AAIDD-TX)	July 2016	\$3,660	9	3	No
Texas Advocates	August 2016	\$5,950	50	0	No
Down Syndrome Diagnosis Network (DSDN)	September 2016	\$3,450	no data	no data	No
Providers Alliance for Community Services of Texas (PACSTX)	September 2016	\$7,500			Yes
The Texas Tribune	September 2016	\$7,400	no data	no data	No
Totals:	no data	\$76,790	477	50	11

Background:

TCDD received an appeal for a funding decision from West Central Texas Regional Foundation, who submitted an application for the Higher Education Collaborative RFP. Per TCDD policy, an investigation has been conducted and a summary report prepared for review. The report was submitted to the Executive Committee within 30 days of the receipt of the appeal.

The following documents are included for review:

- Copy of the Appeal Letter from West Central Texas Regional Foundation
- Summary Report of the Investigation
- Copy of TCDD Appeals Procedure
- Copy of the Letter Acknowledging the Appeal

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

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

Executive Committee — Agenda Item 9**Expected Action:**

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

Council — Agenda Item 12. C.**Expected Action:**

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

WEST CENTRAL TEXAS REGIONAL FOUNDATION

BOARD MEMBERS

JUDGE DAVID DAVIS
• HASKELL COUNTY

JERRY MARSHALL, DDS
• ROTAN, TEXAS

JUDGE DOWNING BOLLS
• TAYLOR COUNTY

MR. JEFF TURNER
• BROWNWOOD, TEXAS

August 15, 2016

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

Ms. Stalvey:

The West Central Texas Regional Foundation (WCTRF) responded to a proposal for the Higher Education Collaborative Grant. The goal of the grant was to develop a sustainable Higher Education Collaborative to include previous grantees of the Higher Education for Employment grant as well as other post-secondary programs that demonstrate success in fully including students with developmental disabilities. In addition to the above goal, it was recommended to include activities in the proposal that will gather information about gaps and system changes, provide technical support for at least 10 post-secondary programs, increase awareness to include websites and provide written materials for individuals to utilize as they complete the enrollment process and requests for financial assistance. Due to the lack of parameters on the budget, WCTRF responded with a proposal that would have the likelihood to develop a statewide collaborative approach to the goals of the RFP. Please see below for the reasoning behind the statement that the WCTRF created a logical, quality proposal that more than meet the goals and outcomes of the grants Request for Proposal in a manner that is more inclusive and proficient than any other applicant that applied for funding.

- The WCTRF has the support and willingness to collaborate from 95 counties in Texas, 27 of which are designated as poverty areas, as well as two of the three current Higher Education for Employment grantees, with one grantee stating that they would work with the WCTRF if funding was granted to WCTRF instead of performing the duties themselves.
- If the funding parameters had been established, the WCTRF would have submitted a proposal more closely in line with funding amounts being proposed within guidelines. WCTRF would still be willing to reconsider the budget with the understanding that it may lessen the number of counties served.

3702 LOOP 322
ABILENE, TEXAS 79602
PHONE: 325-672-8544
FAX: 325-675-5214

- The WCTRF proposal establishes a “grass roots” approach to gaining support in the areas served, which is key to maintaining sustainability once grant funds are fully expended.
- The proposal has the potential to reach beyond the borders of the grant focus area to become a statewide approach to post-secondary programs after grant funds have been expended.
- The proposal presented by the WCTRF was ranked as the number one proposal to consider funding, per the Summary of Recommendations: Higher Education Collaborative meeting notes, received on August 11, 2016 from Danny Fikac.
- The areas of concern noted by the review panel are easily modified and amended to correct and/or clarify any problems that may occur.
- The Project Director, as well as her immediate supervisor, worked in Youth Programs at the West Central Texas Council of Governments for 16 plus years combined. Project Director completed her bachelor’s degree in education at one of the Abilene universities and taught all ranges of student ages, including students with disabilities. In addition, staff at the WCTRF have a good rapport with post-secondary institutions, as well as intern placement organizations, through associations and collaboration on other development procedures and practices in the region.
- Long term partnerships for the department include but are not limited to the following: McMurry University, Abilene Christian University, Hardin Simmons University, Workforce Solutions, Care Connections Center for Independent Living (CIL), Disabilities in Action CIL, and Disabilities Resources Incorporated.

For these reasons, I respectfully request that you reconsider the denial of funding for the WCTRF in regards to the proposal for the Higher Education Collaborative Grant. Attached are the Summary of Recommendations that I received from TCDD on August 11, 2016. Thank you for your time in looking into this situation and I hope to hear from you soon.

Sincerely,



Alesha Willis
West Central Texas Regional Foundation
Managing Local Ombudsman

cc: Tom Smith, Michelle Parker



TEXAS COUNCIL *for*
DEVELOPMENTAL
DISABILITIES

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

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TO: TCDD Executive Committee
FROM: Danny Fikac, Planning Specialist
SUBJECT: Summary of Recommendations: Higher Education Collaborative
DATE: August 3, 2016

TCDD staff convened a review panel to evaluate proposals for the Higher Education Collaborative Request for Proposals (RFP). One project can be funded. The summary of comments follows this memo.

Higher Education Collaborative Goal: Develop a sustainable Higher Education Collaborative that includes 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 will provide educational resources, technical assistance and infrastructure development to support universities, colleges, and technical schools to recruit, retain, graduate, and transition students with disabilities into employment and/or meaningful day activity.

In addition to reaching the above goal, primary activities required by the RFP include:

- 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 by the end of the project to implement approaches to provide post-secondary education for people with disabilities.
- Increase awareness, which may involve developing "How To" guides, websites or materials to assist with completion of the enrollment process and financial assistance applications.
- Develop and implement a plan to measure outcomes of students completing programs.
- Ensure sustainability for the collaborative and make recommendations for the sustainability of the programs developed.

Authorized funding amount per RFP: TCDD has made available funds for one project for up to five years. The maximum funding amount needed for implementation of the selected project was not specified and would be a negotiated amount between TCDD and the selected organization.

TCDD received two proposals and ranked them in the following order:

1. West Central Texas Regional Foundation
2. Texas A&M University

The panel noted that both proposals were of high quality and that either proposal was fundable. They further noted that they believed this was an important project that should be funded.

**2016-2 Higher Education Collaborative
Proposal Ranked First**

Organization: West Central Texas Regional Foundation
Location of Main Office: Abilene, TX

Funding Requested: \$727,582
Match: \$181,913

Summary of Proposal:

The West Central Texas Regional Foundation (WCTRF) seeks to create and replicate inclusive support models for individuals with developmental disabilities in post-secondary education institutions throughout at least one third of the state of Texas, covering 95 counties including 27 designated poverty areas. Through partnerships with five different Texas Aging and Disability Resource Centers, Project Amistad, Heart of Central Texas Independent Living Center (HOCTIL), and the three current Higher Education for Employment projects, WCTRF encourage and support individuals with development disabilities in pursuit of post-secondary education and jobs. They will also identify gaps in service and possible solutions in an effort to advocate for system changes and supports needed at a statewide level.

Strengths Noted by the Review Panel:

- This proposal appears to have a clear set of goals and outcomes to achieve the intent of the RFP.
- The approach is consistent with a potential promising practice, and the provider/applicant has evidence of extensive community support.
- The inclusion of internships is a critical component to assist with the expansion of long-term employment opportunities for people with disabilities.
- The number of collaborators on this project demonstrates the development of an exceptionally strong collaborative effort.
- The project attempts to address the critical need for the full inclusion of individuals with developmental disabilities in post-secondary education.
- The proposal has identified organizations that have been successful at providing services to individuals with disabilities.
- This project is an innovative idea with a solid logic model.
- The proposal talks about establishing an internship for each individual.
- The proposal includes the number of individuals being supported.
- The numbers of potential participants appear to increase as the grant project continues. This action has the potential for expanding public awareness, creation and expansion of potential employment options for students, and impacting communities for years.
- The narrative provides information about the plan to develop programs throughout at least one third of the state of Texas.
- The proposal shows a track record of collaboration with diverse group of partners, including Centers for Independent Living, and proposes a "grass roots" approach.

Additional Strengths Noted by TCDD Staff:

- The applicant expresses aspirations of expanding the base of institutions and students whose lives are positively impacted by postsecondary educational opportunities.
- The applicant notes the importance of outreach to underserved ethnic minorities and people living in rural regions of the state as consistent with the objectives of the DD Act.

Concerns Noted by the Review Panel:

- Many of the key personnel on this project are yet to be determined (i.e., Project Coordinators 1-7), which prevents any attempt to review their qualifications.
- The proposal lacks critical detail as to how the goals and objectives will be met.
- Recruitment of project participants appears to be largely left up to partner institutions.
- Sections in the proposal do not address issues of career self-determination or talents of people with disabilities. The proposal could have included steps to have the recruited individuals identify a career area or areas of their own interest.
- As presented, the proposal does not effectively outline the process for design and implementation of a service delivery system that will explore educational and training options that promote inclusion. It should be noted that the proposed outcomes target students entering college or job training experiences with minimal focus on talents or respect for experience.
- WCTRF has not been working previously in higher education so there may be a delay in project implementation.
- The evaluation plan is pretty general and does not appear to collect data from key stakeholders, such as administrators/faculty in higher education.

Additional Concerns Noted by TCDD Staff:

- West Central Texas Regional Foundation's proposed budget needs clarification and revision.

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(512) 437-5434

TO: Executive Committee Members
FROM: Beth Stalvey, Executive Director
SUBJECT: Review of Appeal: West Central Texas Regional Foundation
DATE: October 3, 2016

West Central Texas Regional Foundation submitted an application to receive grant funding under the Higher Education Collaborative Request for Proposals. The applicant submitted a proposal on May 13, 2015. The proposal was reviewed by an independent review panel on July 6, 2016. The reviewer comments and recommendations were presented to the Texas Council for Developmental Disabilities Executive Committee during the August 3, 2016, meeting.

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

TCDD provided notice to West Central Texas Regional Foundation about the funding decision on August 11, 2016, and included a detailed summary of the review panel comments. TCDD received an appeal of the Council's funding decision from Alesha Willis, Managing Local Ombudsman for West Central Texas Regional Foundation, within the 15 workdays allowed by the Council's Policy for an appeal of a funding decision. The Appeal Letter provided by West Central Texas Regional Foundation is attached.

The appeal from West Central Texas Regional Foundation asks TCDD to reconsider the decision to not approve funds for the Higher Education Collaborative Project. In the appeal letter, West Central Texas Regional Foundation addresses many of the review panel comments related to the original grant proposal and provides information to clarify or respond to reviewer comments and recommendations about the proposal. We note that the purpose of the Council's Process to Appeal a funding decision is to ensure that TCDD procedures were followed, and that information provided in the proposal was reviewed fairly and objectively. The Process to Appeal is not designed as an opportunity to provide additional project information for consideration when such information could have been included in the original proposal. To do so would in essence create a two-stage review process that is not part of TCDD's current procedures. A copy of the TCDD Appeals Procedure is attached.

TCDD staff have examined the process followed to review the West Central Texas Regional Foundation proposal for Higher Education Collaborative Project and find no concerns regarding any procedural matters. The information provided to the Executive Committee on the Summary of Recommendations for the August discussion was found to be fair and objective, and followed TCDD policies and procedures for independent review. Specifically:

- The Council uses independent peer reviewers to evaluate proposals submitted. This review panel is asked to submit a recommended priority ranked list of applicants for possible funding. Final approval of organizations to receive grant funding is determined by the Executive Committee. West Central Texas Regional Foundation was one of two proposals for the Higher Education Collaborative Request for Proposals. The independent review panel provided a ranking with West Central Texas Regional Foundation in position one, however the panel noted that “both proposals were of high quality and that either proposal was fundable.” (Source: Summary of Recommendations: Higher Education Collaborative meeting notes). In determining this funding award, the Executive Committee evaluated and discussed the two proposals submitted based on program quality as determined by the peer review process, the cost of the proposed project, the financial ability to perform services, state and regional needs and priorities, improved access for unserved or underserved areas and groups of individuals, ability to continue services after conclusion of grant funding, and past performance and compliance with other awards. Following this discussion, West Central Texas Regional Foundation’s proposal was not selected for funding.
- In their letter of appeal, West Central Texas Regional Foundation states that “if the funding parameters had been established, WCTRF would have submitted a proposal more closely in line with funding amounts being proposed within guidelines.” The maximum funding amount for the Higher Education Collaborative project was not specified in the Request for Proposals and the Executive Committee was informed and aware that the final amounts are subject to negotiations between TCDD and the selected organization. No concerns with the budget amount were noted by the independent review panel. Similarly, the budget amount was not a primary factor in the evaluation of this proposal, therefore no budget negotiations between West Central Texas Regional Foundation and TCDD were needed.

Based on our review of this matter, we do not find evidence of any procedural concerns during the review process. And as noted earlier, much of the information provided by West Central Texas Regional Foundation in this appeal was not provided in the original proposal. Considering additional information about the project at this time creates two-step review process that is not permissible by current Council-approved procedures.

Attachments:

- Written Appeal from West Central Texas Regional Foundation
- TCDD Acknowledgement Letter
- TCDD Appeal Procedure

Texas Council for Developmental Disabilities

Council Policies

Section X. TCDD Grant Projects

I. Appeal of Funding Decisions

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



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

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August 25, 2016

Alesha Willis
West Central Texas Regional Foundation
3702 Loop 322
Abilene, TX 79602

Subject: Acknowledgment of Appeal Received

Dear Ms. Willis:

Please accept this notice as written receipt of your letter by TCDD on August 22, 2016, appealing the TCDD decision not to fund your proposal for Higher Education Collaborative project. Consistent with Council Policies concerning an Appeal of Funding Decisions, TCDD staff will review this appeal with the Council's Executive Committee that will make the final decision. At that time, TCDD staff will notify you regarding the outcome of this appeal.

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

Sincerely,

Beth Stalvey

Digitally signed by Beth Stalvey
DN: cn=Beth Stalvey, o, ou,
email=beth.stalvey@tcdd.texas.gov, c=US
Date: 2016.08.25 10:27:43 -0500

Beth Stalvey
Executive Director

Copy: TCDD Executive Committee

BS/fr

Background:

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

- A. Community Healthcore — Building Community Capacity through Collaboration.
- B. Disability Rights Texas — Guardianship Alternatives Training.
- C. Reaching Families Advocacy and Support Group — Culturally Appropriate Family Supports.

At the February meeting, staff do not expect to bring any projects to be considered for continuation funding.

Grants Risk Assessment Report (Tab 3)

The Grants Risk Assessment Report 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 10**Expected Action:**

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

Council — Agenda Item 12. 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 and Budget

ITEM: A

Date: 11/12/16

Grantee: Community Healthcore

Year: 3 of 5

Project Title: Building Community Capacity through Collaboration

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

Website: www.communityhealthcore.org

TCDD RFP Intent

The project intent is to establish and/or strengthen a network of appropriately diverse organizations to develop a strategic plan to build the capacity of that community to provide community-based services that will decrease the need for individuals with developmental disabilities (IDD) to be served in an institution.

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

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

Project Goals for Year 1–2

Goal 1: To identify, enhance and expand community supports for people with disabilities in order to prevent and reduce admissions of people with developmental disabilities to institutions.

Project Accomplishments per Goal

The Institute for Person Centered Practices hosted a total of three two-day, Person-Centered Thinking trainings with a total of 113 participants. Thirty-two participants were trained in PATH facilitation and six PATH plans were created for individuals with I/DD in the community. As a result of the PATH training, one focus person became a secretary in a self-advocacy group, displayed less pervasive behaviors and the family increased awareness of more services and options. Through the Applied Behavioral Analysis (ABA) initiative five individuals received support, one 7-year old child with Autism who is now building communication skills through Picture Exchange Communication Systems (PECS), toilet training, and decreasing inappropriate behaviors. The Faith-based Respite initiative built a relationship with the Diocese of Tyler, which is divided into 51 parishes, 19 missions and 3

pastoral centers with a large population of people with Spanish as their primary language. From these efforts, two faith-based programs were established and seven individuals with I/DD participated in respite and inclusive services in the church. Through the Community Leadership Team initiative three teams were developed and four mini-grants established. Examples of mini-grants include: therapeutic bible journaling workshops with an average of 65 in attendance with approximately 48 participants with I/DD; another grant Panola College Community Leadership Team conducted a children’s grief camp with twenty-eight children in attendance of which eight children with I/DD; and in Gregg County residents partnered with a music teacher for music lessons/therapy.

Proposed Goals and Objectives for Year 3

Goal: Same as above

Objectives:

- 1) Increase the capacity of the community to better support persons who have developmental disabilities through universal positive supports;
- 2) Community leadership teams will develop projects they deem beneficial to the community;
- 3) Assist the expansion of respite through faith-based and other associational groups providing short-term respite programs; and, promote positive stories of how people are supporting people with developmental disabilities in the community.

Council Considerations

Public Policy Considerations:

Grant Management Considerations: Considerable risk monitoring (awards within awards; award amount).

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

Continuation Budget Detail Summary

Year	Federal Amount Expended	Match Amount Expended	Expended Total Amounts
Expended Year 1 (13 months) (Consultant: \$46,523)	\$138,046/\$108,850	\$41,264/\$32,535	\$179,310/\$141,385
Expended Year 2 (9 months) (Consultant: \$13,424)	\$78,329/\$58,479	\$22,866/\$31,427	\$101,195/\$89,906

Amounts Requested for Year Three Budget

Expense Item	Federal Amount Requested	Match Amount Requested	Total Amount Requested
1. Personnel Services	\$66,087	\$10,915	\$77,002
2. Travel	\$1,795	\$0	\$1,795
3. Purchased Services (Consultant: \$32,800)	\$46,859	\$28,924	\$75,783
4. Property/Materials	\$556	\$0	\$556
5. Rental/Leasing	\$2,136	\$0	\$2,136
6. Utilities	\$2,460	\$0	\$2,460
7. Other (Indirect Costs)	\$11,989	\$0	\$11,989
Budget period totals	\$131,882	\$39,839	\$171,721

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

ITEM: B

Date: 11/2/16

Grantee: Disability Rights Texas

Year: 2 of 3

Project Title: Stakeholder Training on Guardianship Alternatives

Project Location: Statewide

Website: none

TCDD RFP Intent

The intent of the Stakeholder Training on Guardianship Alternatives proposal is for an organization to develop and provide training to promote the informed use of supported decision-making, services, supports, and existing alternatives to guardianship that assist individuals to make their own decisions, maintain civil rights, and reduce the need for guardianship.

Authorized Funding: TCDD has approved up to \$40,000 for up to three years.

Expected Results: The grantee will collaborate with the GRDSM stakeholders to develop training materials tailored to each audience group, including probate and county court judges; probate attorneys; individuals with disabilities, their families and supporters; and special education administrators. It is especially important to provide training to judges. The grantee will present at least four conferences hosted by stakeholder groups. The grantee will identify other local training partners and present at least four trainings, including one to education professionals and one to legal professionals. After the project ends, the grantee will be available to provide TCDD with up-to-date information and recommendations that can be used to develop further policy actions and future projects.

Project Goals and Objectives for Year 1

Goal: Disability Rights Texas (DRTX) proposes a statewide project to provide information and training to targeted audiences about alternatives to guardianship, including the new supported decision-making process. Target audiences include individuals with Intellectual and Developmental Disabilities (I/DD) and their families; legal professionals; and school administrators and service providers.

Objectives:

- 1) Establish Project Advisory Committee (PAC);
- 2) Collaborate with Guardianship Reform Supported Decision Making (GRDSM) workgroup stakeholders to develop training;

- 3) Collaborate with GRDSM stakeholders to test and evaluate proposed training materials and presentations;
- 4) Present at annual conferences sponsored by GRDSM stakeholders;
- 5) Raise awareness of alternatives to guardianship training opportunities;
- 6) Facilitate and promote training to probate judges and county court judges;
- 7) Deliver alternatives to guardianship training to legal professionals, individuals with disabilities, their families and supporters, and special education administrators;
- 8) Evaluate quality and effectiveness of training;
- 9) Develop recommendations for future policy actions and program projects.

Project Accomplishments for Year 1

Year 1: A Project Advisory Committee (PAC) was established and approved. Project staff, including the Project Director and Legal Director, began to inventory and review existing materials on alternatives to guardianship and supported decision-making. A list was provided to TCDD. Additional topics and training materials needed were determined. The grantee is partnering with several entities including ADAPT of Texas, the Arc of Texas, Coalition of Texans with Disabilities, the Hogg Foundation, and Texas Advocates. Presentations to several organizations have been made, including the Breaking Barriers Conference, Ysleta ISD Transition Conference, Texas Transition Conference, ESC Regions 20 and 2, Austin Travis County Integral Care, and others. The grantee has developed webinar presentations regarding alternatives to guardianship and supported decision-making. Drafts of 2 testimonial videos were submitted to TCDD. DRTX attorneys presented trainings to Vinson and Elkins Pro Bono SDMA Clinic, Elder Law Section of the San Antonio Bar Association, DRTX law clerks, and UT Law School. During year one of the project, over 1650 individuals from around the state participated in training sessions.

Proposed Goals and Objectives for Year 2

Goal: Same as above.

Objectives:

- 1) Collaborate with Guardianship Reform Supported Decision Making (GRDSM) workgroup stakeholders to review and revise training materials;
- 2) Present training sessions at annual or state-wide conferences sponsored by GRDSM stakeholders;
- 3) Raise awareness of alternatives to guardianship and training opportunities;
- 4) Facilitate and promote training to legal professionals, including probate judges and county court judges;
- 5) Deliver alternative to guardianship training to individuals with disabilities, their families and supporters, legal, education, medical and other professionals;
- 6) Train and support community partners to provide alternatives to guardianship, self-determination and supported decision-making trainings for individuals with disabilities and their families;

- 7) Evaluate quality and effectiveness of training provided;
- 8) Develop recommendations for future policy actions and program projects.

Council Considerations
Public Policy Considerations:

Grant Management Considerations: No Concerns.

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

Continuation Budget Detail Summary

Year	Federal Amount Expended	Match Amount Expended	Expended Total Amounts
Expended Year 1 (6 months) (Consultant: \$20,190)	\$40,000/\$8,230	\$13,333/\$5,207	\$53,333/\$13,437

Amounts Requested for Year Two Budget

Expense Item	Federal Amount Requested	Match Amount Requested	Total Amount Requested
1. Personnel Services	\$0	\$1,216	\$1,216
2. Travel	\$21,092	\$1,817	\$22,909
3. Purchased Services (Consultants: \$175,000)	\$18,758	\$10,301	\$29,059
4. Property/Materials	\$150	\$0	\$150
5. Rental/Leasing	\$0	\$0	\$0
6. Utilities	\$0	\$0	\$0
7. Other (Indirect Costs)	\$0	\$0	\$0
Budget period totals	\$40,000	\$13,334	\$53,334

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

ITEM: C

Date: 11/2/16

Grantee: Reaching Families Advocacy and Support Group

Year: 2 of 4

Project Title: Culturally Appropriate Family Support

Project Location: Dallas, Collin, Tarrant and Denton Counties

TCDD RFP Intent

The project intent is to help selected organization(s) build on the work done during the previous project from TCDD to help individuals with developmental disabilities and their families receive culturally appropriate community-based services and supports.

Authorized Funding: TCDD has approved up to \$75,000 for up to 4 years.

Expected Results: At least one conference or training and other activities to support at least 100 families or individuals to get their needs from service providers met; support at least 3 leaders from the individuals being trained and provide information to TCDD to change programs or policies to promote culturally appropriate services and supports; and, grow the organization.

Project Goals and Objectives for Year 1

Goal: To increase awareness, provide support and access to resources for the Ethiopian, Eritrean, and Kenyan communities residing in Dallas, Collin, Denton and Tarrant counties.

Objectives:

Project Accomplishments for Year 1

Year 1: At the time the continuation application was submitted, six monthly educational gatherings and six teleconferences were held; 36 families were supported through the Admission, Review and Dismissal (ARD) review process; 30 families were assisted in finding occupational, speech and behavior therapy outside of school; grant staff have accompanied families to clinic visits to help facilitate health care for their children; the project director has spoken on multiple occasions on Ethiopian and Eritrean radio programs on topics such as autism, early intervention and advocacy and as result, have secured a weekly time on an Eritrean radio show to provide resources for families; a resource and awareness booth was held at an Ethiopian Day Community Celebration in which approximately 1500 families and children attended; the project collaborated the St. Michael Ethiopian Orthodox Church and Ethiopian Health Care professionals for a Children's Health Day event for the Ethiopian and Eritrean communities; and, the project collaborated

with the National Autism Association of North Texas and Education Service Center Region 10 in which 175 families and educators attended a daylong seminar on Inclusive Education.

Proposed Goals and Objectives for Year 2

Goal: Same as above.

Objectives:

- 1) Provide education and information for families/caregivers on DD/IDD related topics;
- 2) Provide information and support to faith-based communities on inclusive programs for children with DD/IDD;
- 3) Provide DD/IDD awareness in East African immigrant communities in the Dallas-Fort Worth area; and
- 4) Provide support to East African families caring for children and adults with DD/IDD.

Council Considerations

Public Policy Considerations:

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

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

Continuation Budget Detail Summary

Year	Federal Amount Expended	Match Amount Expended	Expended Total Amounts
Expended Year 1 (7 months) (Consultants:\$13,088)	\$70,606/\$37,680	\$23,569/\$15,197	\$94,175/\$52,877

Amounts Requested for Year Two Budget

Expense Item	Federal Amount Requested	Match Amount Requested	Total Amount Requested
1. Personnel Services	\$42,153	\$0	\$42,153
2. Travel	\$0	\$0	\$0
3. Purchased Services (Consultants: \$175,000)	\$24,003	\$24,115	\$48,118
4. Property/Materials	\$0	\$828	\$828
5. Rental/Leasing	\$3,192	\$2,600	\$3,192
6. Utilities	\$1,724	\$360	\$360
7. Other (Indirect Costs)	\$0	\$50	\$1,774
Budget period totals	\$71,072	\$24,993	\$96,065

Background:

TCDD solicits, on an ongoing basis, qualified individuals who can serve on the Independent Review Panels that evaluate proposals received in response to Requests for Proposals (RFPs). In order to have a large enough pool of potential reviewers, a database of approved individuals is maintained. The Executive Committee reviews and approves individuals to be included in the reviewer pool at each meeting. Planning Director Joanna Cordry and Planning Specialist Danny Fikac will provide information about individuals who have recently submitted applications to be reviewers. This information includes names, areas of expertise, and cities of potential new reviewers. This information is provided behind this tab sheet.

The Executive Committee will be asked to make a final determination on the list of new potential reviewers.

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

The Executive Committee will consider this information, and make a final determination on the pool of potential reviewers.

Council — Agenda Item 12. D.**Expected Action:**

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

New Reviewer Applications

Last Name	First Name	Home City	Qualifications (as provided by the applicant)
Akeem	Chopane	Beaumont	Bachelor and Master's Degree
Chavez	Charlotte	Cedar Park	I'm a mother of 4 grown children. My youngest is a 23-year-old son with Down Syndrome and multiple health issues. I'm also employed by an HCS Service Provider (Draco) working with disabled adults.
Gutierrez	Erica	Round Rock	Currently have a MSW working as a Medicaid Waiver Service Coordinator with Bluebonnet Trails Community Services.
Jamison	Turner	Marble Falls	For the majority of my life, I have received services for my disability. Along with mainstream education, I have experiences in special education services, and services for day habilitation, employment, supported home living, community and in home support. I have a firsthand experience regarding the importance and impact of the programs your grants support.
Martinez	Stephanie	Round Rock	I have B.A. in Psychology [Developmental concentration]. I am also currently going through M.S. in Developmental Disabilities program. Currently employed at Bluebonnet Trails as Team Lead for Williamson and Burnet counties HCS Service Coordinators. Service Coordinator for almost 2 years Community services/resources/programs.
Murray	Jessica	Leander	My background is also in Elementary Education; specializing in Kindergarten and Special Education. Currently a service coordinator with Bluebonnet Trails working with individuals with intellectual disabilities. For the past 8 months, I have been in this role in Texas. Prior to moving to Texas I was a case manager for people with diagnosis of Mental Health and IDD for 9 years in Indiana. In Indiana, I was also a developmental therapist for early intervention for 4 years.
Pierce	Chloe	Cottonwood Shores	I have worked as a provider for IDD services for 9 years, and in that time I have done everything from direct care to the management of various programs. I am currently employed as the Program Coordinator overseeing the provision of services for Bluebonnet Trails in Burnet County; and currently manage the Day Habilitation center, the Supported Employment program, and the Supported Home Living services. I have a family member with I/DD.

Last Name	First Name	Home City	Qualifications (as provided by the applicant)
Pierce	Vickie	Burnet	I have a brother with I/DD two years younger than me. I have also worked in the field of IDD for over 22 years including direct care services, group home manager and supported home living services manager, and currently I work for Bluebonnet Trails Community Services. I feel like I have an understanding in the individual needs and actions. I care very much for their well- being and love the field I work in.
Tabor	Damian	Corpus Christi	I am the Director for the A.D.A.P.T organization in Corpus Christi. I work for Coastal Bend Independent Center in Corpus Christi.

Background:

Minutes of the August 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.

PROJECT DEVELOPMENT COMMITTEE MEETING August 4, 2016 — MINUTES

Committee Members Present

Gladys Cortez, Chair
Kimberly Blackmon
Kristen Cox
Mateo Delgado
Mary Durham, Council Chair
Ivy Goldstein, DSHS Alternate
Rachel Jew, DSHS
Jennifer Kaut, DARS
Scott McAvoy
Ron Roberts, TEA
David Taylor
John Thomas
Rick Tisch

Committee Member Absent

Dana Perry

Guests Present

Isabel Evans

Staff Present

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

Call To Order

The Project Development Committee met on Thursday, August 4, 2016, at the Horseshoe Bay Resort, 200 Hi Circle North, Horseshoe Bay, Texas 78657. Chair Gladys Cortez called the meeting to order at 2:07 p.m. A quorum was present.

1. Introductions

Committee members, staff and guests were introduced.

2. Public Comments

No public comments were offered.

3. Consideration of Minutes

The Committee reviewed minutes of the May 5, 2016, Project Development Committee meeting. It was noted that there was an error in the report that member Scott McAvoy attended a seminar that he did not attend. The sentence will be struck from the minutes.

MOTION: To approve the minutes of the August 4, 2016, Project Development Committee with the removal of the sentence stating that Scott McAvoy attended a public policy seminar.

MADE BY: Scott McAvoy

SECOND: Mateo Delgado

The motion **passed** unanimously as amended.

4. Chair's Remarks

Chair Cortez announced that Dana Perry is on vacation and unable to attend the meeting. It was also noted that Ron Roberts and Rachel Jew are non-voting members until they complete orientation. Council Chair Mary Durham addressed issues about appointments to the Council and referenced the attendance report. The Council has asked the governor's office to replace the members who are not up for reappointment.

5. Member Updates

No member updates were offered.

6. Staff Reports

A. Status of New/Approved Projects

Cynthia Ellison, Grants Management Director, reported that two new leadership and advocacy projects began last quarter - Family to Family and Paso Del Norte. The start date for Easter Seals Central Texas is pending. No additional updates.

B. Projected Available Funds

Martha Cantu, Operations Director, reported that TCDD still has funds for FY16 that are available for assignment to future projects. Chair Cortez commented positively on the new format for the budget documents. There were no additional updates from Cantu.

C. Other Updates

Joanna Cordry, Planning Director, reported on the Executive Committee's review of proposals received in response to Requests for Proposals (RFPs). The Executive Committee approved three grant proposals for funding: EveryChild, Inc. for TCDD Policy Fellows, Texas A&M University for Higher Education Collaborative, and Imagine Enterprises for Outreach and Development. Cordry also noted that TCDD Planning staff will attend the Health and Human Services Center for Elimination of Disproportionality and Disparities conference, which will be held in San Marcos in two weeks.

7. Future Activities for State Plan Implementation

A. State Plan Projects List

Cordry presented the State Plan Project list and the Committee discussed the issues related to the objectives.

B. Executive Summaries

The Committee discussed the TCDD Policy Fellows Executive Summary.

The RFP would be open year around, and the Executive Committee would review proposals twice per year. Up to two two-year fellowships would be funded each year for five years. Because each fellowship would last two years, TCDD would be providing funding for projects for six years. Each project would cost \$65,000 per year.

The past TCDD Policy Fellow grants are ending. Cordry shared that the fellow at the Arc of Texas accepted a job at SAFE prior to the end of the grant. The fellow contributed a significant amount of work on guardianship alternatives, but is not pursuing a career in policy. The Committee discussed the difficulty in measuring the outcomes of the policy fellows. The Committee would like the policy fellows to update the Council on their activities.

MOTION: To fund two new two-year TCDD Policy Fellowships each year for five years, for up to \$135,000 for year one, \$270,000 for years three through five, and \$135,000 for year six, with the expectation that the organizations would give hiring preference to individuals with developmental disabilities.

MADE BY: Rick Tisch

SECOND: Mateo Delgado

The motion **passed** unanimously.

C. Discussion of Sibling Network Project

Danny Fikac, Planning Specialist, presented information about sibling networks. He noted that Lauren Yeldell, a sibling to a person with a disability, set up an online Texas Sibling Leadership Network in April of 2016. Currently, Ms. Yeldell's work is the only sibling network in Texas of which TCDD is aware, and it is an informal network.

The Committee discussed the barriers to sibling support and involvement, different ways to support the building of sibling network, and the different resources that may already be available. The Committee further discussed developing a tool kit for siblings to be able to use in the event that the sibling becomes the primary advocate for their brother or sister who has a disability. Such a tool kit would highlight the importance of knowing the needs and issues even if the sibling is not responsible for the future needs. Currently, siblings are encouraged to utilize natural supports, but

additional provider supports are lacking.

Chair Cortez added additional information about the complexity of issues and the role of educating siblings about transitioning responsibility from an aging parent to a sibling. The Committee noted that siblings are the also part of the next generation of advocates. The Committee requested an Executive Summary for the funding of a sibling network.

8. Future Project Funding Priorities

The Committee reviewed and discussed the current list of projects and added the TCDD Policy Fellow to the list of priorities. All priorities remained unchanged, except the following changes:

- TCDD Policy Fellow was inserted as #5
- Partnership with African American Clergy to Support Families was moved to #10

MOTION: To recommend approval of the future project funding priorities list with the addition of the TCDD Policy Fellow project as the fifth priority and moving Partnership with African American Clergy to Support Families to the tenth priority.

MADE BY: Rick Tisch

SECOND: Scott McAvoy

The motion **passed** unanimously.

Adjourn

There being no further business, Chair Cortez, adjourned the meeting at 03:43 p.m.

Beth Stalvey, Secretary to the Council Date

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 and provides the current status of the projects.
- Executive Summaries — TCDD staff prepared an executive summary for the following proposed project that meets state plan requirements:
 1. Texas Sibling Network

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

Project Development Committee — Agenda Item 8**Expected Action:**

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

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

The Council will consider recommendations from the Project Development Committee.

**Projects that must be developed to address State Plan Objectives
Projects in progress**

Objective number	Objective	Status
1.3	Develop at least five new programs successfully support individuals with developmental disabilities to be included in post-secondary education.	Three almost completed; one started; one TBD.
1.4	Pilot at least one model that provides community-based, person-centered activities for people who are not employed and not in school.	Research being conducted by staff; not necessary to conduct in FY17.
2.2	Collaborate with the Texas DD Network Partners to educate people about and increase the use of alternatives to guardianship.	Executive Summary approved.
3.1	Provide financial support for at least one advanced leadership development and advocacy skills training program. (Partners in Policymaking)	Contract Awarded
3.1	Create a youth leadership training program.	Request for Proposals posted 9/3/16.
3.1	Provide policy fellowships to train at least two people each year.	One Fellow funded. Request for Proposals for additional TCDD Fellows posted 9/3/16.
3.1	Develop a plan and timeline to create a sibling network.	Executive Summary to be reviewed by Project Development Committee 11/16.
3.2	Support people with developmental disabilities to provide leadership development and advocacy skills training programs to people with developmental disabilities each year (community-based and institutional settings)	Executive Summary for one out of two projects approved.

Objectives Required to be Implemented Each Year

Objective number	Objective	Status
3.2	Support people with developmental disabilities to provide leadership development and advocacy training. (required objective)	Grassroots Community Organizing project in progress until 2018.
3.3	Collaborate with at least one statewide self-advocacy network to increase their capacity to pursue their mission. (required objective)	no data
3.1	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. (required objective)	no data
3.4	Support self-advocates and family members to participate in cross-disability, culturally diverse leadership coalitions. (required objective)	Stipends to participate in statewide workgroups. May need new project in FY 2018.

Objectives to be Implemented by Fiscal Year 2021

Objective number	Objective	Status
1.2	Create training and information for people who have developmental disabilities and families on financial literacy, SSI/SSDI and benefits.	One project in progress; one TBD
1.6	Pilot at least one program to provide community-based person-centered supports for people with complex medical and/or behavioral health needs, including mental health needs.	no data
1.8	Implement at least three projects to address specific needs of individuals with developmental disabilities who identify with a specific minority culture(s).	Two in progress. Outreach and Development RFP ongoing
1.9	Pilot at least one practice to address the needs of people with developmental disabilities who are aging and their caregivers.	no data
1.10	Pilot at least practice that supports organizations that serve the general public to improve how they include and are responsive to the needs of people with developmental disabilities.	no data
2.2	Collaborate with the DD Network Partners to promote the use of person-centered practices.	no data
2.3	Collaborate with at least three community-based organizations to reduce linguistic and cultural barriers experienced by individuals who are Spanish-speaking.	Possibly a staff activity.
3.1	Provide financial support for at least four general leadership development and advocacy skills training programs.	Three have started; one additional grantee to be selected.

Texas Council for Developmental Disabilities

FY2017 State Plan Goals, Objectives, and Year 1 Strategies

Goal 1:

Create and support promising practices that enable people with developmental disabilities to be fully included in their communities and to have control over their own lives by 9/30/2021.

Objective 1.1: Demonstrate at least three models that support people with disabilities to have employment of their choice by 9/31/2018.

Activity 1: Support Texas Tech to partner with local non—governmental organizations and the national Project Search program to establish new licensed Project SEARCH high school transition to employment sites.

Texas Tech — Project SEARCH

Activity 2: Complete creation of an interactive mobile application to promote competitive employment opportunities in inventory, requisitions, shipping and receiving (and similar jobs) for adults with developmental disabilities.

Educational Programs Inspiring Communities/HEART — Enabling Technology (Inventory Tracking System)

Activity 3: Complete development of a web—based virtual job coach application that will deliver 30 visually—rich instructional modules that address job search, applying for a job, and workforce skills processes and strategies.

Strategic Education Solutions — Enabling Technology (Web—based virtual job coach application)

Activity 4: Provide the Texas vocational rehabilitation program and Texas Education Agency (TEA) representatives on the Council with information about lessons learned from the development of Project SEARCH sites, the mobile application, and the web—based virtual job coach application.

Objective 1.2: Implement two programs to provide training and information to people who have developmental disabilities and their families on financial literacy, SSI/SSDI and health benefits by 1/1/2021.

National Disability Institute (NDI) — Understanding Employment Options and Supports

Second program to be developed — not necessary to implement in Year 1

Activity 1: Provide funding to the National Disability Institute (NDI) to plan the development of an online program that will provide training and information to people who have developmental disabilities and their families about options to enable them to increase their income/assets and maintain their benefits.

Activity 2: Support NDI to collaborate with individuals, families, and support systems in Texas to determine barriers and solutions.

Activity 3: Develop program informed by results of focus groups and surveys.

Activity 4: Develop webinar series.

Activity 5: Create 3—minute videos.

Objective 1.3: Develop at least five new programs that demonstrate success at supporting individuals with developmental disabilities to be more fully included in post—secondary education by 5/31/2021.

Activity 1: Support completion of three pilot Higher Education for Employment projects that support students with DD to earn degrees or certificates that prepare them for careers of their choice.

Texas Tech — Project CASE

Texas A&M — Bridge to Career in Human Service

DARS — Project HIRE

Activity 2: Develop and initiate a plan to support TCDD's completed Higher Education for Employment programs and other institutions of higher education to expand best practices in supporting students with DD to succeed in post—secondary programs originally designed for students without disabilities.

Higher Education Collaborative — Texas A&M

Fifth program to be developed — not necessary to implement in Year 1

Activity 3: Share information about identified public policy issues with legislators and state agency personnel.

Activity 4: Plan and implement approaches to increase public awareness about post—secondary education options.

Objective 1.4: Pilot at least one new model that provides community—based person—centered activities for people with developmental disabilities who are not employed and

not in school by 9/30/2021.

Activities to be developed — not necessary to address in Year 1

Objective 1.5: Demonstrate at least three new models that support individuals with disabilities to improve or maintain their health by 3/31/2018.

Activity 1: Support Any Baby Can to demonstrate a new health and wellness curriculum for individuals with DD and their families living in the San Antonio area.

Any Baby Can — Any Body Can

Activity 2: Support the Epilepsy Foundation to demonstrate a new health and wellness program in rural Texas communities that supports people with DD to advocate for inclusion of their curriculum as a Medicaid benefit.

Epilepsy Foundation — Get FIT Texas

Activity 3: Support the State Independent Living Center to collaborate of ILCs in Brazos Valley, El Paso, and Lubbock to complete a demonstration of a new health and wellness program that supports individuals with DD can improve the overall health and fitness of people with developmental disabilities.

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

Activity 4: Review outcomes and consider possible next steps to expand the impact of the program.

Activity 5: Share final results of programs.

Objective 1.6: Pilot at least one new community — based person — centered practice that ensures that people with complex medical and/or behavioral health needs, including mental health needs, receive appropriate and timely services by 9/30/2021.

Activities to be developed — not necessary to addressed in Year 1

Objective 1.7: Each year of the plan, provide support to stakeholders to participate in transportation planning activities that increase mobility and availability of accessible transportation.

Activity 1: Support the Texas State Independent Living Center (SILC) to develop and present one transportation summit.

Statewide Independent Living Council — Transportation Works

Activity 2: Reach out to entities and individuals who have expressed the need for improve transportation in their area and provide them information about the summit.

Activity 3: Work with SILC to begin development of a website to serve as an extensive resource.

Objective 1.8: 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.

Activity 1: Support Light and Salt to conduct community outreach events; provide face — to — face consultation and case referrals for pre-screenings and diagnostic evaluations; support individuals to receive services supports; and provide advocacy training for Asian Americans who have developmental disabilities and their families.

Light and Salt Association — Culturally Appropriate Family Supports

Activity 2: Support REACH to increase awareness; provide support; and improve access to resources for the Ethiopian, Eritrean, and Kenyan communities residing in Dallas, Collin, Denton and Tarrant counties.

Reaching Families Advocacy and Support Group — Culturally Appropriate Family Supports

Activity 3: Develop a strategy to build capacity for organizations that provide culturally competent services to a specific minority community to develop the infrastructure to implement a grant project.

Outreach and Development grants — “Step Up” process (grantees to be selected)

Activity 4: Gather information about projects’ public policy implications and incorporate information into policy recommendations as appropriate.

Reports to be developed

Objective 1.9: Pilot at least one practice that addresses the needs of individuals with developmental disabilities who are aging, and their caregivers by 9/30/2021.

Activities to be developed — not necessary to addressed in Year 1

Objective 1.10: Pilot at least one practice that supports organizations, agencies, groups, or individuals that provide services to the general public to fully include and be responsive to the needs of people with developmental disabilities by 9/30/2021.

Activities to be developed — not necessary to addressed in Year 1

Goal 2:

Improve and/or expand community — based systems to better support people with developmental disabilities or families of children with developmental disabilities to be fully included in their communities by 9/30/2021.

Objective 2.1: Each year of the plan, promote systems that will sustain the policies and programs that demonstrate success in supporting people with developmental disabilities or families of people with developmental disabilities to be fully included in their communities.

Activity 1: Participate in at least 10 workgroups that promote systems that will sustain the policies and programs that demonstrate success in supporting people with DD or families of people with DD to be fully included in their communities.

Activity 2: Collaborate with at least five other organizations to improve community capacity to support individuals with DD who are at risk of institutionalization or who desire to leave institutions.

Activity 3: Collaborate with at least three other organizations to promote access to timely, appropriate medical and/or behavioral health services that serve people with complex needs.

Activity 4: Provide input and negotiate for outcomes consistent with TCDD's philosophy, public policy priority, and public policy statements and/or informed by lessons learned TCDD projects to state agencies and legislators, as applicable.

Activity 5: Explore development of a State Supported Living Center (SSLC) Peer Support Program.

Activity 6: Explore development of a Home and Community based services peer support program.

Objective 2.2: Collaborate with the Texas Developmental Disabilities Network Partners (the Center on Disability and Development at Texas A&M University, the Texas Center for Disability Studies at The University of Texas at Austin, and Disability Rights Texas) to promote person — centered practices and educate people with developmental disabilities and their families about, and increase the use of, alternatives to guardianship by 9/30/2021.

Activity 1: Meet to discuss the intended outcomes and inputs from each partner for a collaborative project to educate people with developmental disabilities and their families about alternatives to guardianship and person centered practices.

Activity 2: Develop specifications, including timeline, for collaborative project.

Activity 3: Hire a program manager to implement project.

Alternatives to Guardianship training project Executive Summary approved 2/5/16

Objective 2.3: Collaborate with at least three community — based organizations to reduce linguistic and cultural barriers that prevent individuals who are Spanish — speaking from receiving services by 9/30/2021.

Activity 1: Conduct targeted outreach to organizations that focus on providing services to people who are Latino and Spanish — speaking to connect with individuals and entities that are actively working to reduce barriers.

To be developed — not necessary to address in Year 1

Activity 2: Provide funding for organizations that are not state agencies and not funded with federal funds to translate materials related to services and supports into Spanish.

Translation Stipends Executive Summary approved 5/6/2016

Activity 3: Work with the Center for Elimination of Disproportionality and Disparities to better understand and learn to address barriers that prevent individuals who are Spanish — speaking to receive culturally appropriate services and to connect with entities that have identified and/or are addressing barriers.

Objective 2.4: Each year of the plan, advocate for legislative/policy change to improve educational outcomes and remove barriers to full-time or part-time employment for people with developmental disabilities.

Activity 1: Gather information about successful strategies and barriers experienced by grantee projects related to education and employment.

Activity 2: Participate on and/or collaborate with the Employment First Task Force (EFTF), the IDD System Improvement workgroup, the Purchasing from Persons with Disabilities Advisory Committee and the Disability Policy Consortium to develop solutions to identified barriers.

Activity 3: Advocate for the re-authorization of the Employment First Task Force.

Activity 4: Provide formal written public input to policymakers.

Activity 5: Draft and post written materials for the TCDD website, Council members and other stakeholders to be used in advocacy.

Activity 6: Provide input to inform the development of a policy on workplace bullying.

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 3.1: Support at least nine leadership development and advocacy skills training programs for people with disabilities, family members of people with disabilities, and allies by 9/30/2021.

Activity 1: Establish at least three general leadership development and advocacy skills training programs for people with disabilities, family members of people with disabilities, and allies.

Family to Family — Leadership Development and Advocacy Training

Paso Del Norte Children’s Center — Leadership Development and Advocacy Training

Easter Seals Central Texas — Leadership Development and Advocacy Training

Leadership Development and Advocacy Training (grantee to be selected)

Activity 2: Establish at least one advanced leadership development and advocacy skills training program (Partners in Policymaking) for people with disabilities, family members of people with disabilities, and allies.

Partners in Policymaking

Activity 3: Create at least one leadership development and advocacy skills training program for youth with disabilities.

Youth Leadership (Request for Proposals posted 9/3/16)

Youth Leadership (Request for Proposals posted 9/3/16)

Youth Leadership (Request for Proposals posted 9/3/16)

Activity 4: Develop a plan and timeline to create a sibling network.

Sibling Leadership Network (Request for Proposals posted 9/3/16)

Activity 5: Provide TCDD Fellowships to at least two people to develop the requisite skills, knowledge and experience to engage in policy activities so that people with people with developmental disabilities have greater control over their own lives.

EveryChild, Inc.

Activity 6: 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.

Support for people underserved or unserved — Leadership Development and Advocacy Training (grantees and activities to be developed)

Objective 3.2: Support people with developmental disabilities to provide leadership development and advocacy skills training programs to people with developmental disabilities each year.

Activity 1: Support at least one Texas Advocates grant project through which people with developmental disabilities support others to be leaders in community organizing to achieve goals they have selected.

Texas Advocates — Grassroots Community Organizing

Activity 2: Develop a plan through which at least one program through which people with developmental disabilities living in the community mentor and/or provide leadership and advocacy training to individuals with developmental disabilities living in institutions.

Self-Advocates as Mentors/Trainers to People in Institutions (grantee(s) to be developed)

Peer Support Specialist (grantee Executive Summary approved May 6, 2016)

Objective 3.3: Collaborate with at least one statewide self-advocacy organization run by people with developmental disabilities to create opportunities to increase their ability to strengthen their organization and pursue their mission by 9/30/2021.

Activity 1: Partner with Texas Advocates (Texas' statewide self-advocacy group made up of and run by individuals with IDD) to determine current administrative support needs and suggest other partner organizations who might have the capacity to provide support.

Activity 2: Provide financial support and outreach to support participation by self-advocates and speakers at the annual Texas Advocates conference.

Activity 3: Provide technical assistance to and consider funding requests for activities that will strengthen the Texas Advocates.

To be developed — needs to be addressed by 9/30/16

Objective 3.4: Support self-advocates and family members to participate in cross — disability, culturally diverse leadership coalitions each year.

Activity 1: Provide travel stipends for self-advocates to participate on statewide workgroups, councils, and committees.

Stipends to support self-advocates and family members on boards and committees

Activity 2: Collaborate with state agencies to reach out to identify diverse groups of self-advocates who might participate on statewide workgroups, councils, and committees.

Activity 3: Provide direct support as needed and technical assistance to self-advocates serving on cross — disability, culturally diverse committees.

Activity 4: Conduct outreach to increase participation of more individuals with culturally diverse backgrounds to participate in cross-disability workgroups to increase the diversity.

Activity 5: Request that grantees provide names and contact information for self-advocates who might wish to participate in culturally diverse, cross disability leadership coalitions.

Goal 4:

Ensure there is ongoing support and technical assistance for the Council to identify and engage in issues according to the Council's priorities and mission.

Objective 4.1: Each year of the plan, provide written and/or verbal public policy input on behalf of TCDD regarding issues that impact the lives of people with developmental disabilities and their families.

Activity 1: Draft and provide formal written input to state agencies, legislators, other policymaking entities, and other entities as appropriate.

Activity 2: Actively participate in ad hoc advocacy meetings, workgroups, committees, and councils, and contribute to the development of recommendations to be provided to policymaking entities.

Activity 3: Educate policy makers and decision makers.

Objective 4.2: Each year of the plan, organize and conduct communications activities to increase connections to organizations and individuals.

Activity 1: Publish information at least quarterly to support advocacy and involvement in public policy development each year.

Activity 2: Gather information about self—advocate presenters who developed speaking skills through TCDD— funded projects.

Activity 3: Share information or articles other than those related to policy at least 3 times a week on digital media, including the TCDD website, e-list, Facebook, and Twitter.

Activity 4: Conduct direct outreach by staffing a booth at least one appropriate events at least quarterly to increase TCDD's outreach.

Objective 4.3: Each year of the plan, evaluate and/or address opportunities to develop or incorporate new promising practices that would improve TCDD's ability to achieve the Council's mission.

Activity 1: Review materials published by other agencies, organizations, and educational institutions.

Activity 2: Review outcomes, barriers, and recommendations provided by grantees, provide technical assistance and information, and translate information into best practices.

Activity 3: Support continuing education and technical assistance for Council members and staff to incorporate best practices into activities.

Funding Proposal Executive Summary — Texas Sibling Network

Background

The sibling relationship is considered “the longest-lasting relationships of the human experience” (Cicirelli 1994), providing the greatest opportunity for mutual support and care. Thus, the need to define and promote healthy, positive adult sibling relationships is paramount. There have been several formal efforts to support siblings of individuals with disabilities. For example, in SibShops, children (typically ages 8-13 years) meet other siblings, talk about what they believe are the good and bad parts of having a sibling with disabilities, play games, and learn about their sibling’s services. However, there is a gap in formal support opportunities for teens and adult siblings.

Siblings have reported experiences that are uniquely theirs, including feelings of pride, resentment, responsibility, peer concerns, embarrassment, and a lack of information and resources on how to support their loved one. In general, the experiences, perceptions, and needs of teens and adults are often not acknowledged within our existing support system. Therefore, it is necessary to obtain input from all siblings, not just those who self-identify as the most involved, to better understand how siblings are affected and how they contribute to the lives of their brothers and sisters.

People with disabilities continue to seek control over their lives, and like all family members, siblings need to understand how to best support their loved one through person-centered practices. Siblings may also need specific information about their sibling’s disability and its implications; information about available services including long-term services and supports; and, education, and training to effectively advocate for their sibling if needed. Compared to what is available for parents, supports and information tailored for siblings is limited. Existing resources include:

- The Arc’s For Siblings is an email list for all siblings of individuals with intellectual and/or developmental disabilities (I/DD). The list informs siblings about I/DD related policy updates and developments. The emails contain information for siblings to become involved in The Arc’s advocacy efforts nationwide, information about sibling stories and sibling-specific resources, and updates on sibling related events.
- The national Sibling Leadership Network (SLN), founded in 2007, develops and fosters a broad network of siblings who share their experience of disability and connects them to supports needed across the lifespan. The goals of the SLN are to provide information and updates about activities, initiatives, policy decisions, and to hold sibling-related events so that siblings may be effective advocates for and with their brother, sister, and their families. Currently, there are 19 state SLN chapters. There is no formal chapter in Texas, but there have been efforts to connect Texas siblings through the use of social media and informal meetings.

Through this project, TCDD intends develop a statewide network that increases opportunities for siblings in Texas to connect, receive and share information that meets their needs (as identified through research and direct input from siblings); to develop leadership and advocacy skills; and to receive support to advocate for themselves and their siblings. The Texas Sibling Network must also identify and be responsive to different cultural values and customs that exist in Texas.

State Plan Goal

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 3.11: Create at least one sibling network by 9/30/2021.

Expected Outcome

This project would develop a Texas Sibling Network. A “network,” used in the context of this Executive Summary, is a group of people who are supported by a coordinating entity that implements specific activities that may include but are not limited to: conducting outreach; providing information and training; and supporting sibling members to share information, contacts, and experiences.

The entity receiving funding to implement this project would:

- Review existing data and literature to identify best practices and barriers related to providing siblings with support, information, and training;
- Seek input and guidance from siblings who have been supporting and/or advocating for their brother or sister;
- Gather input from geographically, racially, and linguistically diverse groups of siblings (including teens) to ensure that the network supports involvement of siblings in culturally appropriate ways;
- Develop curricula to provide training, education and support for teens and adult siblings of individuals with developmental disabilities;
- Develop a sustainable network of activities and connections;
- Increase the number of brothers and sisters who are better informed, have increased skills, and are able and willing to play significant roles in the lives of people with disabilities; and
- Increase the number of sibling advocates.

The project is expected to recruit a minimum of 50 sibling participants the first year and continue to increase the total number of siblings by 25% each year. At the end of five

years, the project will have developed and established a sustainable statewide sibling network.

Project Description

One project to develop a sustainable sibling network and to organize and support activities that meet the needs of teen and adult siblings of individuals with developmental disabilities.

The grantee must determine what resources and activities are most needed. Activities may include:

- Conducting activities to build a sustainable network;
- Assisting siblings to understand current and future needs to better support their sibling;
- Providing disability education, including implications of their sibling's diagnosis and supports that are important both to and for the sibling, the history of disability rights movement, and how to advocate across public systems;
- Conducting forums to share information or to provide support;
- Arranging opportunities for siblings to openly discuss concerns about specific issues;
- Educating and providing training on available services and various types of support including accessing and managing Medicaid Waiver services;
- Educating siblings about the importance of, and how to, be involved in futures planning;
- Training and supporting siblings to participate in advocacy opportunities;
- Developing a toolkit for siblings who will or plan to become the primary caregivers and decision makers;
- Informing siblings about and/or facilitating training in person-centered practices; and
- Involving siblings living in rural areas and people who self-identify as having a racial or ethnic minority background.

Proposed Funding Amount and Number of Projects

Up to \$85,000 per year for one project.

Proposed Duration

Up to five years

Other Considerations

None.

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; people who speak different languages; 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?
 - D) How have other states addressed this?
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
8. What disparity or disproportionalities exist related to this project?
9. Is addressing this issue feasible?

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.

Project Development Committee — Agenda Item 9

Expected Action:

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

Council — Agenda Item 7. B.

Expected Action:

The Council will consider recommendations from the Project Development Committee.

TCDD Future Funding Activities Priority List as of September 30, 2016

Number	Organization/Activity	Possible Projects	Funding "Up To"	Council Approved	Expected RFP Post	Expected Start	Expected End
N/A	Outreach and Development Projects – 3.1 each up to 1 year ¹	3 per year for up to 4 years	\$10,000 per project	5/6/16	9/30/16	FY 2017	FY 2020
N/A	Outreach and Development Projects – 3.2 each up to 2 years ¹	2 per year for up to 5 years	\$20,000 per project	5/6/16	9/30/16	FY 2018	FY 2022
N/A	Developmental Disability Policy Fellows Program each up to 2 years ¹	2 per year for up to 5 years	\$67,500 per project	8/5/16	9/30/16	FY 2017	FY 2022
1	Partners in Policymaking up to 5 years ¹	1	Year 1 up to \$150,000; Year 2 up to \$225,000; Year 3 up to \$250,000; Year 4 and 5 up to \$300,000	11/16/15	6/14/16	To Be Determined	To Be Determined
2	Alternatives to Guardianship and Supported Decision Making DD Network Project up to 5 years	1	To Be Determined	2/5/16	To Be Determined	To Be Determined	To Be Determined

Number	Organization/Activity	Possible Projects	Funding “Up To”	Council Approved	Expected RFP Post	Expected Start	Expected End
3	Higher Education Collaborative up to 5 years ²	1	To Be Determined	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	11/7/14	To Be Determined	To Be Determined	To Be Determined	\$25,000 per year per project
5	Youth Leadership Development up to 5 years ¹	3	\$125,000 per year per project	5/6/16	9/30/16	4/1/17	3/31/22
6	Peer Support Specialists for Person Directed Planning up to 4 years	1	Year 1 up to \$100,000 Year 2-4 up to \$125,000	5/6/16	To Be Determined	To Be Determined	To Be Determined
7	Translation Services up to 3 year	1	\$25,000 per year	5/6/16	To Be Determined	To Be Determined	To Be Determined
8	Partnership with African American Clergy to Support Families up to 5 years	1	\$75,000 per year	5/3/13	Does Not Apply	To Be Determined	To Be Determined

1) Indicates: open RFP or Proposals received are under review at time of printing.

2) Indicates: proposals have been approved, awarded or project is in process of beginning since last Council meeting.

Background:

Council Policies provide for a Nominating Committee to be established each year at the fall Council meeting. Both the Public Policy Committee and the Project Development Committee will select one committee member to be a member of the Nominating Committee. The Council will select a third member of the Committee. Those three members will select a Committee Chair from among their members at their first meeting.

Nominating Committee:

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

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

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

TCDD Policies limit members from serving no more than two consecutive terms as Vice-Chair. **Kristen Cox** is currently serving in her second term as Council Vice-Chair and is not eligible to serve another term.

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

Please remember that members of the nominating committee are not eligible to be considered for a nomination to either of these positions. State agency representatives are eligible to serve on the nominating committee but may not serve as Council Vice-Chair.

Project Development Committee — Agenda Item 10

Expected Action:

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

Public Policy Committee — Agenda Item 9

Expected Action:

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

Council — Agenda Item 6

Expected Action:

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

From: Council Policies

V. Officers:

A. Positions and Qualifications. Officers of the Council shall be a Chair and Vice-Chair. A representative of a state agency may not serve as an officer of the Council.

B. Appointment and Election Procedures:

1. The Council Chair shall be designated by the Governor to serve a term at the will of the Governor.
2. The Council Vice-Chair shall be elected by the Council at the first regular Council meeting of the new calendar year except for a vacancy. The term of office for the Council Vice-Chair shall be one calendar year. No member may hold the office of Council Vice-Chair for more than two consecutive full terms.

C. Vacancies in Office:

1. A vacancy in the office of Council Chair may be filled only by the Governor. The Council Vice-Chair shall perform the duties of the Chair during the period of vacancy.
2. A vacancy in the office of Vice-Chair may be filled by a majority vote of the members present at any scheduled meeting of the Council. Vice-Chairs elected in this manner shall serve until the election of a Vice-Chair at the first regular Council meeting of the new calendar year.

D. Duties of Officers:

1. The Chair is responsible for the general supervision of all activities of the Council in order to assure that the objectives of the Council are executed in the best possible manner. The responsibilities of the Chair shall include, but not be limited to, the following duties:
 - a) The Chair shall preside at all Council meetings.
 - b) The Chair shall serve as the Chair of the Executive Committee and as a voting, ex-officio member of all committees except the Nominating Committee.
 - c) The Chair shall appoint the members of all standing and ad hoc committees except the Nominating Committee and the Executive Committee.
 - d) The Chair shall appoint Chairs of all standing committees in a manner prescribed in Article VI of these bylaws. All such appointments are subject to the approval of the Council.
 - e) The Chair shall call special meetings of the Council, as necessary.
 - f) The Chair shall approve the agenda for each Council meeting.

- g) The Chair shall represent the Council at public meetings and conferences and in dealing with other organizations or shall designate an alternate to do so.
- h) The Chair shall approve out-of-state travel of Council members or staff pursuant to travel procedures established by the Executive Committee.
- i) The Chair shall provide advice and consultation to the Executive Director concerning activities conducted by Council staff.
- j) The Chair shall prepare the annual performance evaluation of the Executive Director after considering input from Committee Chairs and Council members.
- k) The Council Chair shall be authorized to act for the Council on matters, which require Council action when neither the appropriate committee(s) nor the full Council can meet, providing:
 - (i) Input is solicited from the Council Vice-Chair, the Chair of the appropriate Committee, and other members of the Council reasonably known to be knowledgeable about the matter at hand (For purposes of this sub-section, "input" means to receive and disseminate information.); and
 - (ii) Such action shall be reviewed by the appropriate Committee of the Council when it next meets.

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

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

VII. COMMITTEES OF THE COUNCIL

G. Nominating Committee Duties and Composition

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

Background:

Minutes of the August 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 August 4, 2016 — DRAFT MINUTES

<u>Committee Members Present</u>	<u>Committee Members Absent</u>	<u>Staff Present</u>
Lora Taylor, Committee Chair	Kristine Clark	Ashley Ford
Hunter Adkins	Brandon Pharris	Linda Logan
Mary Faithfull, DRTx	Nancy Walker, HHSC	Jessica Ramos
Stephen Gersuk		
Ruth Mason	<u>Guests Present</u>	
Michael Peace	Justin Babineaux, DADS	
Amy Sharp, UT — CDS	Stephanie Sokolosky	
Meagan Sumbera, A&M – CDD		
Donnie Wilson, DADS		

Call To Order

The Public Policy Committee convened on Thursday, August 4, 2016 in the Cottonwood Room at the Horseshoe Bay Resort, 200 Hi Circle North, Horseshoe Bay, TX 78657. Public Policy Committee Chair Lora Taylor called those present to order at 2:10 p.m.

1. Introductions

Chair Taylor asked the Committee members, staff, and guests to introduce themselves and to share the policy issue that is personally most important to them in the upcoming legislative session.

2. Public Comments

No public comments were offered to the Committee.

3. Consideration of Minutes

The Committee reviewed the minutes from the May 5, 2016, Public Policy Committee meeting.

MOTION: To approve the minutes of the May 5, 2016, Public Policy Committee meeting.

MADE BY: Michael Peace

SECOND: Hunter Adkins

The motion **passed** without opposition.

4. Chair's Remarks

Chair Taylor reviewed absences and reported on the recent events that she attended, including an accessible parking hearing hosted by the Governor's Committee on People with Disabilities.

5. Member Updates

Committee member Michael Peace discussed his recent travels and experience with the Patriot Academy. Committee member Hunter Adkins discussed her recent experience in a local beauty

pageant. Committee member Ruth Mason discussed her son's experience with a video production crew to promote his soap products. Mason thanked both University Centers of Excellence in Developmental Disabilities (UCEDD) representatives for providing Person-Centered Practices training to help facilitate community life for people with developmental and other disabilities.

6. **TCDD Public Policy Priorities**

The Committee is responsible for recommending public policy priorities to the Council before the beginning of each legislative session. TCDD's Public Policy Priorities provide guidance to staff regarding legislative advocacy activities. Chair Taylor presented the proposed 2017 Public Policy Priorities and explained the purpose of the recommended revision to add a link to the Council's position statements.

MOTION: To recommend Council approval of the 2017 Public Policy Priorities as presented, with one edit to add "supported decision-making" to the sentence beneath the Guardianship and Supported Decision-Making heading.

MADE BY: Hunter Adkins

SECOND: Michael Peace

The motion **passed** unanimously.

7. **TCDD Position Statement Review**

The Committee reviewed and recommended updates for the following Position Statements: Employment, Education, and Transition from School to Adult Life. Chair Taylor and staff explained that the Right to Privacy Position Statement would be taken up in November. No action was taken.

Chair Taylor presented the **Employment Position Statement** and explained the purpose of the recommended revisions. The statement more prominently features Employment First in the first paragraph rather than in the first bullet.

MOTION: To recommend Council approval of the Employment Position Statement as presented.

MADE BY: Hunter Adkins

SECOND: Michael Peace

The motion **passed** unanimously.

Chair Taylor presented the **Education Position Statement** and explained the purpose of the recommended revisions. The statement changes "behavioral and academic needs" to "social, emotional and academic needs" for more modern terminology, adds a paragraph relating to the identification of students with disabilities, revises the paragraph regarding charter schools, and combines paragraphs regarding inclusion.

The committee discussed the recommended revisions and requested additional information regarding school finance and charter schools. The Committee agreed to take no action on the Education Position Statement and to put it back on the agenda for discussion at the November meeting. No action was taken on the Education Position Statement.

Chair Taylor presented the **Transition from School to Adult Life Position Statement** and explained the purpose of the recommended revisions. The statement adds support for requirements to be implemented under the Workforce Innovation and Opportunity Act (WIOA).

MOTION: To recommend Council approval of the Transition from School to Adult Life Position Statement as presented.

MADE BY: Hunter Adkins

SECOND: Michael Peace

The motion **passed** unanimously.

8. **Public Policy Issues**

The Committee received updates from staff regarding recent public policy activities including the impact of WIOA, lead found in the water of State Supported Living Centers (SSLCs) and the state's response, state policy issues including the Department of Aging and Disability Services (DADS) Draft Long Range Plan for SSLCs, Austin State Hospital (ASH) and Austin SSLC Location Feasibility Study, proposed state budget cuts, and the Long-Term Care Plan for Individuals with Intellectual Disabilities and Related Conditions.

Public Policy Director Jessica Ramos discussed the impact of WIOA. Ramos highlighted that the changes WIOA will require, including new Vocational Rehabilitation requirements for transition age youth and 14(c) certificate holders, which are a result of sustained advocacy efforts and cultural change. Ramos stressed the importance of disability advocates continuing to work together to address the systems change necessary to successfully transition people from subminimum wage settings into competitive integrated employment.

Ramos discussed lead found in the water at three SSLCs and the state's response. Ramos explained that the state's original plan for determining residents' lead exposure only included training SSLC staff to look for signs of lead poisoning, therefore the Disability Policy Consortium (DPC) sent Governor Abbott a letter that requested blood tests for residents of the SSLCs to ensure their health and safety. Ramos noted that DADS Commissioner Weizenbaum responded to the DPC letter and conducted blood tests on residents at the three SSLCs; the blood test results did not indicate elevated levels of lead for considerable concern among any SSLC resident.

Ramos presented the public comment submitted by TCDD staff regarding DADS Draft Long Range Plan for SSLCs. Ramos explained that DADS must develop a plan for the provision of SSLC services with recommendations regarding the most efficient long-term use and management of SSLCs. TCDD's comments included, but are not limited to developing and implementing an SSLC Peer Support Program, clearly representing data so it does not perpetuate the misconception that people with complex needs can only live in institutional settings, establishing standards for outsourcing contracts, and planning for consolidation and closure.

Ramos presented the public comment submitted by TCDD staff regarding the ASH and Austin SSLC Location Feasibility Study. Ramos explained that the Health and Human Services Commission is conducting a study to determine the "feasibility, costs, and benefits of transferring operations of the ASH to a new location" and are looking at the Austin SSLC through the same lens. TCDD's comments included, prioritizing evidence-based downsizing and rebalancing for different mental health and intellectual and developmental disabilities services and needs, prioritizing quality treatment of the individuals served at ASH, and the long-term support needs of residents at Austin SSLC.

Ramos explained that state leadership directed state agencies to craft budgets for 2018-2019 that will propose 4 percent cuts from 2016-2017 levels for many state services. Ramos presented TribTalk's article titled, *Don't blame oil prices on budget woes*. The article concludes that cutting the state budget by four percent could bring significant cuts to already underinvested services such as education and healthcare and identifies structural deficits caused by prior legislative actions.

Ramos presented the public comment submitted by TCDD staff regarding the Long-Term Care Plan for Individuals with Intellectual Disabilities and Related Conditions. The plan is developed by DADS prior to each legislative session to reflect priorities for SSLCs, intermediate care facilities, and waiver programs for people with intellectual and developmental disabilities. TCDD's comments included, but are not limited to prioritizing interest list reduction, Community First Choice outreach, expanding provider qualifications, and prioritizing meaningful day activities.

9. **Other Discussion Items**

The Committee received an update regarding public policy related communications and marketing efforts including TCDD's work with the Texas Tribune Festival to increase the participation of people with disabilities and their families.

Adjourn

There being no further business, Committee Chair Lora Taylor adjourned the meeting at 4:05 p.m.

Beth Stalvey, Secretary to the Council Date

Background:

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

The following Position Statement documents are included for your review:

- A. Public Transportation Systems –
 - i. Current Position Statement with Markups*
 - ii. Current Position Statement with Markups Accepted*
- B. Criminal Justice –
 - i. Current Position Statement with Markups*
 - ii. Current Position Statement with Markups Accepted*
- C. Right to Privacy –
 - i. Current Position Statement with Markups*
 - ii. Current Position Statement with Markups Accepted*
- D. Service Coordination –
 - i. Current Position Statement with Markups*
 - ii. Current Position Statement with Markups Accepted*
- E. Education –
 - 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 five position statements and recommend revisions to the Council.

Council — Agenda Item 8

Expected Action:

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

Public Transportation Systems Position Statement — DRAFT

The Texas Council for Developmental Disabilities supports the position that a public transportation systems must meet the needs of ~~citizens~~ individuals with disabilities in a safe, reliable, convenient, affordable, timely and accessible manner. Transportation is essential ~~for to any effort to enable~~ helping ensure all ~~citizens~~ individuals can to live as independently as they choose, and ~~to be fully integrated~~ be an active participant in their communities. A transportation system should ~~be one system with~~ be comprised of ~~walkways~~ accessible pathways linked to all modes of transportation.

Almost one-third (31%) of adults with disabilities report inadequate transportation access, double the rate of the general population (13%).¹ People with disabilities cannot enjoy the basic right to freedom of movement when access to transportation is not available or they must depend on transportation systems ~~that~~ are limited, do not exist, are unsafe, or the transportation and walkways are not interconnected or and accessible.

The Texas Council for Developmental Disabilities supports the position that publicly funded and/or regulated transportation service systems must:

- Combine all transportation services and funding into one system to be universally accessible and effective;
- Coordinate and computerize dispatch at state, federal and local levels among all modes of transportation;
- Expand capacity in suburban, urban, rural and unincorporated areas to connect places people live with places they work, shop, socialize, worship, attend school, access health care, etc.;
- Include require alternative routes for people with disabilities and specifically those who use ~~in~~ wheelchairs, during construction; and
- Be fully accessible and available to all people with disabilities at varying times of the day.

The Council advocates for the active and sufficient representation of people ~~individuals~~ with disabilities ~~to be actively represented~~ on boards and advisory groups for both public and private entities that oversee or provide transportation services.

~~For the promise of full integration into the community to be real for people with disabilities they~~ Everyone must have access to safe, reliable, affordable, and accessible transportation to connect ~~them~~ individuals where they live, ~~with~~ where they need to be, ~~when they need to get there for the promise of full community integration to be real for people with disabilities go.~~

Approved ~~May 9, 2014~~

□American Association of People with Disabilities. (2012). Equity in Transportation for People with Disabilities. Washington, DC. Retrieved October 10, 2016 from <http://www.civilrightsdocs.info/pdf/transportation/final-transportation-equity-disability.pdf>.

Public Transportation Systems Position Statement — DRAFT

The Texas Council for Developmental Disabilities supports the position that public transportation systems must meet the needs of individuals with disabilities in a safe, reliable, convenient, affordable, timely and accessible manner. Transportation is essential for helping ensure all individuals can live as independently as they choose, and to be an active participant in their communities. A transportation system should be comprised of accessible pathways linked to all modes of transportation.

Almost one-third (31%) of adults with disabilities report inadequate transportation access, double the rate of the general population (13%).¹ People with disabilities cannot enjoy the basic right to freedom of movement when access to transportation is not available or systems are limited, do not exist, are unsafe, or the transportation and walkways are not interconnected or accessible.

The Texas Council for Developmental Disabilities supports the position that publicly funded and/or regulated transportation service systems must:

- Combine all transportation services and funding into one system to be universally accessible and effective;
- Coordinate and computerize dispatch at state, federal and local levels among all modes of transportation;
- Expand capacity in suburban, urban, rural and unincorporated areas to connect places people live with places they work, shop, socialize, worship, attend school, access health care, etc.;
- Require alternative routes for people with disabilities and specifically those who use wheelchairs, during construction; and
- Be fully accessible and available to all people with disabilities at varying times of the day.

The Council advocates for the active and sufficient representation of individuals with disabilities on boards and advisory groups for both public and private entities that oversee or provide transportation services.

Everyone must have access to safe, reliable, affordable, and accessible transportation to connect individuals where they live, where they need to be, when they need to get there for the promise of full community integration to be real for people with disabilities.

Approved TBD

i American Association of People with Disabilities. (2012). Equity in Transportation for People with Disabilities. Washington, DC. Retrieved October 10, 2016 from <http://www.civilrightsdocs.info/pdf/transportation/final-transportation-equity-disability.pdf>.

Criminal Justice Position Statement — DRAFT

The Texas Council for Developmental Disabilities supports the position that people with intellectual, developmental, and/or mental/behavioral health disabilities who are victims, suspects, or witnesses of a crime have the right to impartial justice and fair treatment in all areas of the criminal justice system, including reasonable accommodations ~~as necessary~~. While those people with intellectual disabilities comprise 2% to 3% of the ~~general total~~ population, they represent make up 4% to 10% of the people in prison population, with ~~an even greater number more~~ in juvenile facilities and jails as well as a significant portion of State Supported Living Center admissions. People with intellectual disabilities and are 4 to 10 times more likely to be victims of crime than those without disabilities¹.

~~A disability does not necessarily mean a person is incompetent to stand trial, but however, it is the responsibility of counsel and the court to raise competency as an issue in appropriate cases and at any point in the proceedings where when the defendant's competency is in question. People with intellectual, developmental, and/or mental/behavioral health disabilities may have functional support needs in one or more spheres of mental functioning that involve perceptual memory, and judgment modalities. Their ability to process and retain information and to relate cause and effect may be affected.~~ Attorneys and judges often lack adequate ~~and appropriate~~ knowledge of due process protections available for people with disabilities prior to, during, and after being found incompetent to stand trial. ~~A disability does not necessarily mean a person is incompetent to stand trial, but however, it is the responsibility of counsel and the court to raise competency as an issue in appropriate cases and at any point in the proceedings where when the defendant's competency is in question.~~ Additionally, with ~~the~~ increased pressure to privatize services, there is a need to ensure that the individual's competency is assessed and access to needed mental/behavioral health treatment is not compromised at any point in the criminal justice process.

TCDD supports the position that timely, appropriate, and adequate care and treatment must be provided to individuals after they are determined incompetent to stand trial or not guilty by reason of insanity, with particular attention to the following:

- Providing comprehensive officer training in booking and intake procedures of individuals with intellectual, developmental, and/or mental/behavioral health disabilities.

¹ Davis, Leigh A. People with Intellectual Disabilities in the Criminal Justice System: Victims & Suspects.2009. Retrieved October 1, 2012 from <http://www.thearc.org/page.aspx?pid=2458>

- ~~Early intervention~~ Intervening promptly and providing ~~that includes~~ a valid and clinically appropriate disability screening prior to, during, and following arrest, ~~and~~
- ~~Providing comprehensive officer training in booking and intake procedures of individuals with intellectual, developmental, and/or mental/behavioral health disabilities.~~
- Ensuring ~~that~~ competency restoration is provided in appropriate therapeutic settings that facilitate recovery.
- ~~Reduction on the~~ Reducing reliance ~~of~~ on non-medically necessary outpatient treatment.
- ~~Reduction in~~ Reducing the amount of time the criminal court retains jurisdiction over an alleged offender.
- Requiring ~~O~~ngoing training of criminal justice professionals on Code of Criminal Procedure, Article 46B, with special emphasis on post-incompetency legal requirements.
- Providing ~~r~~Reasonable accommodations at all stages of criminal proceedings to assist the individual to understand and participate in the proceedings and their defense.

The Council recognizes that early intervention, due process protections, and assistance and reasonable accommodations to participate in legal proceedings are necessary overlapping components of a system that is responsive to the needs of to people with disabilities. These and that these components must be available to victims, suspects, or witnesses at all stages of the individual's involvement in the criminal justice system.

Approved May 9, 2014

Criminal Justice Position Statement — DRAFT

The Texas Council for Developmental Disabilities supports the position that people with intellectual, developmental, and/or mental/behavioral health disabilities who are victims, suspects, or witnesses of a crime have the right to impartial justice and fair treatment in all areas of the criminal justice system, including reasonable accommodations. While people with intellectual disabilities comprise 2% to 3% of the total population, they make up 4% to 10% of people in prison, with even more in juvenile facilities and jails as well as a significant portion of State Supported Living Center admissions. People with intellectual disabilities and are 4 to 10 times more likely to be victims of crime than those without disabilities¹.

A disability does not necessarily mean a person is incompetent to stand trial, however, it is the responsibility of counsel and the court to raise competency as an issue in appropriate cases and at any point in the proceedings when the defendant's competency is in question. Attorneys and judges often lack adequate knowledge of due process protections available for people with disabilities prior to, during, and after being found incompetent to stand trial. Additionally, with increased pressure to privatize services, there is a need to ensure that the individual's competency is assessed and access to needed mental/behavioral health treatment is not compromised at any point in the criminal justice process.

TCDD supports the position that timely, appropriate, and adequate care and treatment must be provided to individuals after they are determined incompetent to stand trial or not guilty by reason of insanity, with particular attention to the following:

- Providing comprehensive officer training in booking and intake procedures of individuals with intellectual, developmental, and/or mental/behavioral health disabilities.
- Intervening promptly and providing a valid and clinically appropriate disability screening prior to, during, and following arrest.
- Ensuring that competency restoration is provided in appropriate therapeutic settings that facilitate recovery.
- Reducing reliance on non-medically necessary outpatient treatment.
- Reducing the amount of time the criminal court retains jurisdiction over an alleged offender.

¹ Davis, Leigh A. People with Intellectual Disabilities in the Criminal Justice System: Victims & Suspects.2009. Retrieved October 1, 2012 from <http://www.thearc.org/page.aspx?pid=2458>

- Requiring ongoing training of criminal justice professionals on Code of Criminal Procedure, Article 46B, with special emphasis on post-incompetency legal requirements.
- Providing reasonable accommodations at all stages of criminal proceedings to assist the individual to understand and participate in the proceedings and their defense.

The Council recognizes that early intervention, due process protections, and assistance and reasonable accommodations to participate in legal proceedings are necessary overlapping components of a system responsive to the needs of people with disabilities. These components must be available to victims, suspects, or witnesses at all stages of the individual's involvement in the criminal justice system.

Approved TBD

Right to Privacy — Confidentiality of Information Position Statement — DRAFT

The Texas Council for Developmental Disabilities recognizes that people with disabilities have the same right to privacy as ~~all people have in our nation any other~~. Privacy refers to both the protection of one's personal life from intrusions by others and protection of information about oneself. The Fourth Amendment of the U.S. Constitution provides "the right of people to be secure in their persons, houses, papers, and effects, against unreasonable searches and seizures." With respect to protection of personal information, confidentiality ~~Confidentiality~~ has historically been a cornerstone in providing ~~services~~ and medical care and related human services 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 an~~ age of ~~the rapidly~~ evolving ~~information and~~ communication technologies, the Council recognizes the positive role ~~that the~~ electronic media ~~plays in brings to~~ the compilation and exchange of information. ~~Our g~~Government agencies, businesses, and non-profits ~~agencies now can quickly have the advantage of quick~~ exchange of information and ~~the ability to~~ gather and analyze massive amounts of ~~data information~~. This ~~new capacity can~~ helps in streamlining business, reducing costs, and ensuring appropriate services for people. However, this ~~increased new~~ capacity for data collection can also be used intentionally or unintentionally to the detriment of the people ~~the served by~~ government agencies ~~serve~~. The Council supports the ~~position that the~~ following basic principles ~~for should be applied to~~ all information ~~and~~ data collection systems:

- Individuals, government entities, nonprofit organizations, and businesses have a shared responsibility for the secure use and protection of personal identifying information.
- Prior to the collection and disclosure dissemination of personal and identifiable identifying information, each individual should must be consent and receive a copy of the consent to disclosure of: advised of the:
 - The specifics of personal identifying information to be collected and/or disclosed released;
 - Dates of the time-limited period during which the consent is valid;
 - The name, address, and phone number of both the entity which is collecting the information and the entity to which the information will be disclosed released;

- The purpose for which the information is to be collected and/or disclosed released;
- The individual's legal rights to privacy and confidentiality of personal identifying information;
- The administrative procedures to follow to review personal information;
- The process to remove, correct or add information that has been entered in a data collection system;
- The way to file a complaint and claim avenues of recourse to recover damages in the case of improper use and/or disclosure of personal information; and
- The degree and nature of any risk that personal identifying information may be inadvertently collected by other entities through the electronic transmission processes.
- Those who obtain, possess or retain personal identifying information of others should make efforts to must ensure that it such personal information is not inadvertently shared with, obtained by, or collected by unauthorized parties through the process of electronic data transmission.
- Directories of an individual's personal information should be used only Personal identifying information should only be disclosed with the consent of as allowed by the individual. Personal identifying iable information may includes:
 - Name, home address, phone number, or email address;
 - Photograph, audio and/or video recording, fingerprints, or biologically specific markers, including DNA;
 - Social security number, driver's license number, passport number, or other government-issued identification;
 - Date of birth
 - Religious, political or organizational affiliations;
 - Employment, educational, medical, psychiatric, psychological, and financial status or details;
 - Legal status or history; and
 - Gender and marital family status.

Approved ~~November 7, 2014~~

Right to Privacy — Confidentiality of Information Position Statement — DRAFT

The Texas Council for Developmental Disabilities recognizes that people with disabilities have the same right to privacy as any other. Privacy refers to both the protection of one's personal life from intrusions by others and protection of information about oneself. The Fourth Amendment of the U.S. Constitution provides "the right of people to be secure in their persons, houses, papers, and effects, against unreasonable searches and seizures." With respect to protection of personal information, confidentiality has historically been a cornerstone in providing medical care and related human services to people.

In an age of rapidly evolving communication technologies, the Council recognizes the positive role electronic media plays in the compilation and exchange of information. Government agencies, businesses, and non-profits can quickly exchange information and gather and analyze massive amounts of data. This helps in streamlining business, reducing costs, and ensuring appropriate services for people. However, this increased capacity for data collection can also be used intentionally or unintentionally to the detriment of the people served by government agencies. The Council supports the following basic principles for all information and data collection systems:

- Individuals, government entities, nonprofit organizations, and businesses have a shared responsibility for the secure use and protection of personal identifying information.
 - Prior to the collection and disclosure of personal identifying information, each individual must consent and receive a copy of the consent to disclosure of the:
 - Specifics of personal identifying information to be collected and/or disclosed;
 - Dates of the time-limited period during which the consent is valid;
 - Name, address, and phone number of both the entity which is collecting the information and the entity to which the information will be disclosed;
 - Purpose for which the information is to be collected and/or disclosed;
 - Individual's legal rights to privacy and confidentiality of personal identifying information;
 - Administrative procedures to follow to review personal information;
 - Process to remove, correct or add information that has been entered in a data collection system;

- Way to file a complaint and claim damages in the case of improper use and/or disclosure of personal information; and
- Degree and nature of any risk that personal identifying information may be collected by other entities through the electronic transmission processes.
- Those who obtain, possess or retain personal identifying information of others must ensure it is not shared with, obtained by, or collected by unauthorized parties through the process of electronic data transmission.
- Personal identifying information should only be disclosed with the consent of the individual. Personal identifying information includes:
 - Name, home address, phone number, or email address;
 - Photograph, audio and/or video recording, fingerprints, or biologically specific markers, including DNA;
 - Social security number, driver's license number, passport number, or other government-issued identification;
 - Date of birth;
 - Religious, political or organizational affiliations;
 - Employment, educational, medical, psychiatric, psychological, and financial status or details;
 - legal status or history; and
 - Gender and marital status.

Approved TBD

Service Coordination Position Statement — DRAFT

The Texas Council for Developmental Disabilities supports the position that the full inclusion and meaningful participation of people with disabilities in community life requires that individuals with disabilities know about ~~be aware of the services and supports available, that they have an~~ the array of service and support options available from which to choose, and ~~most importantly, that they have the~~ are central role in planning and directing their own future. In order to achieve these goals, ~~are most readily achieved when~~ individuals and their families must receive the benefit of effective, person-centered, comprehensive, conflict-free and effective service coordination to help navigate multiple, complex systems.

Service coordination ~~involves assisting~~ assists individuals through planning, coordinating, ~~locating~~ identifying, accessing, and monitoring services and supports ~~that will result in an~~ to achieve the best optimal quality of life and level of full community participation. It is the responsibility of the service coordinators to serve as advocates for ~~the~~ individuals and their families ~~y~~ and provide support ~~by encouraging for people who are receiving services to self-advocate cy. for themselves.~~ Service coordination should be ~~viewed as~~ a distinct benefit available to all people with disabilities who require information and assistance, ~~information and advocacy to obtain~~ access to various services and supports for full participation and community inclusion ~~to participate be fully included in their communities.~~

The Council supports the position that service coordination ~~should~~ must be independent from service delivery ~~such that, to ensure~~ the service coordinator ~~is free from~~ has no conflicts of interest, and ~~their role is independent or~~ separate from the ~~direct~~ delivery of and/or payment of direct or other services received by the individual and/or family. Service coordinators who are employees of public or private agencies, family members or individual contractors should ~~be independent~~ not be placed in situations of from potential conflict of interest.

An independent service coordination structure system will also enables service coordinators to maintain the integrity of their advocacy role. Individuals should be able to choose a qualified service coordinator and make changes in their selection, as desired.

Service coordination must be available on an ongoing basis and support individual(s) rights to:

- Be central to the development of their own service plan;
- Have access to the general community;
- Access or refuse specific services and supports, as desired;
- ~~Develop their own service plan;~~
- Request alternate changes to services and supports, providers or service coordinators; and
- ~~Make inquiries or complaints and~~ appeal decisions made about the services and supports they receive; and;
- Receive services in their preferred language in a culturally effective manner.

Access to service coordination should be available as necessary and upon request to all persons with disabilities who have functional needs for an array of services and supports. Eligibility should not be based on specific diagnoses, but rather on functional need for services is. ~~Service coordination must be readily accessible and must have sufficient staff to provide assistance to individuals in a timely and responsive manner.~~ Service coordination should be ~~provided~~ done by one well-trained and culturally competent person who spends most of their time in support and coordination activities for a reasonable number of individuals.:

- ~~Is committed;~~
- ~~Is well trained;~~
- ~~Is culturally competent;~~
- ~~Serves a reasonable number of individuals; and~~
- ~~Spends most of the time in support and coordination activities~~

It is the responsibility of the service coordinator to:

- Advocate on behalf of the individual to address individual goals and preferences;
- ~~Help~~ educate the individual to know his or her rights and ~~become empowered to act~~ advocate on his or her own behalf; and
- Support the right of ~~that~~ each individual to make decisions and to take risks based on informed choice and individual goals and values.

Service coordinators should:

- Be knowledgeable about public and private resources including eligibility and purpose of public benefits; how benefits may be properly used with limited personal financial resources or to maintain access to benefits while working;

- Be creative in their ability to make public and private supports and services work to meet individual needs;
- [Be engaged in monitoring and revising service and person centered plans;](#)
- [Work effectively on behalf of the individual across systems and agencies;](#) and
- Serve a facilitative role in bringing individuals, families and providers together.

While service coordinators should be available to assist and consult with providers to ensure services are delivered, they also have a responsibility to monitor the quality of services and supports received [to ensure access and satisfaction.](#)

Approved ~~May 9, 2014~~

Service Coordination Position Statement — DRAFT

The Texas Council for Developmental Disabilities supports the position that the full inclusion and meaningful participation of people with disabilities in community life requires that individuals with disabilities know about the array of service and support options available, and are central in planning and directing their own future. In order to achieve these goals, individuals and their families must receive person-centered, comprehensive, conflict-free and effective service coordination to help navigate multiple, complex systems.

Service coordination assists individuals through planning, coordinating, identifying, accessing, and monitoring services and supports to achieve the best quality of life and full community participation. It is the responsibility of the service coordinators to serve as advocates for individuals and their families and provide support by encouraging self-advocacy. Service coordination should be a distinct benefit available to all people with disabilities who require information and assistance to access services and supports to participate for full participation and community inclusion.

The Council supports the position that service coordination must be independent from service delivery to ensure the service coordinator has no conflicts of interest and their role is separate from the delivery and/or payment of direct services received by the individual and/or family. Service coordinators who are employees of public or private agencies, family members or individual contractors should not be placed in situations of conflict of interest.

An independent service coordination system will enable service coordinators to maintain the integrity of their advocacy role. Individuals should be able to choose a qualified service coordinator and make changes in their selection, as desired.

Service coordination must be available on an ongoing basis and support individual(s) rights to:

- Be central to the development of their service plan;
- Have access to the general community;
- Access or refuse specific services and supports, as desired;
- Request changes to services and supports, providers or service coordinators;
- Make inquiries or complaints and appeal decisions made about the services and supports they receive; and
- Receive services in their preferred language in a culturally effective manner.

Access to service coordination should be available as necessary and upon request to all persons with disabilities who have functional needs for an array of services and supports. Eligibility should not be based on specific diagnoses, but rather on functional need for services. Service coordination should be done by one well-trained and culturally competent person who spends most of their time in support and coordination activities for a reasonable number of individuals.

It is the responsibility of the service coordinator to:

- Advocate on behalf of the individual to address individual goals and preferences;
- Coach the individual to know his or her rights and to advocate on his or her own behalf; and
- Support the right of each individual to make decisions and to take risks based on informed choice and individual goals and values.

Service coordinators should:

- Be knowledgeable about public and private resources including eligibility and purpose of public benefits; how benefits may be properly used with limited personal financial resources or to maintain access to benefits while working;
- Be creative in their ability to make public and private supports and services work to meet individual needs;
- Be engaged in monitoring and revising service and person centered plans;
- Work effectively on behalf of the individual across systems and agencies; and
- Serve a facilitative role in bringing individuals, families and providers together.

While service coordinators should be available to assist and consult with providers to ensure services are delivered, they also have a responsibility to monitor the quality of services and supports received to ensure access and satisfaction.

Approved TBD

Education Position Statement — DRAFT

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

The Council supports the 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. Special education is not a separate educational system, but a service provided to people with specific needs within the general educational system.

Systemic Full inclusion requires ~~the~~ ongoing collaboration and, shared responsibility ~~of~~ among 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. 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 who understand their shared responsibility for student success, 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 ongoing professional development.

Students must be treated with dignity and respect in their social, emotional, and academic education. 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 Council supports the use of positive behavioral interventions and supports on a schoolwide basis as an effective way to prevent the use of extreme measures such as restraint and seclusion. The Council opposes the use of any measures that cause physical, emotional, or psychological pain for any reason.

The Council supports the position that ~~Charter schools or~~ schools accepting voucher payments must provide students the same educational rights and opportunities that they would be accorded in the traditional public education system. The Council believes that schools that accept state or federal money to educate students must have uniform admission criteria without respect to ~~accept any student with a~~ disability ~~who may apply for admission to that school~~; abide by federal and state education laws that protecting the rights of all students; abide by Section 504 of the Rehabilitation Act ~~that requires~~ requiring any entity receiving federal funds to include people with disabilities in its program; and accept any students 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 alternatives to traditional public education school vouchers and charter schools that do not meet these criteria. The Council does not support any initiative that would deplete public education funds ~~from the public education system and ultimately from those~~ available for 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 — DRAFT

The Texas Council for Developmental Disabilities supports the position that all students have a right to learn 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 physically and programmatically accessible to all students. All people with disabilities in Texas should have the opportunity to achieve their potential for independence, productivity, and full integration into the community. Education is a lifelong process vital to attaining a fulfilling, meaningful life. Successful outcomes of an appropriate education for students with disabilities should be evidenced by employment and/or enrollment in postsecondary education classes, as well as meaningful engagement in community life, within one year of leaving high school.

The Council supports the 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. Special education is not a separate educational system, but a service provided to people with specific needs within the general educational system.

Systemic inclusion requires ongoing collaboration and shared responsibility among students, parents, guardians, educators, administrators, and the community at large to ensure all students have the same opportunities to learn, play, be engaged with peers, and fully experience student life. 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 who understand their shared responsibility for student success. 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 ongoing professional development.

Students must be treated with dignity and respect in their social, emotional, and academic education. 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. The Council supports

the use of positive behavioral interventions and supports on a schoolwide basis as an effective way to prevent the use of extreme measures such as restraint and seclusion. The Council opposes the use of any measures that cause physical, emotional, or psychological pain for any reason.

The Council supports the position that schools accepting voucher payments must provide students the same educational rights and opportunities that they would be accorded in the traditional public education system. The Council believes that schools that accept state or federal money to educate students must have uniform admission criteria without respect to disability; abide by federal and state education laws protecting the rights of all students; abide by Section 504 of the Rehabilitation Act requiring any entity receiving federal funds to include people with disabilities in its program; and accept students at the state rate of payment asking for no additional tuition or fees. The Council opposes publicly funded alternatives to traditional public education that do not meet these criteria. The Council does not support any initiative that would deplete public education funds available for 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

Background:

- **State Policy Activities** — TCDD staff will provide an update regarding recent state public policy staff activities. Discussion topics include:
 1. Health and Human Services Commission Legislative Appropriations Request Summary
 2. Special Education and School Choice
 3. Texans Care Early Childhood Education Brief
- **State Supported Living Centers Update** — TCDD staff will provide an update regarding recent SSLC issues. Discussion topics include:
 1. Texas Public Policy Foundation SSLC Issue Brief
 2. Detained Alleged Offenders with IDD
- **Federal Policy Activities**— TCDD staff will provide an update regarding recent federal public policy issues. Discussion topics include:
 1. Supreme Court of the United States Case Endrew F. v. Douglas County School District

Public Policy Committee — Agenda Item 8

Expected Action:

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

Council — Agenda Item 14

Expected Action:

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

TEA's Cap on Special Education Enrollment Hurts Students and Families

Snapshot of the Problem

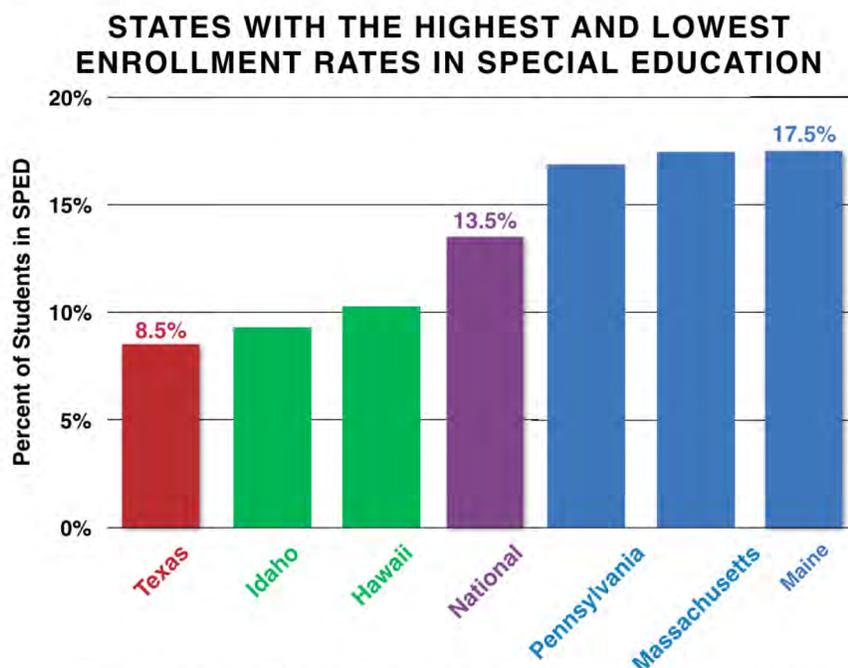
In 2004, the Texas Education Agency (TEA) created a monitoring system to measure school district performance. Buried within that system was the Special Education (SPED) Representation Indicator, which capped SPED enrollment at only 8.5%. **As a result, tens of thousands of Texas kids have been kept out and pushed out of the services to which they are legally entitled.**

What is Special Education?

- Special education is not a place. Rather, it is a **package of individualized services** that children with disabilities may use to ensure their educational success.
- The Individuals with Disabilities Education Act (IDEA) is a federal law that requires schools to provide all students with a **free and appropriate public education in the least restrictive environment**. Together, educators and parents must collaborate to decide which services best fit each student's needs.
- Special education opportunities are essential to children and families for two reasons:
 - First, SPED services provide students with the supports they need to succeed. Without these services, students with disabilities may fall behind their peers and never catch up.
 - Second, IDEA eligibility means that children also benefit from legal protections, such as procedural safeguards and parental involvement mandates, that shield vulnerable students from potential harm.

When it Comes to Special Education, Texas is an Outlier (But Not in a Good Way)

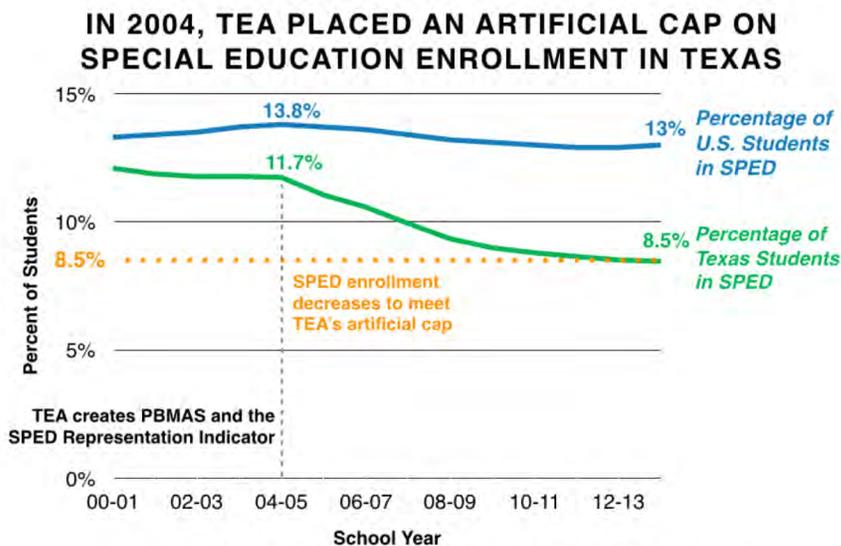
- The IDEA requires all public school districts in the United States to **proactively identify, locate, and evaluate all children with disabilities** who are in need of SPED services.
- However, as the graph below shows, Texas is an outlier in this country: school districts in Texas identify the lowest percentage of students for SPED services in the entire nation.



Source: U.S. Department of Education, National Center for Education Statistics, 2013-2014.

How does TEA's SPED Representation Indicator Work?

- TEA's SPED Representation Indicator creates a clear incentive for school districts to minimize SPED enrollment in Texas, which violates the letter and spirit of the IDEA.
- Here's how it works: If a school district enrolls more than 8.5% of its student body in SPED, then the district receives a bad grade on the Representation Indicator. As a result, that district could face sanctions, such as audits or state orders to lower the SPED rate. In contrast, if a district enrolls 8.5% or less of its student body in SPED, then that district receives the best score possible, and it is left alone.



If the SPED enrollment rate in Texas matched the national rate, then school districts could have identified over 225,000 more Texas students with disabilities during the 13-14 school year.

Sources: Texas Education Agency (TEA), *Enrollment in Texas Public Schools Series (2003-2016)*, http://tea.texas.gov/acctres/enroll_index.html. TEA, *PBMS State Reports Series (2006-2015)*, <http://tea.texas.gov/pbm/stateReports.aspx>. The National Center for Education Statistics (NCES), *Digest of Education Statistics (2016)*, <https://nces.ed.gov/fastfacts/display.asp?id=64>. The NCES, *The Condition of Education (2016)*, http://nces.ed.gov/programs/coe/indicator_cqg.asp.

How does the Cap Impact Texas Families?

- There are two ways that school districts can keep their SPED enrollment rate down to meet TEA's arbitrary 8.5% cap. First, district officials may keep students out of SPED by delaying or denying evaluations that determine if a child is eligible for services. Second, districts may push students who are already enrolled in SPED out of services by dismissing children from SPED before they are ready.
- As a result, **parents** may face the following consequences:
 - Parents report that it has become harder and harder to enroll their children in SPED within districts that are already operating at or above TEA's cap. Parents with available funds may hire an outside advocate for help. But parents without those resources may instead **spend months or years fighting for the IDEA evaluations** to which their children are legally entitled.
 - Some parents have reported feeling feel pressure to transfer their children to private schools. Others have chosen to quit their jobs and homeschool their children with disabilities, which could deprive those students of essential socialization and learning opportunities.¹
- Most troublingly, Texas **students** may face the following consequences:
 - Students with disabilities who are not receiving SPED services may instead receive lower-level modifications to their curricula (such as Response to Intervention strategies) that do not adequately fit their needs and goals.²
 - Without a free and appropriate public education, these students may fall behind, get held back a grade, and experience negative mental health impacts, such as depression.
 - Unaddressed needs may also lead to frustration, acting out, and increases in suspensions and expulsions. Over time, **this can increase the risk that children drop out of school entirely.**

¹ S. Hammer, "Texas Must Make Amends for Betrayal of Families," *Houston Chronicle*, Sept. 17, 2016.

² L. Pollard, "Setting Hurt Aside, Let's Focus on Fixing Special Ed. in Texas," *Houston Chronicle*, Sept. 17, 2016.



TEXAS COUNCIL *for* DEVELOPMENTAL DISABILITIES

TCDD Summary of HHSC LAR

Prior to the start of each legislative session, the Legislative Budget Board (LBB) and the Governor's Office of Budget, Policy and Planning jointly issue instructions to each Texas state agency regarding how to develop their Legislative Appropriations Request (LAR). An LAR is the agency's budget request for money to operate their programs over the next two-year biennium — Fiscal Years (FY) 2018–2019. An LAR usually includes exceptional item requests for priorities that the agency considers of great importance in addition to the base budget. At the beginning of the legislative session, the House and Senate propose budgets for Texas state agencies that may include some exceptional item requests as part of the base budget. Those that do not make it into the base in the introduced budget may remain under consideration throughout the appropriations process.

The Texas Health and Human Services Commission (HHSC) released its FY 2018–2019 LAR to the public on Friday, September 16, 2016. The HHSC LAR is seven volumes, 2,458 pages, and includes 64 exceptional items. Because parts of the Department of Aging and Disability Services (DADS), the Department of Assistive and Rehabilitative Services (DARS), the Department of Family and Protective Services (DFPS), and the Department of State Health Services (DSHS) consolidated into HHSC on September 1, the HHSC LAR is massive in comparison to prior biennia.

Budget instructions required HHSC to reduce its base budget request by 4%. The following programs were recommended for elimination or reduction in order to meet the 4% budget reduction requirement:

Program Elimination:

- DADS In-Home Family Support Program, \$10M;
- Lifespan Respite program, \$1M;
- Relocation specialist function, \$5M.

Program Reduction:

- Child Care Licensing (CCL) and Adult Protective Services (APS), \$1.7M;
- Blindness Education, Screening, and Treatment (BEST) and Comprehensive Rehabilitation (CRS), \$3M.

The LAR also includes 14 options for reducing the base budget by an additional 10%.

The Texas Council for Developmental Disabilities staff reviewed the HHSC LAR and summarized the exceptional items and budget reduction options that could impact people with intellectual and developmental disabilities (IDD). In the summary below, the General Revenue (GR), or state funds, are identified where possible. Due to complicated methods of finance, only the All Funds (AF) figure is provided for some items. In some cases, the GR and AF number is the same, which means only state funds are requested.

Below are the 64 exceptional items included in HHSC's budget request:

1. Medicaid Entitlement Cost Growth (Exceptional Item 1)

\$3.3B AF

The exceptional item would maintain Medicaid entitlement program cost growth for all acute and long-term services and supports entitlement services. LBB instructions required cost growth, including utilization and acuity changes, medical inflation, or evolving or new services to be requested as an exceptional item. The Federal Medical Assistance Percentage (FMAP) rates of 56.24% for FY 2018 and 56.25% for FY 2019 are assumed in this item, with an additional match of 6% for Community First Choice (CFC).

2. CHIP Cost Growth (Exceptional Item 2)

\$8.1M Tobacco Funds, \$106.4M AF

3. CLASS Cost Growth (Exceptional Item 3)

\$21.2M GR, \$48.4M AF

Increases in Community Living Assistance and Support Services (CLASS) waiver client acuity and service utilization costs are projected to increase by 3% per year.

4. Maintain Waiver Caseloads (Exceptional Item 4)

\$29.9M GR, \$70.2M AF

The LBB's budget instructions did not allow HHSC to prepare a draft budget request that continues to pay for waiver services that the 84th Texas Legislature said it funded. Although the 84th Texas Legislature appropriated funds to provide services to people waiting on interest lists, they did not authorize all of the people to receive services on the first day of the biennium. Instead they were authorized to prepare an interest list reduction schedule so that offers are evenly distributed across the 24 months in the biennium. Budget instructions required the agency to build the base budget by including levels at only an average of the two previous years. Because half of the people identified had yet to receive services at the time of the calculation, the funds used to pay for services started toward the biennium could not be included in the base. This routine practice requires people with disabilities to make multiple requests for the same services. If not funded, people expecting waiver offers in 2017 will not receive them or people who are receiving

services at the end of the biennium, particularly in the Home and Community-based Services (HCS) waiver program, will lose their waiver services on August 31, 2017.

5. Maintain Community Mental Health Services Programs (Exceptional Item 5)

\$4.7M GR/AF

The following programs require funding to maintain FY 2017 levels:

- A. Relinquishment Prevention (DFPS — Residential Treatment Center Bed Expansion) — If not funded, 7% fewer children would be served in residential treatment centers (30 to 28).
- B. Youth Substance Abuse Prevention — If not funded, about 51,414 fewer youth would receive expanded substance abuse prevention services, a 28% reduction.
- C. Neonatal Abstinence Syndrome Program — If not funded, 160 fewer infants would receive opioid treatment services, a 25% reduction.
- D. Recovery-Focused Clubhouses — If not funded, 138 fewer people would access services, a 36% reduction.
- E. Supported Decision-Making Program in State Hospitals — If not funded, 14 fewer people would be diverted from unnecessary guardianship, a 14% reduction.

6. Maintain ECI Caseloads (Exceptional Item 6)

\$44.76M AF

Funding for this exceptional item is to maintain FY 2017 Early Childhood Intervention (ECI) caseloads. Federal Individuals with Disabilities Education Act (IDEA) Part C regulations require all children determined eligible for the program to be served. To reduce state funding for the program, the Texas Legislature narrowed ECI eligibility criteria in FY 2012. However, the ECI program has historically seen growth in the number of children served while federal IDEA Part C funding has remained relatively level. Consequently, many providers have to resort to fundraising in order to fully meet the needs of children with developmental delays in their ECI programs. If additional funding is not appropriated, decision makers may further narrow eligibility criteria.

7. Maintain Enhanced Service Coordination & Transition Support (Exceptional Item 7)

\$13M GR

Funding for enhanced community coordination and transitional support teams funded through Money Follows the Person (MFP) Demonstration funds will not be available after FY 2017. DADS must continue current enhanced community coordination to ensure that necessary medical and/or behavioral services for individuals with complex needs are accessed, coordinated, and delivered in a person-centered manner:

- A. This item maintains funding for an enhanced array of services and supports to help local IDD authorities (LIDDAs) and community providers successfully transition people into community settings, including: service coordination for residents of nursing facilities and state-supported living centers (SSLCs); pre- and post-move monitoring; and flexible spending support.
- B. This item maintains Texas' eight regional support teams to provide technical assistance and preventive measures statewide to expand the expertise of LIDDAs and community providers related to specific disorders and diseases. Furthermore, this item ensures that LIDDAs continue to provide enhanced services and supports and identify regional challenges or gaps in available medical, psychiatric, and behavioral resources.

**8. Maintain Psychiatric Bed Capacity (Exceptional Item 8)
\$121M GR**

The state psychiatric hospital system is expected to lose capacity due to a variety of factors. Maintaining this capacity is important to ensure access to care close to home and in closer proximity to local law enforcement.

**9. Maintain SSLC and State Hospital Staffing (Exceptional Item 9)
\$68.8M GR, \$96M AF**

This exceptional item would fund salary increases at SSLCs to address staff turnover and compliance with intermediate care facility (ICF) regulations and the federal Department of Justice settlement agreement.

**10. APS and CCL (Exceptional Item 10)
\$5.1M GR, \$6M AF**

In order to stay within appropriated levels, the agency has used funds intended to hire staff to fund operational costs instead. This practice has resulted in a backlog that negatively impacts other areas of health and human services including a backlog of long-term services and supports provider investigations. This item would fund:

- A. Operational support costs, like travel, cell phones, leases and information technology (IT), for CCL and APS Provider Investigations (\$5M GR), and;

B. Purchase of license rights to a quality assurance software package that will enhance CCL’s quality assurance and program improvement efforts (\$70K GR).

11. Sunset/Transformation Costs, SB208 (2015) (Exceptional Item 11)
\$18.3M GR/AF

This would fund anticipated — but unfunded — costs associated with the 2015 decision to transfer Vocational Rehabilitation (VR) to the Texas Workforce Commission (TWC), as VR administrative funds were used to partially support field support staff for Comprehensive Rehabilitation Services (CRS), Children’s Blindness Services, and Independent Living Services (ILS).

12. Restore 4% Reductions to BEST & CRS Programs (Exceptional Item 12)
\$1.3M GR/AF

The BEST program provides treatment for eye conditions that pose an imminent risk of permanent or significant visual loss.

The Comprehensive Rehabilitation Services (CRS) Program provides time-limited mobility, self-care, and communication skills to help Texans with a traumatic brain injury or spinal cord injury to live independently. CRS maintains a waiting list and a 4% reduction would result in additional people on the waiting list.

13. Restore Reduction to CCL and APS (DFPS) (Exceptional Item 13)
\$1.7M GR/AF

14. Promoting Independence (Exceptional Item 14)
\$50.1M GR, 114.5M AF

This item provides the following new Promoting Independence services to persons who would otherwise be entitled to more expensive institutional services:

Promoting Independence Groups	Number of People
HCS for People Moving from SSLCs	400
HCS for People Moving from Large ICFs	100
HCS for Youth Aging out of Foster Care	236
HCS for Persons at Imminent Risk of Entering an ICF	400
HCS for People with IDD Moving from State Hospitals	120
HCS for Children Moving from a general residence operations (GRO) facility (DFPS)	40

Promoting Independence Groups	Number of People
HCS for People with IDD moving from nursing facilities	700
HCS for People with IDD at risk of entering a nursing facility	600
Medically Dependent Children’s Program (MDCP) services for children at risk of entering a nursing facility (NEW)	550

15. Interest List Reduction (Exceptional Item 15)

\$346M GR, \$803.4M AF

This item says it funds 19,010 “slots,” but does not provide detail about how they would be allocated across waivers. Therefore, reviewers are unable to provide further analysis regarding how many people (by waiver) could receive waiver service offers.

16. Community Mental Health Wait List Reduction (Exceptional Item 16)

\$8.2M GR/AF

Though unclear, the detail suggests that this item funds the impact of population growth on community mental health waiting lists.

17. ILS & CRS Waiting List Reduction (Exceptional Item 17)

\$10.4M GR/AF

The ILS program provides services to eligible Texans with significant disabilities, including veterans, with support to improve their ability to function independently in their home and the community. Most requests involve the purchase of assistive technologies and devices. CRS reduces the need for ongoing state services. CRS maintains a waiting list.

18. Institution Repairs and Renovations (Exceptional Item 18)

\$189.6M GO Bonds

This item would fund health and safety renovations in state hospitals and SSLCs. The repairs and renovations include electric panels, fire alarm systems, emergency generators, roofing, HVAC systems, water and waste water lines, etc.

19. Institution Repairs — Laundry Facilities (Exceptional Item 19)

\$5.4M GR/AF

Requested exceptional item funding would be used to support 10-year replacement plan for laundry facilities. Includes vehicles and building expansion and demolition required as a result of laundry facility consolidation. NOTE: FY 2014-15 funding included a combination of bond funding totaling \$70 million for said consolidation.

- 20. Institutions — Vehicles (Exceptional Item 20)**
\$15.8M GR/AF
Funds vehicle replacement schedule.
- 21. Institutions: New Construction of State Hospitals and SSLCs (Exceptional Item 21)**
\$1 GR/AF
Placeholder pending legislative direction to construct new institutions.
- 22. Psychiatric Bed Capacity (Exceptional Item 22)**
\$100.7M GR/AF
This item would fund staff and operations to add 96 beds to Vernon State Hospital. This expansion would reduce the number of people waiting in jail for a maximum security bed. It would also fund the purchase of an additional 100 beds from public and private entities around the state to ensure availability of beds to meet the demand. The state hospital long-term plan identified a significant unmet need for an additional 600 beds over the next 10 years.
- 23. Family Planning Services (Exceptional Item 23)**
\$20M GR, \$20M AF
- 24. Family Violence Program (Exceptional Item 24)**
\$3M GR, \$3M AF
- 25. CASA and CAC (Exceptional Item 25)**
\$8M GR, \$8M AF
This item would increase availability of Court Appointed Special Advocates (CASA) and Child Advocacy Centers (CAC) services.
- 26. IBI for People with Autism (Exceptional Item 26)**
\$14.3M GR, \$32.8M AF
This item would fund a new program/service called Intensive Behavioral Intervention (IBI) to address maladaptive behaviors among people with Autism Spectrum Disorder (ASD). Program would assess people for IBI treatment options and deliver a treatment plan to addresses targeted issues and goals. A contracted entity would assist with development of medical policy, prior authorization criteria and conduct utilization review for the first two years of the benefit. This entity would also develop policy regarding caregiver involvement, and establish criteria for demonstrating adequate progress toward goals for continued service authorization. Does not include behavior analyst licensing.

27. Hepatitis C Treatment (Exceptional Item 27)

\$19.8M GR/AF

28. Enhanced Mental Health Community Services (Exceptional Item 28)

\$44.5M GR/AF

This item would increase the intensity of adult and children's mental health services in communities with minimal services; provide an additional 15 RTC beds to youth who are at risk of parental relinquishment; stabilize the current substance abuse provider base and increase access to services and supports; and create Outpatient Competency Restoration — in a high demand area of the state to decrease demand for state hospital beds.

29. Sale of SSLC Services to Persons in the Community (Exceptional Item 29)

\$19.3M AF

This item funds staff to operate clinics at 12 state-operated SSLCs for people with IDD in community-based settings. SSLCs would leverage their existing space and staff. DADS estimates the annual cost to operate the clinics to be \$1.07 million per clinic. Through Medicaid waiver services billing, DADS expects the operating costs to be partially offset during the FY18–19 biennium, and become cost neutral in the next biennium. Two SSLCs were scheduled to initiate a pilot program (September 2016) to offer dental waiver services, but the Center for Medicare and Medicaid Services (CMS) recommended that Texas NOT implement a pilot to provide community services in institutional settings. They remain in negotiations to determine whether the pilot may be limited to acute services only.

30. ADRC Supports for Veterans (Exceptional Item 30)

\$1.3M GR/AF

This item would fund Aging and Disability Resource Centers (ADRCs) to ensure staff have the expertise to link veterans to service options. The ADRC cost to serve a veteran is more than three times the average cost (\$235 compared to \$72). This item would also allow for education and cross-training activities for veteran services organizations and ADRC aging and disability network partners.

31. PACE Shortfall (Exceptional Item 31)

\$5.1M GR, \$11.6M AF

This item would eliminate the Program of All-Inclusive Care for the Elderly (PACE) shortfall for the next biennium. PACE has received a funding reduction to their reimbursement rates for several years due to a shortfall in appropriated amounts. If not funded, the program will receive an approximate 12% reduction in the next biennium.

32. ICF Quality Monitoring (Exceptional Item 32)

\$6.8M GR, \$13.7M AF

This item would fund 79 additional staff to restructure ICF policy and contract requirements, stakeholder communication, financial and performance management, utilization review, and manage MCO health plan and drug formularies among other items.

33. Maintain Regulatory Workload — ALFs & DAHS (Exceptional Item 33)

\$3.9M GR, \$5.8M AF

This item would fund 36 additional staff to keep up with surveys, inspections, and complaint and incident investigations particularly for assisted living facilities (ALFs) and Day Activity and Health Services (DAHS, formerly adult day care). Workload has increased by 30% since FY 2006.

34. Federal Childcare Licensing Requirement Compliance (Exceptional Item 34)

\$12.1M AF

35. Staff to Control APS and Day Care Licensing Caseloads (Exceptional Item 35)

\$17.4M AF

36. Litigation and Legal Assistance (Exceptional Item 36)

\$3.2M AF

This item would fund 12 legal staff to defend the state in relation to the foster care lawsuit and Steward v. Abbott, the class action lawsuit regarding inappropriate placement of people with IDD in nursing facilities.

37. Mortality Review — IDD (Exceptional Item 37)

\$1.7M GR, \$3.5M AF

Independent mortality reviews have long been required for deaths of individuals with IDD who, at the time of the person's death, receive publicly-funded services; however, only SSLC resident death reviews were ever implemented. The mortality review data is intended to be used to identify trends, as well as system-wide improvements.

38. Community Attendant Wages (Exceptional Item 38)

\$156M GR, \$364M AF

This item would increase the wage floor from \$8 per hour to \$8.50 per hour, a 6.25% increase.

39. Wage Enhancement — IDD Programs (Exceptional Item 39)

\$8.5M GR, \$21.5M AF

This rate enhancement program incentivizes providers who agree to spend about 90% of their total attendant-related revenues on attendant compensation with additional wage supports. This would allow providers to participate in the program at higher levels.

40. Day Habilitation Compliance (Exceptional Item 40)

\$30.6M GR, \$70M AF

This item is included to bring Texas into compliance with the CMS Home and Community-Based Services (HCBS) Settings Rule. The agency's primary proposed strategy is to assist waiver providers and their subcontracted day habilitation providers with rate increases. Though no specifics are provided, the item also anticipates additional services, adding services to the existing service array and providing for increased contract oversight of program providers.

The federal HCBS Settings Rule require states to ensure all locations in which HCBS services are provided meet criteria regarding community integration and self-determination, setting choice, the right to privacy, dignity and respect, and individual autonomy. Texas must be in compliance by March 17, 2019. The Children's Policy Council and the IDD Statewide Redesign Advisory Committee have approved specific recommendations to improve day habilitation. Their reports are expected this fall.

41. Community Critical Incident Reporting (Exceptional Item 41)

\$1.3M GR, \$2.5M AF

This item would contract with a vendor to provide a web-based critical incident reporting system designed to meet the business, security, and reporting requirements of HHSC and contracted service providers.

42. Quality Reporting System Updates (Exceptional Item 42)

\$614K GR, 1.2M AF

This item funds a 2015 Sunset recommendation, in part, by replacing the 15-year-old Quality Reporting System (QRS). The QRS is used by individuals and families to make informed provider selections. Currently, most LIDDAs provide only a long list a providers contracted with the state to provide services. This replacement request would offer individuals the opportunity to make recommendations regarding criteria to include in the QRS, like percent of clients employed or percent of clients supported to live in more independent living settings.

43. IT: PASRR LTC Online Portal Improvement (Exceptional Item 43)

\$4.1M GR, \$16.5M AF

This item would fund IT improvements to the Long Term Care (LTC) Online Portal for claims and authorization transmission for specialized services not covered by managed care but required under the Preadmission Screening and Resident Review (PASRR) program. It would replace a paper-based process. This item may also put the state in more of a defensible position by addressing some issues associated with a class action lawsuit by ensuring that people with IDD in nursing facilities receive specialized services like employment and habilitation.

44. IT: ReHabWorks Replacement (Exceptional Item 44)

\$3.3M GR

As a result of the DARS Sunset and transfer of VR to TWC, ownership of ReHabWorks for Case Management transferred to TWC on September 1, 2016. ReHabWorks supports CRS, Blind Children's Vocational Discovery and Development Program (BCVDDP), and BEST, programs that transferred to HHSC on September 1. HHSC has entered into a memorandum of understanding with TWC to continue the use of ReHabWorks by HHSC through August 31, 2017. However, a permanent solution is required.

45. IT: Avatar (Exceptional Item 45)

\$6.1M GR

Avatar is the electronic medical record system used by the state mental health hospitals. If not funded, the state mental health hospitals would likely not be able to meet obligations for system support and would not function well enough to maintain certification.

46. IT: Electronic Life Record for RGSC (Exceptional Item 46)

\$2M GR

The SSLC portion of Rio Grande State Center (RGSC) was not included in the transition to the new DADS SSLC Life Record. This exceptional item would fund installation and development of the ability to electronically exchange patient information between the other services co-located at RGSC.

47. IT — State Mental Health Hospital Video Conferencing (Exceptional Item 47)

\$2M GR

This item would fund video conferencing technology infrastructure improvements in order to take advantage of telemedicine efficiencies.

- 48. IT — TIERS Transition (Exceptional Item 48)**
\$12M AF
This item would fund a six-month Texas Integrated Eligibility Redesign System (TIERS) contract transition to a possible new vendor. TIERS is HHSC's service eligibility system.
- 49. IT: Social Security Number Removal Initiative — Medicare (Exceptional Item 49)**
\$7.1M AF
- 50. IT: Legal Management System (Exceptional Item 50)**
\$8.3M AF
- 51. IT: Cyber Security (Exceptional Item 51)**
\$4.8M AF
- 52. IT: Data Center Services (DCS) (Exceptional Item 52)**
\$59.7M AF
- 53. IT: Non-DCS Hardware/Software Refresh (Exceptional Item 53)**
\$43.6M AF
- 54. IT: Seat Management — PCs, laptops, servers (Exceptional Item 54)**
\$7.1M GR, \$7.4M AF
- 55. IT: Access Management (Exceptional Item 55)**
\$2.7M AF
- 56. Inspector General (IG) Staff (18) (Exceptional Item 56)**
\$1.8M AF
- 57. IT: IG Medicaid Fraud & Detection System (Exceptional Item 57)**
\$5M GR, \$20M AF
- 58. IT: IG Case Management System (Exceptional Item 58)**
\$2.5M GR, \$5M AF
- 59. IG Background Check Staff (14) (Exceptional Item 59)**
\$1.1M AF
- 60. TCCO Caseload Growth (Exceptional Item 60)**
\$5.1M GR, \$5.1M AF
This item would fund an expected increase (749 people) of locally prosecuted

Sexually Violent Predators who will require treatment and supervision by the Texas Civil Commitment Office (TCCO).

- 61. TCCO Healthcare (Exceptional Item 61)**
\$1.7M GR, \$1.7M AF
- 62. TCCO Supported Living (Exceptional Item 62)**
\$1.6M GR, \$1.6M AF
- 63. TCCO 2% Contract Per Diem Increase (Exceptional Item 63)**
\$627K GR, \$627K AF
- 64. TCCO HHSC Oversight Costs (Exceptional Item 64)**
\$213K GR, \$213 AK

10% BUDGET REDUCTION OPTIONS

A number of options were proposed for reducing the HHSC budget for FY 2018-2019 by 10%. Rate reductions make up about 2/3 of the 10% reduction options. Below are two of the options that, if passed by the Legislature, could impact people with IDD in Texas:

1. Program and Service Reductions (Option 12)

Totaling \$20.6M GR

Little detail is provided in terms of the full impact; however, this item contains reductions to the following programs:

- A. Early Childhood Intervention — \$5.6M GR
- B. Children’s Blind Services — \$1.1M GR
- C. Autism — \$1.4M GR
- D. Independent Living Services — \$900K GR
- E. Comprehensive Rehabilitation Services — \$5M GR
- F. BEST — \$78K GR
- G. Deaf and Hard of Hearing — \$550K GR

2. Rate Reductions (Option 3)

Totaling \$291.2M GR, \$359.7M AF

The following programs could receive 8.2% rate reductions impacting client care: Community Attendant Services, Primary Home Care, nursing facilities, community-based intermediate care facilities, and developmental disabilities waivers.

Revised: October 5, 2016

State Supported Living Centers

The Issue

State Supported Living Centers (SSLC) are an increasingly inefficient and ineffective system of care for those with intellectual disability and/or developmental disabilities (ID/DD). The current state-run, institutional system is a Medicaid-funded program that suffers from higher provider rates, but lower quality of care than privately-run community-based facilities. While the regulating agency, the Department of Aging and Disability Services (DADS), has made tremendous progress in moving individuals from SSLCs to community care, consolidation of the facilities has yet to occur in Texas. The resulting lower census per facility has increased costs per resident and the aging structures require high maintenance costs. Overall, the SSLC system is failing financially and failing their patients.

Reports of deaths in the Lubbock SSLC and abuse in other facilities led to an investigation by the U.S. Department of Justice (DOJ) in 2005. The state of Texas entered into a settlement with the DOJ in 2009 that would ensure the standards in the SSLCs adhered to generally accepted standards of care, that protections were in place, and that residents would be given the choice to transition to community services. Despite significant reforms and increased expenditures, currently none of the 13 facilities have yet to achieve substantial compliance with the provisions of the settlement.

Past proposals to help resolve these issues by closing and consolidating Texas SSLCs have not produced any significant result. A coalition of interests—families that may have institutionalized their loved ones decades ago and do not want the SSLCs closed, lawmakers with SSLCs in their districts who are concerned about the loss of jobs, and those employed at SSLCs—have blocked reform in the past and will attempt to block future reform. For instance, during the 84th Legislature, these issues were highlighted in SB 204. This bill was based on the Sunset Advisory Commission's recommendations for the Legislature to reduce the number of SSLCs and aid in the transition to community-based services. Although the bill passed separately through both houses, the conference committee members could not come to agreement and the bill died in the last days of the session, leaving no course for reform. This is an issue because regardless of code violations or low quality of care, an SSLC cannot be closed without action by the Legislature.

Simply put, state-operated institutions cannot be relied on to police themselves or enact needed reforms, and inaction has come at the expense of Texans with ID/DD. It is long past time for Texans to join the long-term trend of deinstitutionalization and carefully, deliberately begin the process of closure and consolidation. SSLCs are closing by default as those with ID/DD and their families increasingly choose to live in the community. The only question for the lawmakers is whether they will manage the gradual decline of SSLCs, or allow them to languish at the expense of those who remain trapped in a failing system.

The Facts

- Texas has not closed an SSLC since 1996, despite a long-term decline in the average monthly census, sub-standard care, and sharply rising costs.
- The average daily population of state-run IDD facilities nationwide declined

78% between 1965 and 2011, while the share of those receiving care in the community increased 85% between 1977 and 2011.

- Community is what Texans want. There are 25,000 people eligible for placement in SSLCs who currently chose to live in the community.
- One year of services for a person in an SSLC costs about \$113,000 more than serving that same person in an equivalent program in the community.
- As of 2013, 14 states report having no state institutions for people with ID/DD, while Texas operates the most in the nation, currently with 13 SSLCs.
- During the 84th Texas Legislature, SB 200 required that the current agency in charge of regulating SSLCs, DADS, be absorbed by the Health and Human Services Commission (HHSC) by September 1, 2017.
- Texas is currently ranked 50th in a study reporting the Best Performing States for ID/DD services.

Recommendations

- The state must begin the process of closing and consolidating its SSLCs and in turn help manage the transition into a community-based system.
- Lawmakers should direct DADS/HHSC to begin closing and consolidating SSLCs, beginning with the Austin Facility, while implementing reforms to ease transition of SSLC residents into the community.
- Effective SSLC reform should include community placement for all who want it, guaranteed institutional care when families prefer that option, and appropriate assistance for displaced workers.
- Once the facilities have begun to close, DADS/HHSC should focus on improving quality of life for residents and staff at the remaining SSLCs.
- Ultimately, community-based solutions will improve accountability and in turn improve quality.

Resources

[*Department of Aging and Disability Services Report to the 84th Legislature*](#) by Amy Trost, Sunset Advisory Commission (Feb. 2015).

[*Privatize State Supported Living Centers*](#) by Arlene Wohlgemuth and Spencer Harris, Texas Public Policy Foundation (Dec. 2010).

[*DOJ Monitoring Reports*](#), Disability Rights Texas (2013).

[*A Time for Reform: Close and Consolidate Texas' State Supported Living Centers*](#) by John Davidson, Texas Public Policy Foundation (Aug. 2014).

[*Staff Report with Final Results; Department of Aging and Disability Services*](#), Sunset Advisory Commission (July 2015).

[*United Cerebral Palsy's 2015 Report*](#), United Cerebral Palsy (2015).



Criminal Justice Issue Brief

The Texas Council for Developmental Disabilities supports the position that people with intellectual, developmental and/or mental health disabilities who are victims, suspects or witnesses have the right to justice and fair treatment in all areas of the criminal justice system, including reasonable accommodations as necessary. While those with intellectual disabilities comprise 2% to 3% of the general population, they represent 4% to 10% of the prison population, with an even greater number in juvenile facilities and jails, and are 4 to 10 times more likely to be victims of crime than those without disabilitiesⁱ.

Detainees with Individuals with Intellectual Disabilities (I/DD)

Because there are several types of jails and courts, determining the true numbers of juveniles and adults with disabilities who are being detained or incarcerated is guesswork.

Local Jails

The total number of people with intellectual and developmental disabilities (I/DD) being detained in local jails is unknown. Being detained means the person has been arrested for suspicion of committing a crime.

Under Texas law, jail personnel must notify the court within 72 hours of receiving credible information that a defendant may have an intellectual disability. However, due to lack of training and experience with intellectual disability, criminal justice and court personnel are often unable to quickly identify that an individual may have an intellectual disability. In addition, even if these professionals swiftly identify that an individual may have an intellectual disability, current assessment tools are not always effective in identifying these disabilities.

In Texas, if the court determines the defendant may have an intellectual disability, the court must order the local mental health authority (LMHA) or local intellectual and developmental disability authority (LIDDA) or another qualified expert to conduct an assessment of the individual.

Competency Assessment

Article 16.22ⁱⁱ of the Texas Code of Criminal Procedure sets out the requirements regarding early identification of defendants suspected of having mental illness or intellectual disability. It requires the sheriff's office to notify the judge or magistrate within 72 hours if corrections reasonably believe a jailed suspect has a mental illness or intellectual disability. The code requires that an assessment be done to determine if the detainee is a "person with mental retardation as defined by Section 591.003, Health and Safety Code, including information obtained from any previous assessment of the defendant." This should happen at intake, pursuant to the Texas Commission on Jail Standards (TCJS) administrative rule that requires jails to run a check against the CCQ system (Continuity of Care Query in TCJS) to determine whether the detainee has a history of mental illness or mental retardation.

Perhaps the first breakdown is an initial assessment or observation of intellectual disability. The American Association on Mental Retardation (AAMR) defines intelligence as "a general mental ability [that] includes reasoning, planning, solving problems, thinking abstractly, comprehending complex ideas, learning quickly, and learning from experience." Assessing intellectual functioning requires specialized professional training. And, an assessment of intellectual functioning is just one element of diagnosing intellectual functioning. Experts find it is not appropriate to make a competency recommendation based solely on the score of a test.

Attorneys, law enforcement and court officials often fail to recognize intellectual disability. Even when jails and attorneys believe the person has an intellectual disability, they are not familiar with the special procedures and laws that apply to persons with intellectual disabilitiesⁱⁱⁱ that are applicable. Competency of a detainee is focused on restoration of competency, which includes mental health and substance abuse treatment services, as well as legal education, to remedy the detainee's lack of understanding and thus be determined fit to stand trial. Intellectual disability is permanent. Hastening a determination of competency does appear predictive of justice.

If a detainee is determined to be incompetent, the court still has several options. They can commit the person for 60 days for a misdemeanor and 120 days for a felony charge to a mental or residential facility under Texas Code of Criminal Procedure Article 46B.073. Individuals with I/DD experience undue lengths of time in jail due to a procedural problem. If the person with I/DD is charged with a felony and found incompetent to stand trial, they must first go to the Vernon State Hospital, a state facility specifically for

individuals with mental illness. Vernon State Hospital has only one unit for people with I/DD, resulting in these detainees waiting in jail for up to a year before being sent to Vernon to determine if they are “manifestly dangerous.”

Once determined by Vernon not to be manifestly dangerous, individuals with I/DD are then sent to Mexia SSLC, where they must be found to not be high risk before they can be transferred to the community of a closer SSLC.

Alternatively, the court could release the person on bail. If the detainee is ultimately determined incompetent to stand trial, the court can jail them for a maximum term of commitment in an SSLC or state hospital for a period that cannot exceed the maximum sentence term for the crime with which the defendant was charged. If the defendant is determined not competent and all charges dismissed, he or she can be civilly committed. Civil commitment for individuals with intellectual disabilities is court-ordered placement in a residential care facility for individuals presenting a substantial risk to themselves or others, and who are not otherwise able to adequately care for themselves in a less restrictive setting.

Alleged Offenders with I/DD State Supported Living Centers (SSLC)

At the end of August 2015 there were a total of 195 alleged offenders, including adults and juveniles, in residence at SSLCs. The majority (73%) are males located at Mexia SSLC with the remaining 14% of females at San Angelo SSLC. Just over 30% of alleged offenders are 22 years old or younger. African Americans are disproportionately represented, making up over 33% of alleged offenders in June 2016, more than double the state’s general population (13%). Hispanics and Latinos made up approximately 26% while Non-Hispanic Whites comprised 29%, although they make up almost 39% and 43% of the general population, respectively^{iv}.

Between 2010 and 2015, a total of 387 alleged offenders were admitted.^v Over these five years, 40% of the alleged offenders were returned to jail having been found competent to proceed through the court system and 60% were transitioned to community services^{vi}. A significant issue facing alleged offenders is that the SSLC may recommend that the alleged offender move to community services, but the court can say no without a hearing. Individuals do not have the right of appeal if the court decides against the SSLC recommendation for community placement.

Offenders with I/DD State Prisons

As of March 31, 2016, there were 679 offenders with a custody code of “intellectually impaired.” Of these, 582 male offenders with intellectual disabilities were housed at the Hodge Unit in Rusk, Texas and 88 females with intellectual disabilities were housed at

the Crain Unit in Gatesville, Texas. The remaining 9 offenders with intellectual disabilities were temporarily in intake, transient, release or medical units on that date.

State Jails

A state jail is a facility that houses offenders who receive state jail sentences. State jail sentences cannot exceed two years for one offense, but a repeat offender may receive overlapping state jail sentences not to exceed three years. The offenders are usually convicted of property and low-level controlled substance offenses. The number of offenders with I/DD in state jails could not be identified by the author.

Texas Legislative Responses

Interim Select Committee on Criminal Commitments

The 81st Legislature passed SB 643 establishing the Interim Select Committee on Criminal Commitments of Individuals with Mental Retardation [sic] to study the criminal commitment process for individuals with intellectual disabilities.^{vii} The committee found that even though there is a 72-hour window to notify the court that a detainee may have an intellectual disability, the lack of training and experience with intellectual disability results in criminal justice and court personnel not quickly identifying individuals who may have an intellectual disability. To ensure individuals are quickly identified and receive both timely and appropriate treatments and services in the setting most appropriate to their needs, changes were recommended.^{viii} Some of the Committee's recommendations were acted upon by the 84th Texas Legislature:

1. When the court determines an individual incompetent to stand trial and not likely to regain competency, the court should either civilly commit the individual for a specified time, or release the individual into the community. The Committee report did not go into detail about civil commitments, but did reference conditional release programs as examples of alternatives to criminal commitment.
2. Provide training by local authorities on intellectual disabilities similar to training currently provided by LMHAs on mental illness to law enforcement, criminal justice and court personnel.
3. Enumerate circumstances under which the court should dismiss all charges against a juvenile committed to an SSLC and release the juvenile from the court's jurisdiction. The court's ability to retain jurisdiction until a juvenile's 18th birthday, as well as the lengthy process of transferring a juvenile cases to the adult criminal courts upon their 18th birthday, has resulted in some juveniles remaining at SSLCs for inordinate amounts of time. Providing clear guidance to the courts on when charges against a juvenile should be dismissed would help to limit the potential for indeterminate or prolonged commitments to SSLCs.

Texas Council on Offenders with Medical and Mental Impairments (TCOOMMI)
Founded in 1987, the Texas Council on Offenders with Medical and Mental Impairments (TCOOMMI), as found in Health and Safety Code Section 614.001 (C).

Their authorizing statute requires TCOOMMI to “coordinate the provision of treatment, care, and services between the various agencies who provide treatment, care, or services such that they may continue to be provided to the offender at the time of arrest, while charges are pending, during post-adjudication or post-conviction custody or criminal justice supervision, and for pretrial diversion.”^{ix}

Historically, TCOOMMI has focused on offenders with mental illness, but noted in a 2009 report to the Texas Board of Criminal Justice a need to improve efforts towards identifying and responding to the needs of individuals with intellectual disabilities. A review of TCOOMMI reports since 2009 reflect the need to implement the Special Needs Offender Program. No action on diversion was found.

TCOOMMI Special Needs Offender Program

The Special Needs Offender Program (SNOP) includes mentally impaired, intellectually disabled, terminally ill, physically handicapped, and medically recommended intensive supervision caseloads. SNOP maximizes the treatment provided to offenders diagnosed with mental impairments, intellectual disabilities, terminal illness and physical impairments by providing specialized supervision.^x

Conclusion

1. In determining competency of individuals with I/DD, the law should bypass the requirement to send alleged offenders to Vernon State Hospital in order to send them directly to the Mexia facility.
2. Individuals with I/DD who are committed by the courts should receive an annual review hearing to determine if the commitment is still required and necessary.
3. Establish a state priority on identifying individuals with I/DD and diverting them from the criminal justice system:
 - a. Increase the number of case managers in the Special Needs Offender Program at TCOOMMI.
 - b. Set aside sufficient statewide funding for LIDDAs to develop and carry out training for law enforcement on recognizing people with I/DD and providing crisis intervention.

Additional Reading

Texas Public Policy Foundation. The primary author of reports on issues of individuals with mental illness in criminal justice is Kate Murphy. See <http://www.texaspolicy.com/issues/detail/civil-criminal-justice>.

Related Issue

The CMS issued a letter in May 2016 on serving justice involved individuals: <https://www.cms.gov/Medicare/Provider-Enrollment-and-Certification/SurveyCertificationGenInfo/Downloads/Survey-and-Cert-Letter-16-21.pdf>. In this letter, CMS states that they are in process of writing separate guidance on justice involved individuals in ICFs/IID and invite advance questions and comments.

i Davis, Leigh A. People with Intellectual Disabilities in the Criminal Justice System: Victims & Suspects. 2009. Retrieved October 1, 2012 from <http://www.thearc.org/page.aspx?pid=2458>

ii Code of Criminal Procedure, §16.22 <http://www.statutes.legis.state.tx.us/Docs/CR/htm/CR.16.htm>

iii 2005 Opening the Door for Justice to Defendants with Mental Retardation (Texas Appleseed) Retrieved May 4, 2016 from <https://www.texasappleseed.org/sites/default/files/13-Mentalhealth-AttorneyHandbook.pdf>

iv US Census QuickFacts: Texas Population Estimates July 1, 2015. Retrieved October 6, 2016 from <http://www.census.gov/quickfacts/table/PST045215/48>

v Annual Report on Forensic Services in State Supported Living Centers Fiscal Year 2015. Texas Department of Aging and Disability Services. Retrieved May 4, 2015 from https://www.dads.state.tx.us/news_info/publications/legislative/forensic-fy2015.pdf

vi Ibid.

vii Overview of Texas' Correctional System. Retrieved from <http://nicic.gov/features/statestats/?State=TX> .

viii Interim Select Committee on Criminal Commitments of Individuals with Mental Retardation. Retrieved May 4, 2016 from

<http://www.senate.state.tx.us/75r/Senate/commit/c855/CriminalCommitmentsInterim81Report.pdf>

ix TCOOMMI responsibilities found at <http://www.statutes.legis.state.tx.us/Docs/HS/htm/HS.614.htm>

x Special Needs Offender Program, TDCJ – TCOOMMI found at https://www.tdcj.state.tx.us/documents/parole/03.07.01_parole_policy.pdf



Supreme Court to hear special education case

WASHINGTON — The Supreme Court agreed Thursday to decide what standard of education schools must provide to students with disabilities.

The case presents the court with the difficult task of determining whether school districts receiving federal funds must offer a "substantial" education or merely make an effort to educate children under the Individuals with Disabilities Education Act, originally passed in 1990.

The law requires that students with disabilities receive "a free appropriate public education" through an individualized education program, or IEP, designed for each student. About 6.5 million such programs are written each year, but federal appeals courts are divided on the level of education that must be provided.

The federal government had recommended that the justices hear the case to resolve the circuit split and is siding with the student and family involved. The U.S. Court of Appeals for the 10th Circuit, the government says, erred in deciding that schools need to provide only a "de minimus" educational benefit.

Lawyers for Endrew F., a Douglas County, Colo., student with autism, argue in court papers that the IDEA law is interpreted differently from one school district to the next. A consistent standard, they say, would help not only students and families but school officials.

"Resolving the conflict among the circuits will ensure that millions of children with disabilities receive a consistent level of education, while providing parents and educators much-needed guidance regarding their rights and obligations," their request for a hearing states.

Throughout the country, thousands of dissatisfied parents and guardians have battled school districts for decades over what they considered inadequate efforts to educate children with disabilities. Many students have been moved from public to private schools, and parents often go to court seeking tuition reimbursement based on the public schools' alleged failure to educate their children.

In Endrew's case, court papers contend that behavioral problems in elementary school interfered with his ability to learn, but the school district offered only the same basic IEP each succeeding year. His parents' effort to get funding was rejected by a hearing officer and two lower courts; the federal appeals court said the public school district need only offer an education that is "more than de minimus."

The school district argues that the dispute boils down to semantics. It rejects

the challengers' claim that in some parts of the country, courts have approved "just-above-trivial" educational benefits. Rather, the district says, the difference is

between "some" and "meaningful" benefits -- whatever that means.

"Simply choosing an adjective ... resolves little," the school district says.

Work originally published in USA TODAY by Richard Wolf at:

<http://www.usatoday.com/story/news/politics/2016/09/29/supreme-court-special-education-disabilities/91262338/>

Published date: September 29, 2016

Background:

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

Council — Agenda Item 3

Expected Action:

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

COUNCIL MEETING August 5, 2016 — MINUTES

Council Members Present

Mary Durham, Council Chair
Hunter Adkins
Kimberly Blackmon
Gladys Cortez
Kristen Cox
Mateo Delgado
Mary Faithfull, DRT
Stephen Gersuk
Ivy Goldstein, DSHS
Jennifer Kaut, DARS
Ruth Mason
Scott McAvoy
Michael Peace
Ron Roberts, TEA
Amy Sharp, UT — CDS

Meagan Sumbera, A&M —
CDD
Lora Taylor
David Taylor
Rick Tisch
John Thomas
Donnie Wilson, DADS
April Young, HHSC

Council Members Absent

Kristine Clark
Dana Perry
Brandon Pharris

Guests Present

Justin Babineaux, DADS
Carol Dold

Warner Dold
Isabel Evans
Holton George
Rachel Jew, DARS
Brian White

Staff Present

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

Call To Order

The Texas Council for Developmental Disabilities convened on Friday, August 5, 2016, in the Salon A-C of the Horseshoe Bay Resort, 200 Hi Circle North, Horseshoe Bay, TX 78657. Council Chair Mary Durham called the meeting to order at 9:04 AM.

1. Introductions

Council members, staff and guests were introduced.

2. Public Comments

Council member Kristen Cox spoke about events taking place in the evenings after meetings and making sure all were invited and included.

Brian White of the Texas State Independent Living Council (SILC) spoke on behalf of that organization and provided a brief update on the two TCDD projects for which SILC is the grantee. He noted that as SILC begins planning for the transportation summits they are recruiting 30 Texans with disabilities to serve as transportation advocates.

3. Consent Items

Chair Durham reviewed consent items including the minutes from the May 6, 2016, Council meeting and May 5, 2016 Committee of the Whole meeting and the excused absences of Kristine Clark, Dana Perry, and Brandon Pharris. Ron Roberts of TEA is attending from that agency as a non-voting representative and he expects to soon be named as the agency representative to the Council.

MOTION: To approve the minutes of the May 6, 2016 Council meeting and May 5, 2016 Committee of the Whole meeting as well as the excused absences as noted.

MADE BY: Lora Taylor

SECOND: Mateo Delgado

The motion **passed** without unanimously.

4. **Chair & Executive Director's Report**

Chair Durham expressed her gratitude to TCDD staff for their efforts on behalf of the Council.

Executive Director Beth Stalvey provided an update on TCDD staff to note that there are two current staff vacancies. An offer has been extended for the Public Policy Specialist position and the Grants Management Specialist position will again be posted to accept applications. Stalvey next recognized Planning Director Joanna Cordry for 15 years of service to TCDD and presented her with certificate acknowledging that service. Grants Management Specialist Sonya Hosey was also recognized for 15 years of service although she was not in attendance.

Stalvey reported that she and Cordry attended the annual NACDD conference in July where staff and participants from Texas Tech University provided a well-received presentation on the TCDD higher education project (Project CASE). In conjunction with the NACDD conference, the Technical Assistance Institute hosted by the Administration on Intellectual and Developmental Disabilities (AIDD) was held and Stalvey and Cordry learned of new performance measures as well as the new format for FY 2017 reporting. The Administration on Community Living (ACL), which oversees AIDD, has instituted the new reporting system and requires DD Councils to be the first agencies to use the new system. The FY 2017 – 2021 state plan will be submitted on August 15 using this new system. Stalvey also recently participated in a panel discussion on disability policy at the American Association on Intellectual and Developmental Disabilities – Texas Chapter (AAIDD-TX) convention in July.

5. **Future Activities for State Plan Implementation**

Project Development Committee Chair Gladys Cortez reported on Committee discussion of the executive summary for TCDD Policy Fellows. This project would allow organizations to employ policy fellows for up to two years and support them to learn from policy mentors. By the end of the fellowship, an individual would be prepared to work on national, state and community levels and identify the major social, economic and health conditions facing individuals with intellectual and developmental disabilities.

MOTION: To approve the Executive Summary to fund two new 2-year TCDD Policy Fellowships each year for five years, for up to \$135,000 for year one, \$270,000 for years two – five, and \$135,000 for year six, with the expectation that the organization would give hiring preference to individuals with developmental disabilities.

MADE BY: Gladys Cortez for the Project Development Committee (motions from Committee do not need a second)

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

Cortez reported that the Committee recommends adding the new Public Policy Fellows project to the Future Funding Priorities list as the fifth priority. The Partnership with African American Clergy to Support Families project that was in the fifth position was moved from that spot to the 10th position. Items 1-4 and 6-9 remain the same.

MOTION: To approve revisions to the Future Funding Priorities list by placing Public Policy Fellows at priority 5 and moving Partnership with African American Clergy to Support Families to priority 10.

MADE BY: Gladys Cortez for the Project Development Committee

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

6. **Position Statement Review**

Public Policy Committee Chair Lora Taylor reported that the Public Policy Committee reviewed draft revisions to three position statements but elected to take no action on the Education position statement until additional revisions could be considered. The Committee reviewed the Employment statement and the recommended revisions as presented in Council materials.

MOTION: To approve proposed revisions to the TCDD Employment Position Statement.

MADE BY: Lora Taylor for the Public Policy Committee

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

Taylor reported that the Public Policy Committee discussed the Transition position statement and recommended revisions as presented in Council materials.

MOTION: To approve proposed revisions to the TCDD Transition Position Statement.

MADE BY: Lora Taylor for the Public Policy Committee

The Council had further discussion on the Workforce Innovation and Opportunity Act and it was also suggested that transition services beginning at age 14 are too late to be effective.

AMENDMENT: To add language about beginning transition services that says “14 or earlier as needed”.

MADE BY: Scott McAvoy

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

7. Public Policy Priorities

Public Policy Committee Chair Taylor reported on the Committee discussion of the 2017 Public Policy Priorities. Priorities will include Long Term Services and Supports, Employment, Education, and Guardianship Reform and Supported Decision Making. The Committee recommends Council approval as presented with one additional line in the final priority on Guardianship Reform so that it reads "...by improving access to alternatives to guardianship *and supported decision making* and advancing protections...".

MOTION: To approve the TCDD 2017 Public Policy Priorities with suggested revisions

MADE BY: Lora Taylor for the Public Policy Committee

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

8. Memorandum of Understanding with Texas Education Agency

Council Chair Durham reported that the Executive Committee reviewed the FY 2017 Memorandum of Understanding with Texas Education Agency (TEA) and noted the only change to the document for the upcoming year is that TEA will assume responsibility for TCDD's toll-free phone line.

MOTION: To approve the FY 2017 Memorandum of Understanding with TEA

MADE BY: Mary Durham for the Executive Committee

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

9. FY 2017 Operating Budget

Operations Director Martha Cantu reviewed the proposed budget for FY 2017 operating expenses based on level funding from FY 2016. She noted that the proposed budget increases by \$155,316 from the previous year but added that it is less than the increase from FY 2015 to FY 2016. The increases are a result of reclassifications to staff positions but other categories such as professional services were decreased. Chair Durham noted that the Executive Committee had no issues with the proposed budget.

MOTION: To approve the FY 2017 Operating Expense Budget

MADE BY: Mary Durham for the Executive Committee

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

10. **Amendments to Council Policies and Procedures**

Executive Director Stalvey reviewed proposed revisions to Council Policies and Procedures that would align with recent revisions to the Council's Administrative Code. The revisions would clarify Council membership regarding representation of federal programs, clarify the grantee appeal process, define the process for payment withholding when a grantee is non-compliant, and increase reimbursement rates for attendant and respite services provided for members during meetings. Per Council policy, members received specific written notification of proposed revisions more than 10 days prior to the meeting.

MOTION: To approve revisions to Council Policies and Procedures

MADE BY: Mary Durham for the Executive Committee

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

11. **Parent Perspective – Mr. Holton George**

Planning Specialist Danny Fikac introduced Mr. Holton George who is a local resident in the Marble Falls area and has a 57 year old son, Robbie, who has multiple disabilities. Mr. George discussed his decades-long experience of accessing services and supports for Robbie. He noted that in the 1960s most agencies wouldn't help because he didn't fit into a specific program due to his multiple disabilities and he was urged to admit Robbie to a state institution. After attending school in Alabama as well as the Hellen Keller Institute, Robbie became the first consumer in the Deaf/Blind program at Texas Rehabilitation Commission. Robbie has had a number of challenges with hospital stays and residential care but has been employed in the San Antonio area as well as Marble Falls while living in a group home setting. Mr. George discussed the improvements that he has seen over the years but notes there is still work to be done. Council members expressed their gratitude to Mr. George for being a trailblazer in disability advocacy.

12. **Communications and Marketing Activities Report**

Communications Director Joshua Ryf provided updates on communications activities from the past quarter. He discussed the recent audit of website maintenance which had positive results with good suggestions for improvement from the auditors. Ryf noted that social media accounts continue to see steady growth but there has been a substantial increase to TCDD e-mail subscriptions as a result of specific outreach at conferences and other functions. Ryf further discussed changes to Facebook in the formatting of business pages as well as highlights from information and marketing campaigns. Ryf reviewed upcoming events as well as awareness days and months noting that October as National Disability Employment Awareness Month will see a large amount of activity.

13. **Executive Committee Report**

Chair Durham reviewed the new and continuation grant funding that was awarded during the Executive Committee meeting. New grant funding was awarded for a Public Policy Fellowship to EveryChild, Inc., for a Higher Education Collaborative project to Texas A&M University and for an Outreach and Development project to Imagine

Enterprises. Continuation grant funding was awarded to Volar Center for Independent Living (Building Community Capacity through Collaboration), Texas Tech University (Support for Project SEARCH), and Light & Salt Association (Culturally Appropriate Family Supports). Three event stipends and four speaker stipends were awarded this quarter.

The Executive Committee reviewed an appeal from Mounting Horizons who did not receive funding for a Leadership and Advocacy grant and the Committee determined that the proper process was followed and the original decision to not fund was upheld.

The Committee approved three new individuals to the pool of potential Independent Review Panel members.

Operations Director Cantu reviewed the quarterly financial reports and explained the new formatting of the reports. 68% of the Operating Expense budget has been spent and this is on target for this point in the fiscal year. All of FY 15 funds have been assigned to projects and there is about \$1 million remaining in FY 16 funds to assign and this will happen prior to the September 1, 2017 deadline. It was also noted that TCDD received an additional \$102,470 in FY 16 funding as a one-time allocation because Puerto Rico returned funding that could not be spent and this was distributed amongst all DD Councils. The Executive Committee members did not express any concerns with the agency financial reports.

The Committee reviewed Conflict of Interest disclosures and no concerns were noted.

14. Project Development Committee Report

Project Development Committee Chair Cortez reported that following discussion on a Sibling Leadership Network, staff were directed to develop an executive summary for a project on this subject. The Committee reviewed other project ideas but did not have specific recommendations at this time.

15. Public Policy Committee Report

Public Policy Committee Chair Taylor expressed her appreciation for all of the Committee of the Whole presentations on Employment issues. She reported that the Committee discussed recent reports of high levels of lead in the drinking water at three state supported living centers (SSLCs). Committee member Ruth Mason also provided comments on this topic in conjunction with Sunset Committee recommendations to consolidate SSLCs and close the Austin State Supported Living Center.

16. State Agency Representatives Quarterly Activities Report

Ivy Goldstein, Department of State Health Services, reported that Rachel Jew has been named as the director of the Children with Special Health Care Needs program. Goldstein recently hosted focus groups on access and barriers to services at the Texas Parent to Parent Conference.

April Young from Health and Human Services (HHSC) reported that information

sessions on the STAR Kids managed care program roll-out will begin in August. She also reported that the first major phase of the HHSC transformation will begin on September 1, 2016 with the creation of the Medical and Social Services Division under the new Deputy Executive Commissioner, Gary Jessee. The agency Legislative Appropriations Request are due to the Legislative Budget Board on August 26, 2016 with the HHSC hearing scheduled for September 22, 2016.

Department of Aging and Disability Services (DADS) representative, Donnie Wilson, discussed transformation activities noting that three quarters of the agency staff have received their assignments. He noted that DADS will retain oversight of SSLCs until 2018.

Department of Assistive and Rehabilitative Services (DARS) representative Jennifer Kaut reported that there is still a great deal that is unknown about the transition to Texas Workforce Commission on September 1, 2016 but that transition should not result in a change for consumers.

Texas Education Agency (TEA) representative Ron Roberts discussed agency reorganization following the recent appointment of Mike Morath as Commissioner. He noted that Morath feels the agency should have more of a service and less of a regulatory role for Texas schools. Morath is working to establish stakeholder groups to gain input.

Meagan Sumbera, Texas A&M Center on Development and Disability, reported their focus on end of year reporting and they are participating in 43 total projects at this time.

Amy Sharp, TCDS, discussed two new projects including a grant that will create a curriculum to include people with intellectual disabilities as research staff and this curriculum will be distributed nationwide. The second project works with Special Olympics to create awareness and address obesity in people with intellectual and developmental disabilities.

17. Announcements and Updates

Council members discussed dates and locations of future meetings of November 2–4, 2016 (Sonesta Bee Cave-Austin), February 8-10, 2017 (Holiday Inn Austin Midtown), May 3–5, 2017 and August 2-4, 2017.

Adjourn

Council Chair Durham adjourned the meeting at 12:05 PM

Beth Stalvey, Secretary to the Council Date

Attachments

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TCDD@tcdd.texas.gov
tcdd.texas.gov

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

TO: TCDD Executive Committee
FROM: Danny Fikac, Planning Specialist
SUBJECT: Summary of Recommendations: TCDD Policy Fellows Request for Proposals
DATE: August 3, 2016

TCDD staff convened a review panel to evaluate proposals for the TCDD Policy Fellow Request for Proposals (RFP). Up to two projects can be funded. Behind this memo is the summary of the review panel and staff comments.

TCDD Policy Fellow Goal: The purpose of these projects is to increase the number of policy professionals in Texas who have the skills, knowledge and experience to engage in policy activities so that people with developmental disabilities have greater control over their own lives.

Authorized funding amount per RFP: TCDD has made available up to \$67,500 for up to two organizations per year for up to two years.

TCDD received one proposal:

- Every Child

The review panel unanimously selected the proposed project for funding.

2016-1 TCDD Policy Fellow

Organization: EveryChild, Inc.

Funding Requested: \$67,500

Location of Main Office: Austin, TX

Match: \$22,500

Summary of Proposal:

The target population for the policy work will be children and young adults under age 22 with developmental disabilities and their families. The Policy Fellow will learn about family based alternatives for children and youth with intellectual and developmental disabilities who are living in facilities under the auspices of the Texas Department of Aging and Disability Services (DADS) and the Department of Family and Protective Services (DFPS). They will also learn about state Medicaid and Medicaid waivers that can support children to live with families instead of in institutions and other relevant state and community level disability policies affecting the ability of children and youth with developmental disabilities to live a full and meaningful life in a family.

Strengths Noted by the Review Panel:

- EveryChild has developed many relationships with government and other entities.
- The proposal identifies existing resources or opportunities.
- Self-determination is not discussed specifically; however, through the Project Advisory Committee (PAC), families and people with disabilities will be included and provide expertise.
- They were very thorough in the plan to train the policy fellow.
- The proposal reflects meaningful input from a range of stakeholders, including people with developmental disabilities. The proposal promotes full inclusion and independence for individuals with developmental disabilities and their families.
- EveryChild appears to have a clear understanding of the Texas system that provides support to families and individuals as well as how to create policy change.
- Significant emphasis is placed on building relationships.
- The TCDD Policy Fellow will be provided with a mentor from EveryChild to help in developing a deep understanding of policy and skills to effectively engage in policy issues.
- The mentor, EveryChild staff, and additional stakeholders, will meet at least weekly.
- Raised public awareness could impact large numbers of individuals and their families.

Additional Strengths Noted by TCDD Staff:

- EveryChild would be a quality placement for a public policy fellow.

Concerns Noted by the Review Panel:

- There does not appear to be clear evidence of collaboration with non-traditional partners, although it is assumed EveryChild will do so.
- The proposal does not show how, other than through the PAC, individuals with disabilities would be assisting with the project.
- There are no specifics about recruiting from around Texas, although this is probably the case.
- It's assumed the program director will be the mentor, but job duties should be better defined.

Additional Concerns Noted by TCDD Staff:

- EveryChild's proposed budget needs clarification and revision.

TCDD Future Funding Activities Priority List — July 14, 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 ¹	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	1	Year 1 up to \$135k Year 2 up to \$270K Year 3 up to \$135K	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 ²	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	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	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
6	Youth Leadership Development Up to 5 years	3	\$125,000 per year per project.	5/5/16	9/15/16	TBD	TBD

Number	Organization/Activity	Possible Projects	Funding "Up To"	Council Approved	Expected RFP Post	Expected Start	Expected End
7	Outreach Development Up to 5 years	5	Year 1 up to \$10K Year 2 up to \$20K per project	5/5/16	10/1/16	TBD	TBD
8	Peer Support Specialists for Person Directed Planning Up to 4 years	1	Year 1 up to \$100K Year 2-4 up to \$125K	5/5/16	TBD	TBD	TBD
9	Translation Services Up to 3 years	1	\$25000 per year	5/5/16	TBD	TBD	TBD

Legend:

- 1) Open RFP or Proposals received are under review at time of printing.
- 2) Proposals have been approved, awarded or project is in process of beginning since last Council meeting.

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 for 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



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.

2017 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.

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.

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.

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.

For more information on these and other advocacy issues important to the Council visit:
<http://www.tcdd.texas.gov/public-policy/position-statements/>

Memorandum of Understanding

Texas Council for Developmental Disabilities and The Texas Education Agency

I. PURPOSE

This Memorandum of Understanding ("MOU") is entered into between the Texas Council for Developmental Disabilities, 6201 East Oltorf, Suite 600., Austin, Texas, hereafter referred to as the "TCDD," and the Texas Education Agency, 1701 North Congress Ave., Austin, Texas, hereafter referred to as the "TEA". The TCDD is established pursuant to the federal Developmental Disabilities Assistance and Bill of Rights Act as amended (42 USC 15001), hereafter referred to as the "DD Act", and by state statute at Chapter 112, Title 7, Texas Human Resources Code, hereafter referred to as the "State Act." Consistent with the DD Act, the Governor of Texas has designated TEA as the "designated state agency" to receive, account for and disburse funds available to TCDD and to provide administrative support to TCDD as appropriate. The purpose of this MOU is to identify the responsibilities of TEA as the designated state agency and the responsibilities of TCDD consistent with the DD Act and the State Act.

II. GENERAL AGREEMENTS

The State Act establishes the TCDD as a separate entity under state law, and delegates authority to the TCDD for all programmatic activities conducted with funds available to the TCDD. The State Act also establishes the Executive Director of the TCDD as the executive head of agency for the TCDD. TEA is responsible as the Designated State Agency to provide the services and support as indicated in this Memorandum of Understanding.

TCDD staff will be subject to the administrative rules and policies of the State of Texas and of its cognizant federal authorities. Pursuant to the State Act, the TCDD is responsible for selecting and hiring the Executive Director, when that position becomes vacant, and supervising the Executive Director consistent with state personnel policies and procedures of the TCDD. The TCDD Chair will prepare an annual performance evaluation of the TCDD Executive Director and serve as the "supervisor's supervisor" when required by state law or regulations.

The parties agree that TCDD staff will be responsible solely for TCDD activities and responsibilities and will not be assigned other duties nor guided in implementing activities by the TEA. It is TCDD's intent to be responsive to the limitations of TEA set forth in state law and regulation related to personnel decisions. In like manner, it is TEA's intent to be responsive to the intent of the DD Act that provides for the Council to determine the numbers and types of staff necessary to carryout TCDD responsibilities and activities. At any time that the Council determines the need to increase the number of TCDD staff positions above 18 currently authorized FTE's, TCDD and TEA shall jointly determine the procedure and timing for that increase to occur. Unless otherwise separately agreed by TCDD, those positions are available only to the TCDD and are not subject to staffing reductions of the TEA.

TCDD will work cooperatively with TEA to establish procedures for the processing of TCDD grants, contracts and personnel actions, recognizing that state and federal law vest fiscal, personnel, and rulemaking authority in the Council concerning activities carried out with funds available to TCDD. Federal law establishes that the TEA, and any other agency, office, or entity of the State, will not interfere with the advocacy, capacity building, and systemic change activities, budget, personnel, State plan development, or plan implementation of the Council.

TEA will provide administrative support services to the TCDD as detailed in this MOU. The provision of these services are subject to TEA's then-current operating procedures and systems. Nothing in this MOU obligates TEA to provide or purchase for TCDD any administrative service or support not regularly available or provided by TEA. Any requests by TCDD for modification to TEA services or support shall be subject to negotiation at the time of the request and to additional reimbursement as allowed by the DD Act. TCDD agrees to cooperate with TEA in providing any information needed by TEA to carry out its duties.

III. FINANCIAL, BUDGETING AND ACCOUNTING SERVICES

TEA has the following responsibilities and duties in state and federal law:

- A. Receive, account for and disburse funds on behalf of TCDD in accordance with the state and federal law and as authorized by TCDD staff, provided that TEA shall not encumber any funds available to TCDD, transfer any funds between TCDD budget categories or from TCDD to any other entity, or otherwise initiate charges or expenses against funds available to TCDD without specific authorization in advance by TCDD.
- B. Provide the fiscal controls and fund accounting procedures necessary for proper disbursement of and accounting for TCDD funds.
- C. Prepare required state and federal financial reports regarding TCDD funds, including TCDD review prior to submittal.
- D. Provide payroll services consistent with state and federal requirements.
- E. Provide timely financial information to TCDD to allow for the preparation of required fiscal reports to state and federal authorities.
- F. Provide or assist TCDD in securing the non-federal share of the cost of projects as required by federal law.
- G. Support TCDD in developing required state budget, strategic plan, performance measures, and appropriations request materials and related items (and other state reporting).

IV. HUMAN RESOURCES

TEA agrees to provide the following Human Resources services to TCDD:

- A. For state payroll and benefits purposes, administratively maintain TCDD employees as TEA employees.
- B. TEA agrees to provide recruitment, posting and processing of applications for TCDD positions.
- C. TEA will ensure compliance with EEO and ADA related matters and will act as the TCDD Executive Director's designee to implement a program of equal opportunity employment for the TCDD as required by the Texas Commission on Human Rights and state law.
- D. Other HR services as appropriate.

V. INFORMATION TECHNOLOGY SERVICES

TEA agrees to provide the following information technology services to TCDD:

- A. Information technology (IT) support to TCDD shall be provided through TEA Interagency agreements with the Department of Information Resources (DIR) and the state Data Center Service.

- B. TEA IT support to TCDD includes but is not limited to security oversight and operational functions to ensure compliance with the DIR TAC §202 requirements
- C. TEA IT support includes monitoring, provisioning and support for desktop and laptop computers, printers, networking server and network infrastructure, E-mail accounts, network connections (including LAN equipment and data circuits) and related hardware and software applications. As required to meet confidentiality requirements.
- D. TCDD will follow TEA Operating Procedures pertaining to information security and encourage TCDD employees to attend TEA information security classes.
- E. TEA IT support shall be provided in a manner that assures separate identity for TCDD computer functions including website (www.tcdd.texas.gov) and email (e.g. Beth.Stalvey@tcdd.texas.gov)

VI. OTHER ADMINISTRATIVE SERVICES

TEA agrees to provide the following administrative services to the TCDD unless TEA and TCDD jointly agree for TCDD to contract for such services separately:

- A. Provide appropriate assurances for the TCDD State Plan and consult with TCDD to maintain consistency of the State Plan with state law.
- B. Purchasing and procurement services that will enable TCDD to procure and receive goods and services consistent with state requirements and upon its own authority, including support and assistance concerning lease space for TCDD offices. TCDD personnel responsible for contract development and processing will consult with appropriate TEA personnel and participate in related TEA training.
- C. Training, professional development, and consultation services provided through TEA (Office of Organizational Effectiveness) to TCDD personnel as appropriate.
- D. Bulk mail services directly or through contract with another state agency.
- E. Manage TCDD's toll free number 1-800-262-0334.

VII. BUSINESS CONTINUITY AND DISASTER RECOVERY SERVICES

TEA and TCDD agree to furnish mutual aid to each other in the event of a declared disaster:

- A. The requesting party will notify the loaning party immediately upon declaration of a disaster. Services shall be made available to the receiving party within two hours of the notification.
- B. The loaning party will provide space, telephony, desktop and/or laptop computer equipment, and supplies to the requesting party. The loaning party, in its sole discretion, shall determine what can be spared at the time of the disaster without placing its own agency in jeopardy.
- C. The loaning party agrees to allocate a conference room to accommodate a minimum of 10 staff, with power to connect computers, and equipped with one conference phone. The requesting party will provide agency laptops, cell phones, and wireless hot spots, whenever possible.
- D. The requesting party will have sole use of the allocated space during the period of occupancy.
- E. All equipment and personnel loaned hereunder shall be returned upon demand of the lending party or when released by the requesting party upon the cessation of the emergency.
- F. No charge shall be assessed for services rendered by either party.
- G. TEA will include TCDD in their Business Continuity Plan for systems and business recovery.

VIII. OTHER UNDERSTANDINGS

- A. TEA understands that TCDD shall develop and authorize funding activities to implement goals and objectives in the approved TCDD State Plan within the limitations of available funds and applicable state and federal regulations. TCDD shall manage all aspects of the application, review, and approval processes for grants and contracts and shall provide ongoing project development and grants management oversight to funded projects. DD funded grant projects shall abide by all terms of the grant award and with all applicable federal and state requirements including the Uniform Grant Management Standards (UGMS) developed by the Governor's Office of Budget, Planning and Policy, and federal rules promulgated by the Office of Management and Budget (OMB) where applicable. Except as otherwise stated in this agreement, TCDD is solely responsible for the grant selection, award, and management activities of the Council. The TCDD Executive Director or his designee is the authorized signatory for all TCDD grants and contracts.
- B. TCDD, as a separate state entity under law, will comply with State of Texas administrative rules and policies applicable to State agencies of similar size regarding the provision of internal audit services. It is understood by the parties that TCDD currently contracts separately for Internal Audit Services to ensure compliance with State requirements. Should TCDD determine not to continue to separately acquire such services, it promptly will notify TEA and the parties will mutually agree on the provision of such services by or through TEA, as may be necessary.
- C. TCDD will provide updated designations of TCDD personnel with approval authority for various TCDD financial and personnel actions, which personnel shall correspond, as closely as possible, with the equivalent positions and authority of TEA employees.

IX. COMPENSATION FOR ADMINISTRATIVE SERVICES

TCDD agrees to reimburse TEA for the administrative services provided under this MOU consistent with provisions of the DD Act. TCDD will reimburse TEA not more than \$50,000 each fiscal year for basic services of accounting, budget, purchasing and HR services provided that TEA provides at least an equal share from non-federal resources as state match through the application of the indirect cost rate. Information technology support (as noted in Section V.B.) and all other services provided to TCDD by TEA will be reimbursed by TCDD to the extent allowed by state and federal law. TEA will provide TCDD documentation of the cost and allocation method for those services.

X. GENERAL PROVISIONS

Dispute Resolution: Disputes concerning implementation of this MOU between TCDD and TEA must first be resolved at the staff level if possible. If either party determines that the dispute cannot be resolved at the executive staff level, TCDD and TEA agree to pursue resolution through the use of mediation pursuant to the Government Dispute Resolution Act, Chapter 2009 of the Texas Government Code as applicable.

XI. TERM OF AGREEMENT

This MOU shall commence on September 1, 2016, and shall terminate on August 31, 2017. This MOU will be reviewed annually by the parties and will be renewed for additional (1) year periods to commence at the beginning of each fiscal year. This MOU may be expanded, modified, or amended at any time upon the mutual written agreement of TCDD and TEA.

This agreement may be terminated by mutual agreement of both parties. Either party may terminate the agreement by giving the other party written notice of its intent to terminate. Written notice may be sent by any written method which provides verification of receipt, and the 30 days will be calculated from the date of receipt. Such actions, however, do not alone affect the status of the Governor's designation of TEA as the TCDD designated state agency pursuant to provisions of the DD Act. In the event any provision of this agreement becomes unenforceable or void, such will not invalidate any other provision of this agreement.

THE UNDERSIGNED PARTICIPATING PARTIES do hereby certify that (1) the services specified above are necessary and essential for activities that are properly within the statutory functions and programs of the effected agencies of State Government, (2) the proposed arrangements serve the interest of efficient and economical administration of the State Government, and (3) the services, supplies, or materials in this MOU are not required by Section 21 of Article 16 of the Constitution of Texas to be supplied under Contract given to the lowest responsible bidder.

TCDD further certifies that it has the authority to receive the above services by authority granted in:
Executive Order RP-37.

TEA further certifies that it has authority to perform the above services by authority granted in:
Executive Order RP-37.

Texas Council for Developmental Disabilities

Texas Education Agency

By:
Mary Durham
TCDD Chair

By:
Shirley Beaulieu,
Chief Financial Officer

Date:

Date:

PROPOSED FY 2017 BUDGET

Revenues / Expenses	Budgeted FY 2016 10/5 - 9/16	Projected Year End Expenditures FY 2016 10/15 - 9/16	Proposed Budget FY 2017 10/16 - 9/17	Variance
Federal Allotment	\$4,916,387	\$4,916,387	\$4,767,409	-\$148,978 ¹
Total Revenues:	\$4,916,387	\$4,916,387	\$4,767,409	-\$148,978
Council Operations Expenses:	17 Full- time Employees (FTE)	17 FTE	17 FTE	no data
Salaries	\$1,033,324	\$1,003,704	\$1,123,791	\$90,467
Benefits	\$349,784	\$353,136	\$400,971	\$51,187
Professional Services	\$98,000	\$47,297	\$80,462	-\$17,538 ²
Out-of-State Travel	\$15,000	\$11,896	\$21,500	\$6,500 ³
In-State Travel	\$58,000	\$50,812	\$60,750	\$2,750 ³
Supplies	\$12,000	\$11,373	\$12,000	\$0
Utilities	\$32,000	\$23,281	\$32,000	\$0 ⁴
Rent, Building, Space	\$69,989	\$60,287	\$69,989	\$0 ⁵
Rent, Computers, Equip	\$40,000	\$34,664	\$40,000	\$0 ⁶
Capital Expenditures	\$0	\$0	\$0	\$0
Other Operating Expenses	\$95,367	\$49,146	\$117,317	\$21,950 ⁷
Total Operating Expenses:	\$1,803,464	\$1,645,596	\$1,958,780	\$155,316
Administration Reimbursement To TEA	\$50,000	\$50,000	\$50,000	no data
Available for Grants	\$3,062,923	\$3,220,791	\$2,758,629	-\$304,294
Total Expenses:	\$4,916,387	\$4,916,387	\$4,767,409	-\$148,978

NOTES:

1) Estimated Funding for FY17. Note: The FY16 allotment amount increased by \$102,470, due to funds returned by the Puerto Rico DD Council

2) Auditor — \$46,700 (Internal \$37,700 and Desk \$9,000); Legal Services — \$3,000
Attendant Care — \$10,000; Review Panelist — \$3,000; Consultant /Speaker — \$5,000
Web Hosting — \$1,800; DD Suite — \$7,500; and IT Services w/TEA — \$3,462.

3) Travel — In-State Council — \$38,750; Out-of-State Council — \$10,560; Travel — In-State Staff — \$22,000; Out-of-State Staff — \$10,940.

4) Utilities — \$10,300; Telecommunications — \$21,700; Dedicated Server — \$3,000.

5) Rent-Building & Space: Office and Storage Space — \$48,920; Quarterly Council Facility Rooms — \$21,069

6) Rent Machine: Rental of laptops — \$9,000; Quarterly Council AV rental — \$26,464; Rental of copier — \$4,536.

7) Other OE: NACDD Dues — \$20,625; Printing, Registration, Publications, Maintenance and Repair, Postage, Cleaning, Delivery, Advertising, Interpreter / translator, Security, Furniture and Equipment, Software, and Awards — \$96,692.

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 monitors 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. 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.
6. 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.

7. 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.
8. The TCDD Executive Director may approve TCDD assuming the federal share of any obligations that cannot be cancelled.
9. A grant, or portion thereof, may also be terminated at the grantee's request by approval of the TCDD Executive Director.
10. Between the time of the proposed termination and the final decision of the Executive Committee, TCDD may withhold further funding. In the event the Executive Committee's decision is favorable to the grantee, the funds shall be promptly distributed to the grantee.

M. Financial Monitoring and Independent Audits

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

N. Funding Restrictions

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

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

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

- a. bad debts;
 - b. entertainment;
 - c. legislative expenses;
 - d. expenses required to be reported as lobbying by state statute; and
 - e. merit salary increases that total more than 5% of an individual's salary during a 12 month period.
9. Any revenues received from projects funded by the Council must be reported quarterly on forms provided by the Council. Council staff must approve use of such funds.
- . TCDD Grants Policies and Procedures
1. All grantees shall receive a TCDD Grants Manual that contains all requirements, procedures, and reporting forms for grantees.
 2. The Executive Director will approve all revisions to a project work-plan, including performance measures, staffing pattern, or budget, providing the changes are within the total budget and general scope of work approved by the Council.
 3. A grantee seeking to increase the authorized funding amount, length of project, or scope of work shall file a request with the Council. The request shall be submitted to the Executive Director with a justification for the change. The Executive Director shall review the request and make a recommendation to the Council. The Council's decision to approve or deny the request is final.

COUNCIL PROCEDURES

Revisions Approved – May 2011

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COUNCIL PROCEDURE 11. MEMBER TRAVEL EXPENSE REIMBURSEMENT POLICY

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

6. Exceptions.

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

7. Travel Guidelines and Reimbursement Procedures.

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

**COUNCIL PROCEDURES
REVISIONS APPROVED MAY 2011**

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

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

- i. **Personal Assistance Services.**

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

COUNCIL PROCEDURES

REVISIONS APPROVED MAY 2011

- I. **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

COMMITTEE OF THE WHOLE August 4, 2016 — MINUTES

Council Members Present

Mary Durham, Council Chair
Hunter Adkins
Kimberly Blackmon
Gladys Cortez
Kristen Cox
Mateo Delgado
Stephen Gersuk
Mary Faithfull, DRT
Ivy Goldstein, DSHS
Jennifer Kaut, DARS
Ruth Mason
Scott McAvoy
Michael Peace
Ron Roberts, TEA
Amy Sharp, UT CDS
Meagan Sumbera, A&M CDD

David Taylor

Lora Taylor

Richard Tisch

John Thomas

April Young, HHSC

Donnie Wilson, DADS

Council Members Absent

Kristine Clark

Dana Perry

Brandon Pharris

Guests Present

Justin Babineaux, DADS

Mary Cooper

Kyle Cox

Isabel Evans

Rachel Jew, DSHS

Jean Langendorf

Stephanie Sokolowsky

Larry Temple

Staff Present

Beth Stalvey, Executive
Director

Martha Cantu

Joanna Cordry

Cynthia Ellison

Danny Fikac

Ashley Ford

Linda Logan

Jessica Ramos

Fernando Rodriguez

Joshua Ryf

Koren Vogel

Call To Order

The Committee of the Whole of the Texas Council for Developmental Disabilities convened on Thursday, August 4, 2016, in the Salon A-C of the Horseshoe Bay Resort, 200 Hi Circle North, Horseshoe Bay, TX 78657. Council Chair Mary Durham called the meeting to order at 9:32 AM.

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**

TCDD Executive Director Beth Stalvey and Council Chair Durham did not offer any formal remarks.

4. **Employment in Texas**

Executive Director Stalvey explained that the focus of the meetings would be on Employment and the Committee would have several interactive presentations on this topic. She introduced Larry Temple, Executive Director of the Texas Workforce Commission (TWC), who began his discussion with the topic of transformation of services from the Department of Assistive and Rehabilitative Services (DARS) to TWC. The primary goal for the transformation is for there to be no interruption of services on the consumer level. Consumers will keep the same vocational rehabilitation (VR) counselors in the same office spaces. He explained that the first change in the

next year will be to incorporate services for consumers who are blind into general VR services. He also noted that VR services have been divided into six regions across the state, blind services have been in two regions, and workforce services have had seven regions so a new configuration of six regions is being developed that should work for all services.

Temple noted that there are 193 TWC “One-Stop” centers across the state that have resource rooms and that \$600,000 has recently been spent to update the centers with assistive technology such as JAWS readers. He noted that there is a great deal of resources for individuals (with and without disabilities) who are looking for employment and he encouraged members to become acquainted with the “One-Stop” centers and to explore the resources available through the TWC website.

Temple next spoke about the new federal training Workforce Innovation and Opportunity Act (WIOA), noting that services in Texas have used a consolidated service delivery model since 1995, so he does not expect the transition to be difficult. With VR services moving to TWC, all WIOA services will be administered by the same agency which will streamline referrals because the same reporting system is used for all services, It will also allow easier access for individuals with disabilities to receive things like childcare as well as other employment services.

Temple further explained that TWC placed 1.5 million people with jobs during the last fiscal year and DARS placed 100,000. He recognizes that services for people with disabilities are very individualized but he hopes there will be expertise brought from both programs to create a successful merger and serve all Texans.

TCDD Public Policy Specialist Linda Logan introduced Jean Langendorf of Disability Rights Texas who also serves as the Chair of the Purchasing from People with Disabilities Advisory Committee. Langendorf presented the recent Disability Rights Texas (DRTx) report on sub-minimum wage employment entitled “Living on a Dime and Left Behind – How a Depression-Era Labor Law Cheats Texas Workers with Disabilities” and members received a full copy of the report in their meeting materials. She noted the investigation was done as part of a national effort to examine the treatment of people with disabilities in sheltered workshops. 109 Texas employers have 14(c) certificates which allow employees to be paid less than minimum wage. DRTx found that some workers are paid less than \$0.50 an hour and 18 organizations also serve as the Representative Payee for the employee. She also noted that Texas law supports the 14(c) organizations by requiring Texas state agencies to purchase the goods and services produced by these organizations. Three critical and overarching findings were presented in the report: 1) Texas has systematic problems regarding fair wages, employment growth and vocational opportunities for people with disabilities. 2) Texans in sheltered workshops are not being paid fairly. 3) By relying on the sheltered workshop system, Texas is putting people with disabilities at risk of unnecessary risk of segregation, isolation and exploitation. DRTx recommends phasing out this system and moving toward fully competitive and integrated employment, overhauling day-habilitation services, providing more job training and development in Texas programs, and removing barriers to hiring people with disabilities in state agencies.

Public Policy Specialist Logan next presented on other federal and statewide advocacy efforts regarding employment issues. She discussed the need for culture change and identified six core strategies including leadership, workforce development, development of tools and resources, use of data and performance outcome measures, involvement of individuals and families in all efforts, and exploring individual basis for services. Logan reviewed services for individuals with disabilities receiving Medicaid waiver services and noted that 63.9% have been approved for day habilitation services (with 57.4% receiving those services) while only 0.94% were approved for employment assistance (with 0.43% receiving) and 1.83% were approved for supported employment (with 1.24% receiving).

Logan further discussed implementation of WIOA, noting that the Act promotes Competitive Integrated Employment for all workers. She also noted that the federal Department of Labor recently began a concentrated effort to raise awareness on the limitations of payment of sub-minimum wages and produced a card on the rights of workers with disabilities. As part of WIOA, all sub-minimum wage workers must receive career counseling from TWC and receive information about training every six months. She further discussed WIOA guidelines for youth and young adults to include expanded eligibility for pre-employment services, additional VR funding allocated to transition services, and prohibition of school contracts that place student with disabilities in sheltered workshops. She reminded members that a number of TCDD projects meet WIOA guidelines for pre-employment services and those projects include the three higher education for employment projects as well as the enabling technology projects.

Logan next introduced Stephanie Sokolosky, Chair of the Employment First Taskforce (EFTF) and Interim Chair of the Autism Council. Sokolosky reviewed draft recommendations from EFTF which include bringing employment and transition services into compliance with WIOA and Employment First policies and moving away from segregated and/or sub-minimum wage earning settings to competitive integrated employment.

Chair Durham next presented on her work with the National Task Force on Workforce Development for People with Disabilities where she served on the sub-committee on Career Readiness and Employability. The sub-committee offered 11 policy recommendations to the Task Force to improve each state's policies on employment for people with disabilities. The recommendations include:

- States should have an internal and external focus on disability etiquette and awareness to include all types of disabilities including visible and hidden disabilities.
- State should be a model employer.
- State should engage private and non-profit sector employers around workforce development for people with disabilities.
- Entrepreneurship and self-employment training are key strategies in laying the groundwork for successful workforce development for people with disabilities.

- Helping individuals with disabilities prepare to enter the workforce.
- Family involvement is key for youth and young adults. Finding work and managing logistics of transportation are critical to success.
- The built workplace environment – accessible housing, public transportation, etc. – is key for individuals with disabilities.
- Develop policies to retain employees whose status can change over time with new or different challenges.
- State procurement policy and Disability Owned Business Certification are necessary workforce development strategies.
- Technology supports should be made available to all employees.

5. **Council Challenge**

The Committee received additional updates from staff regarding TCDD staff activities such as federal reporting and conference attendance. Committee members also discussed recent Texas specific news items that involve people with disabilities such as cuts to Medicaid reimbursement rates for therapies and findings of lead in drinking water at state supported living centers. General statistics such as life expectancy and poverty rates for people with disabilities were also discussed.

Adjourn

Council Chair Durham adjourned the Committee of the Whole at 1:55 PM.

Beth Stalvey, Secretary to the Council Date

Background:

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

- Website and Downloads
- Facebook
- Twitter
- Email
- Information and Referral Requests and Distribution
- TCDD at Disability-Related Events
- Blog Posts
- Texas Tribune Festival
- Technology with HEART

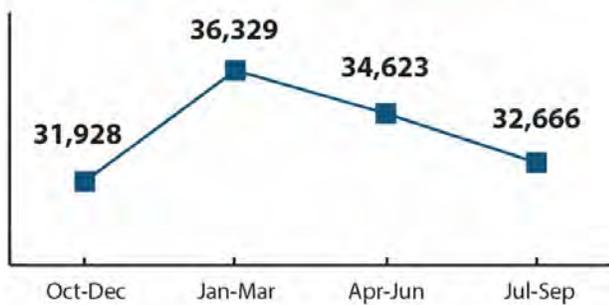
Council — Agenda Item 11**Expected Action:**

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

Communications and Marketing Activities Report

November 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	32,666
People First Language	4,213
Home Page	3,758
Workplace Bullying: Know Your Rights	2,742
Texas Legislature	1,327
Supported Decision-Making	906
STAR Kids Toolkit	895
Funding Available	656
What is a Developmental Disability?	579
Updated Texas Service Dog Law 14 Facts for 2014	538
Guardianship Alternatives	451
Update: Autism Services in Texas	428
Jobs	390
Staff Directory	353
Publications and Multimedia	306
Texas Teachers to Study Mental Health, Positive Behavioral Interventions	300
About Us	283
Legislative Advocacy Tips	274
Grants	255
Current Grant Projects	247
News and Information	222

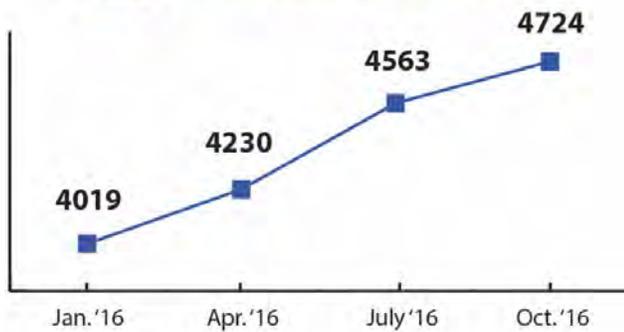
PDF Downloads from Website

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

Publication/Blog Post	Number of Downloads
Total PDF downloads for quarter	1,282
People First Language	294
Supported Decision-Making Agreement	254
Higher Education Resource Guide for Students with Disabilities — English	119
STAR Kids Checklist: What You Need to Be Doing Now! — English	98
Texas STAR Kids Flyer — English	64
Workplace Bullying: Know Your Rights Blog Post	41
Texas STAR Kids Flyer — Spanish	22
Grants Manual	22
STAR Kids Checklist: What You Need to Be Doing Now! — Spanish	14
Impact TCDD 2014 Annual Report	18
TCDD Organization Chart	18
TCDD Brochure	17
Higher Education Resource Guide for Students with Disabilities — Spanish	16
TCDD FY 2012-2016 State Plan	15
2014 Texas Biennial Disability Report	13
How a Bill Becomes a Law in Texas Infographic	12
TCDD Priority Bills Passed – 82nd Texas Legislature	10

FACEBOOK

Facebook Fans



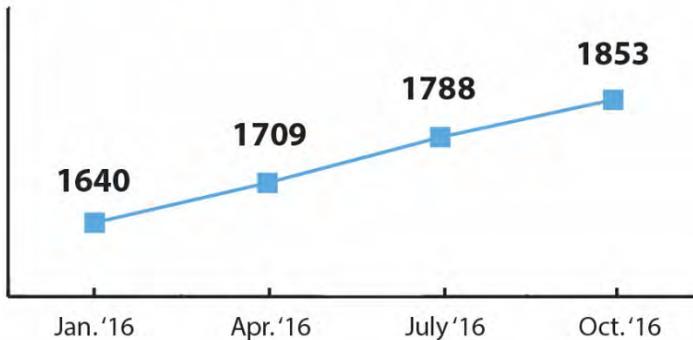
Top Facebook Posts

Post Message	Total Reach
TX Medicaid cuts take developmental dollars	9,206
Keller family wins fight for cameras in special education classrooms	7,873
ADHD is now classified as a specific disability under federal civil rights law	6,879
STAR Kids program raising concerns for families	6,365
In First, Insurer To Offer ABA Coverage Nationwide	5,560
The Texas Supreme Court declined to hear a lawsuit regarding the legality of proposed cuts to Medicaid therapy rates.	4,259
For parents of kids with disabilities, Target's newest shopping cart is a game-changer.	4,120
STAR KIDS Q&A CALLS	3,350
New App Will Serve As 'TripAdvisor' For People With Disabilities	3,173
Parents must request cameras in Texas' special education classrooms	3,145
Last Ditch Effort To Spare State Therapy Cuts	2,843
LEARN HOW TO ADVANCE STATE POLICY	2,776
After Firing an Employee with a Disability, Wal-Mart To Pay Up	2,723
Who Guards the Guardians?	2,310
HAPPY ANNIVERSARY, ADA!	2,237
Texas is Keeping Tens of Thousands of Children Out of Special Education	2,199
The Arc of Texas is accepting applications for the Don Miller Memorial Scholarship	2,164

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

TWITTER

Twitter Followers



Top Tweets

Tweet	Total Impressions
Take #disability #advocacy to the next level: attend the Texas Tribune Festival. Discounted tickets available. https://t.co/HIPo9vhcVK #TTF	6,087
We are seeking a #Grants Manager. Apply by Sept. 14! More info: https://t.co/6n0mbAsT6L #job #Texas #Austin https://t.co/0cEiDaVIVM	4,414
There are numerous conflicts between what #STARKids MCOs state verbally in public mtgs and what they've sent families in writing. #txlege	1,261
#FollowFriday: @TxDisabilities @TheArcofTexas @TCDS_UT @DisRightsTx @autismatx @EasterSealsCTX	1,075
#Disability #advocacy opportunities in #Texas in July & August: https://t.co/THeNNS1DE9 #txlege @TexasHHSC #Medicaid #SSLC #education @TDHCA	1,050
During #Texas sales tax holiday, most school supplies, clothes & backpacks under \$100 can be purchased tax-free. https://t.co/4yV5bVOcTH	1,000
HHSC continues to rely on families to encourage doctors to contract with #STARKids MCOs. #txlege	989
BREAKING: #Texas Supreme Court Halts Children's Therapy Cuts https://t.co/aRkbrUHubC (via @TexasTribune) #Medicaid #ECI	924
July 11-15 is National #Disability #Voter Registration Week. Learn how Texans can get involved: https://t.co/rS5cbNoNib	903
#Texas health centers awarded \$3.5 million total: Conroe, Dallas, El Paso, Houston, Plainview, San Antonio & Tyler. https://t.co/7LkNdmsMyc	845
#Scholarship available for college students pursuing career in intellectual and developmental #disability services: https://t.co/FH9gdQkW9x	832

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
RFP: TCDD Policy Fellows Needed to Impact Advocacy	38.2%	9.6%
Opportunities for Disability Advocates (sent 9/22/16)	29.6%	6.0%
HHSC's Budget Request: 10 Things You Need to Know	29.0%	3.3%
Advocacy Opportunities: July & August (sent 7/14/16)	28.1%	3.2%
Advocacy Opportunities Next Week (sent 9/9/16)	27.7%	3.0%
Advocacy Opportunities: August (sent 8/9/16)	27.4%	1.5%
STAR Kids Information Sessions	27.2%	2.7%
TCDD Council & Committee Meetings: August 3-5, 2016	26.7%	2.3%
More Ways to Learn About STAR Kids	26.3%	2.0%
Advocacy Opportunities: October (sent 10/7/16)	25.0%	2.0%
Next Level Advocacy: Texas Tribune Festival	24.3%	4.2%
TCDD Seeks Grants Manager	23.5%	0.9%
National Disability Voter Registration Week	23.0%	2.0%

I&R REQUESTS AND DISTRIBUTION

Information & Referral (I&R) Requests: Staff responded to 51 requests for information and referral.

Printed Materials Distributed

- People First Language Handout: 252,
- Higher Education Guide in English: 27,
- Impact: TCDD 2014 Annual Report in English: 5,
- Multiple materials were distributed at the events where TCDD was an exhibitor.

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 the following events this quarter.

Event	Location	Received TCDD Info	Email Subscribers	Potential Council Members
IDD Sock Hop	Georgetown	10	0	1
Texas Advocates Conference	San Marcos	50	18	0
HHS Cross-Systems Summit	San Marcos	40	14	1
PACSTX Conference	Galveston	40	20	0
PRN Resource Fair	Lubbock	30	11	6
no data	Totals	170	63	8

Upcoming events

- November 14-16 — Texas Assoc. of Health Plans Managed Care Conference (Dallas)
- November 16-18 — PPAT 2016 Annual Fall Conference (Austin)
- November 18 — Ensuring a Positive Future Conference (Houston)
- November 19 — Transition Works! Conference (San Angelo)
- November 29 — Volar Our Lives Disability Conference (El Paso)*

TCDD will have a presence at events marked with an asterisk (*).

BLOG POSTS



Drafting Bills: Why It Matters

Right now, while legislative bills are being drafted, disability advocates have an opportunity to inform their legislators about the issues important to people with disabilities in Texas.



Meghan Regis Joins TCDD as Public Policy Specialist

Regis previously worked for the Texas Department of Assistive and Rehabilitative Services, a government relations firm, and a member of the Texas House of Representatives.



HHSC's Budget Request: 10 Things You Need to Know

Learn how the exceptional items and budget reduction options in HHSC's budget request could impact people with intellectual and developmental disabilities.



RFP: Projects to Improve Access to Culturally Competent Supports and Services

TCDD issued an RFP to fund up to three Outreach & Development projects that will focus on improving access to culturally competent supports and services for people with disabilities.



RFP: TCDD Policy Fellows Needed to Impact Advocacy

TCDD issued an RFP to fund up to two organizations to hire and support a full-time Policy Fellow to develop an understanding of policy and build skills to promote self-determination and self-advocacy.



RFP: Youth Leadership Development Projects

TCDD issued an RFP to fund youth leadership development projects that will support youth with DD to learn and share information, acquire leadership skills, and develop long-range advocacy plans.



NDEAM 2016: #InclusionWorks

October is National Disability Employment Awareness Month and the Office of Disability Employment Policy assembled a Resource Toolbox that includes a poster, sample social media content, and more.

TEXAS TRIBUNE FESTIVAL



With an Event Stipend from TCDD, the Texas Tribune provided travel grants to facilitate participation by people with disabilities and family members in the 2016 Texas Tribune Festival. The Festival, which is considered a must-attend event for anyone passionate about public policy issues in Texas, was held on The University of Texas at Austin campus and featured more than 50 sessions and 200 speakers.

The Tribune awarded travel grants to the following people:

- John C. Morris (Edinburg)
- Paul Nathan (El Paso)
- Damian Tabor (Corpus Christi)
- Garry, Gregory, and Vanessa Simmons (San Antonio)
- Rachel Williams (Katy)

The Texas Tribune also offered discounted registrations for people with disabilities, older adults, and veterans.





Technology with HEART

The HEART (Housing, Entrepreneurship and Readiness Training) Program's mission is to create new opportunities for low-income adults with intellectual and developmental disabilities (IDD) in Houston to achieve their employment potential and, ultimately, to live independently. And, by developing an app, HEART is one tap closer to achieving its mission.

The HEART Program operates and maintains over 70 vending machines throughout the Houston area. People with IDD who participate in HEART receive the guidance and training necessary to work the vending machines, which includes maintaining product inventory, restocking the machines, and collecting and counting the cash deposited into the machines.

However, despite the training HEART provides, some people with IDD may require individualized support to increase their employability and prepare them for a career. Take Adrienne, for example. While participating in HEART, Adrienne has become very good at monitoring vending machines inventories, but her ability to write and record the inventories was limited.

To address this issue, which affected many people in the program, HEART teamed-up with Houston-based technology firm Blue Lance Group. With funding from the Texas Council for Developmental Disabilities, HEART and the Blue Lance Group developed an iPad application for recording inventories. The app is very visual, easy to use, and it allows users to customize it to fit their needs. Also, with the app, HEART can monitor inventories electronically rather than manually, therefore removing the need to maintain paper forms in countless binders.

Adrienne has been using the app and it has made a big difference for her. Adrienne can now record inventories and report totals by tapping a screen instead of filling out forms. In addition, since she can customize the app to suit her needs, she can activate different features, like the ability to add photos of products to help her ensure she restocks items correctly.

And, as Adrienne has become more effective at work, she has gained confidence in other areas of her life and become a leader.

“Adrienne has blossomed from a quiet and shy young woman to someone who advocates for herself and has even given speeches about her job,” said Dr. Ross Castillo, the director of programs for HEART. “By working with HEART, Adrienne has not only improved her employability and increased her income, but she has also become a more independent person.”

To learn more about The HEART Program, visit heartprogram.org.

This article was submitted by TCDD to the Texas Governor’s Committee on People with Disabilities (GCPD) for GCPD’s National Disability Employment Awareness Month (NDEAM) email campaign. During NDEAM, GCPD shared articles submitted by guest authors from around Texas.



Background:

Minutes of the October 13, 2015, Audit Committee meeting are included for your review.

Audit Committee — Agenda Item 3

Expected Action:

The Committee will review, revise as appropriate and approve.

AUDIT COMMITTEE MEETING October 13, 2015 — MINUTES

Committee Members Present

Kristen Cox, Chair
Mary Durham, Council Chair
Scott McAvoy
Amy Sharp

Committee Members Absent

John Thomas

Guests Present

Daniel Graves, Weaver &
Tidwell

Staff Present

Beth Stalvey, Executive
Director
Martha Cantu
Joanna Cordry
Jessica Ramos
Joshua Ryf
Koren Voge

Call To Order

The Audit Committee of the Texas Council for Developmental Disabilities convened on Tuesday, October 13, 2015, at the offices of Weaver & Tidwell LLP, 1601 South Mopac Expressway, Suite D-250, Austin, TX 78746. Committee Chair Kristen Cox called the meeting to order at 1:48 PM.

1. Introductions

Committee members, staff and guests were introduced. Committee member John Thomas participated as a non-voting member through conference call.

2. Consideration of Minutes

The Committee reviewed the minutes from the November 5, 2014, Committee meeting. No revisions were offered.

MOTION: To approve the minutes of the November 5, 2014, Audit Committee meeting as presented.

MADE BY: Mary Durham

SECOND: Scott McAvoy

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

3. Procedures and Controls Internal Audit Report

Daniel Graves, Senior Manager from Weaver & Tidwell LLP, presented the findings from the 2015 internal audit on TCDD procedures and controls. An overall assessment rating of “satisfactory” was awarded. Graves explained the Year 1 audit conducted for TCDD was a review of general operations and provided high-level feed-back for the organization. The objectives of the audit were:

1. Verify that policies and procedures of the Council are complete, up-to-date, and align with the significant processes of the agency.
2. Verify that TCDD has appropriately designed controls in place to address the risks associated with the significant processes of the agency.

The scope of the audit included:

- Grant Administration
- Agency Communications
 - Website Maintenance
 - External Communications and Advocacy
- Planning and Program Development
- Compliance and Compliance Reporting
- Public Policy
- Operations
 - Governance
 - Budget & Planning
 - Revenue
 - Contract Administration
 - Financial Close & Reporting
 - Accounts Payable & Disbursements
 - Human Resources Administration
 - Information Technology
 - Purchasing
 - Payroll & Benefits

It was noted that activities conducted by the designated state agency, Texas Education Agency (TEA), were not included in the scope of the audit as TEA undergoes its own audit process.

Upon completion of the audit, two general recommendations were offered:

1. Update policies and procedures.
2. Formalize the performance of controls.

TCDD staff are currently working to implement the specific recommendations by the dates provided in the management responses. Executive Director Beth Stalvey specified that the succession planning processes already on file for TCDD staff will be formalized into a TCDD Operating Procedure. Scott McAvoy discussed external resources that could be used in the development of a TCDD Website Administration Procedure

Graves explained the process for submission of the report to the State Auditor's Office by November 1, 2015. He noted that the format for submission is standard for all state agencies and findings from the TCDD report will be incorporated into this standard form. The approved Audit Plan for FY 2016 will also be included in the 2015 report to the State Auditor

4. **Discussion of the 3-year Audit Plan**

Graves next discussed the 3-year Audit Plan for TCDD. He noted that the plan approved by the Council in February 2015 would review Grant Management in FY 2016 and Website Maintenance in FY 2017. After discussions with staff, it was determined that Website Maintenance should be reviewed in FY 2016 to avoid conflicts with the legislative session and Grant Management should be reviewed in FY 2017 due to current staffing resources:

MOTION: To recommend Council approval of changes to the 3-Year Audit Plan to include review of the Website Maintenance in FY 2016 and Grant Management and Administration in FY 2017.

MADE BY: Amy Sharp

SECOND: Mary Durham

The motion **passed** unanimously.

5. FY 2015 Annual Internal Audit Report

The Committee discussed the requirements of the report to be submitted to the State Auditor's Office (SAO). It was noted that this report must be posted to the TCDD website within 30 days of submission to the SAO. Acceptance of the report will need to be formalized by the Council at the November meeting and if revisions are necessary, they can be submitted to the SAO.

MOTION: To recommend Council approval of the FY 2015 Annual Internal Audit Report.

MADE BY: Scott McAvoy

SECOND: Mary Durham

The motion **passed** unanimously.

6. Other Discussion Items

No further topics were offered for Committee discussion.

Adjourn

Committee Chair Cox adjourned the Audit Committee at 2:22 PM

Beth Stalvey, Secretary to the Council Date

Background:

The Internal Auditors met with the Communications Staff in June 2016 to initiate year two of the 3-year audit plan. Internal Auditors provided an Audit Report related to Website Maintenance in July 2016, which included the findings, recommendations and management responses. This document is included for your review. Internal Auditors are scheduled to follow up with Communications staff in May 2017 to conclude the report by August. Upon completion the final report will be part of the FY 2017 Annual Internal Audit Report filed with the State Auditor's Office in November 2017.

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

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

Council — Agenda Item 15. B**Expected Action:**

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

TEXAS COUNCIL FOR DEVELOPMENTAL DISABILITIES
INTERNAL AUDIT REPORT OVER WEBSITE MAINTENANCE
REPORT DATE: JUNE 21, 2016
ISSUED: JULY 15, 2016

To access this report in Tab 18, please type or copy and paste the following web address in a browser address bar:

http://www.tcdd.texas.gov/wp-content/uploads/2016/10/Cncl_Meeting_Binder_Nov16_tab18-materials.pdf

Background:

The Internal Audit Plan for FY 2017 provided a breakdown of the summary procedures being initiated for the third and final year of the Council pre-approved 3-year audit plan. This document provides the estimated hours and timeline for initiating the audit of the Grants Management and Administration. Internal Auditors will begin the review in March 2017, provide an Audit Report over Grants Management and Administration by May 2017 and schedule follow-up by August 2017.

Audit Committee — Agenda Item 6**Expected Action:**

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

Council — Agenda Item 15. C**Expected Action:**

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

TEXAS COUNCIL FOR DEVELOPMENTAL DISABILITIES
INTERNAL AUDIT PLAN
SEPTEMBER 2016

To access this report in Tab 19, please type or copy and paste the following web address in a browser address bar:

http://www.tcdd.texas.gov/wp-content/uploads/2016/10/Cncl_Meeting_Binder_Nov16_tab19-materials.pdf

Background:

The FY 2016 Annual Internal Audit Report is provided for Council review and approval. The approved report is required to be filed with the State Auditor's Office (SAO) by November 1 of each year, in accordance with the Texas Government Code, Section 2102-015. TCDD has received permission from the SAO to submit this report after the November 1, 2016 deadline. The Annual Internal Audit Report summarizes the Internal Audit Reports for Procedures and Controls (FY 2015) and Website Maintenance (FY 2016) as well as Quality Assurances, and other consultative information, and outlines TCDD's Internal Audit Plan for FY 2017.

Audit Committee — Agenda Item 7**Expected Action:**

The Audit Committee will review the information provided and may recommend Council approval of the Annual Internal Audit Report.

Council — Agenda Item 5**Expected Action:**

The Council will consider Audit Committee recommendations and may approve the Annual Internal Audit Report for submission to the State Auditor's Office.

TEXAS COUNCIL FOR DEVELOPMENTAL DISABILITIES
FISCAL YEAR 2016 ANNUAL INTERNAL AUDIT REPORT
NOVEMBER 7, 2016 (AS EXTENDED)

To access this report in Tab 20, please type or copy and paste the following web address in a browser address bar:

http://www.tcdd.texas.gov/wp-content/uploads/2016/10/Cncl_Meeting_Binder_Nov16_tab20-materials.pdf

Quarterly Council and Committee Meetings

Tentative Dates:

February 8-10, 2017

Holiday Inn Austin Midtown

May 3-5, 2017

August 2-4, 2017

November 1-3, 2017

Council Meeting — Agenda Item 17

Expected Action:

Discussion only; no action is anticipated.