

**Texas Council for Developmental Disabilities
Quarterly Meeting
Sheraton Dallas Hotel
400 North Olive
Dallas, TX 75201**

Meeting Schedule

Wednesday, May 2, 2012

2:30 PM – 5:30 PM

Executive Committee Meeting

Room: Majestic 5

Dinner provided for Committee Members and staff

6:30 PM – 7:30 PM

Public Input Session

Room: Majestic 1

Thursday, May 3, 2012

9:00 AM – 1:30 PM

Committee of the Whole

Room: Majestic 1

Lunch provided for Council Members and staff

1:45 PM – 5:00 PM

Project Development Committee Meeting

Room: Majestic 5

Public Policy Committee Meeting

Room: Majestic 6

Friday, May 4, 2012

8:30 AM – 11:30 AM

Council Meeting

Room: Majestic 1



Texas Council for Developmental Disabilities

Executive Committee Meeting - Agenda

Sheraton Dallas Hotel

Room: Majestic 5

Wednesday, May 2, 2012 2:30 – 5:30 PM



Action Item

Call to Order

1. **Introductions of Committee Members, Staff and Visitors**
2. **Public Comments**
3. **Consideration of February 8, 2012, Minutes** Tab 1 
4. **Chair's Report**
 - A. Council Member Appointments Update
 - B. Other Updates
5. **Executive Director's Report** Tab 2
 - A. Staffing Update
 - B. Stipends Applications Approved
 - C. State and Federal Affairs Update
 - D. ADD Self Advocate Summit
 - E. Other Updates
6. **Grants Activities Reports** Tab 3
 - A. Independent Audit Status Report
 - B. Grants Monitoring Exceptions Report
7. **TCDD State Plan Technical Revisions** Tab 4 
8. **Consideration of New Grant Award - Gulf Coast of Texas African American Family Support Conference** Tab 5 
9. **Continuation Grant Awards** Tab 6
 - A. Community Healthcore – *Self Employment Project* 
 - B. Region 17 ESC – *Positive Behavior Intervention Supports – HeadStart Project* 
 - C. Region 17 ESC – *Positive Behavior Intervention Supports – Impacting Disproportionality* 
 - D. Texas A&M – *Texas Advanced Leadership and Advocacy Conference* 
 - E. VSA Texas Artworks – *Creative Industries Self-Employment Project* 
10. **TCDD Quarterly Financial Report** Tab 7
11. **Proposed Amendments to TCDD Rules** Tab 8 
12. **Conference Co-Sponsorships** Tab 12
13. **Conflict of Interest Disclosures**
14. **Other Updates**

Adjourn



Texas Council for Developmental Disabilities

Committee of the Whole Meeting - Agenda

Sheraton Dallas Hotel

Room: Majestic 1

Wednesday, May 2, 2012 6:30 PM – 7:30 PM

Thursday, May 3, 2012 9:00 AM – 1:00 PM



Action Item

Wednesday, May 2, 2012

Call to Order

1. Introductions of Committee Members, Staff and Visitors
2. Public Comments

Recess

Thursday, May 3, 2012

Reconvene

3. Introductions
4. Chair's Remarks
 - A. Members Reports
 - B. Other Updates
5. Public Comments
6. Summary of Public Input Session - Wednesday, May 2, 2012
7. Presentation – Georgia DD Council: *Real Communities Initiative*

Tab 9

Lunch Buffet

8. Grant Project Highlights
9. Presentation – Community Healthcore Employment Project

Tab 11

Adjourn



Texas Council for Developmental Disabilities

Project Development Committee Meeting - Agenda

Sheraton Dallas Hotel

Room: Majestic 6

Thursday, May 3, 2012 1:45 PM – 5:00 PM



Action Item

Call to Order

1. **Introductions**
2. **Public Comments**
3. **Consideration of February 9, 2012, Minutes** Tab 10 
4. **Chair's Remarks**
5. **Staff Report**
 - A. Communications Report
 - B. Planning Report
 - C. Grants Report Tab 11
 - D. Projected Available Funds
6. **Member Updates**
7. ***Real Communities Initiatives* Presentation Discussion** Tab 9
8. **Review of Public Input to the Council**
9. **State Plan Implementation & Future Funding Activities** Tab 12
 - A. Building Community Capacity Through Collaboration 
 - B. Outreach and Development Projects 
 - C. Support for Community Leaders to Build Informal Supports 
 - D. Support of Self-Advocates at Texas Conferences 
 - E. Other Ideas 
10. **Future Project Funding Priorities** Tab 13 
11. **Other Discussion Items**

Adjourn



Texas Council for Developmental Disabilities

Public Policy Committee Meeting - Agenda

Sheraton Dallas Hotel

Room: Majestic 5

Thursday, May 3, 2012 1:45 PM – 5:00 PM



Action Item

Call to Order

1. **Introductions of Committee Members, Staff and Visitors**
2. **Public Comments**
3. **Consideration of February 9, 2012, Minutes** Tab 14 
4. **Chairs Remarks**
5. **Member Updates**
6. ***Real Communities Initiatives* Presentation Discussion** Tab 9
7. **Public Policy Issues** Tab 15
 - A. State Policy Issues
 - B. Update on State Supported Living Center Monitoring Activities
 - C. Federal Policy Issues
8. **Public Information Report** Tab 16
9. **Future Projects / State Plan Implementation -** Tab 17
Goal 3/ Public Education & Outreach Campaign
10. **Review of Public Input to the Council**
11. **TCDD 2012 Biennial Disability Report Update**
12. **Review of Position Statements** Tab 18
 - A. Access to Health Care 
 - B. Service Coordination 
 - C. Guardianship 
 - D. Family Support Services 
 - E. Children and Families 
13. **Other Discussion Items**

Adjourn



Texas Council for Developmental Disabilities

Council Meeting - Agenda

Sheraton Dallas Hotel

Room: Majestic 1

Friday, May 4, 2012 8:30 AM – 11:30 AM



Action Item

Call to Order

1. **Introductions of Members, Staff and Visitors**
2. **Public Comments**
3. **Consent Items**
 - A. Consideration of Minutes Tab 19 
 - B. Excused Absences of Council Members 
4. **Chair's Report**
5. **Executive Director's Report**
6. **Future Funding Activities**
 - A. Building Community Capacity through Collaboration Tab 12 
 - B. Outreach and Development Projects Tab 12 
 - C. Support for Community Leaders to Build Informal Supports Tab 12 
 - D. Support of Self-Advocates at Texas Conferences Tab 12 
 - E. Public Education and Outreach Campaign Tab 17 
 - F. Future Funding Priorities Tab 13 
9. **TCDD Position Statements** Tab 18
 - A. Access to Health Care 
 - B. Service Coordination 
 - C. Guardianship 
 - D. Family Support Services 
 - E. Children and Families 
8. **Proposed Amendments to TCDD Rules** Tab 8 
9. **Executive Committee Report**
 - A. Grants Activities Report Tab 3
 - B. TCDD State Plan Technical Revision Tab 4
 - C. Grant Awards Approved Tab 5 & 6
 - D. TCDD Quarterly Financial Report Tab 7
 - E. Conference Co-Sponsorships Tab 12
 - F. Conflict of Interest Disclosures

- continued -

10. Project Development Committee Report

- A. Grants and Projects Report Tab 11
- B. Future Projects / State Plan Implementation Tab 12
- C. Other Discussion Items

11. Public Policy Committee Report

- A. Public Policy Issues Tab 15
- B. Public Information Report Tab 16
- C. TCDD 2012 Biennial Report Update
- D. Other Discussion Items

12. Announcements and Updates Tab 20

Adjourn

Executive Committee Meeting Minutes	Tab 1
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Background:

Minutes of the February 8, 2012, Executive Committee meeting are included for your review.

<u>Executive Committee</u>	<u>Expected Action:</u>
<u>Agenda Item 3.</u>	The Committee will review, revise as appropriate, and approve.

**EXECUTIVE COMMITTEE MEETING
DRAFT MINUTES
FEBRUARY 8, 2012**

COMMITTEE MEMBERS PRESENT

John C. Morris, Council Vice-Chair	Hunter Adkins	Joe Rivas
	Dana Perry	

COMMITTEE MEMBERS ABSENT

Brenda Coleman-Beattie, Council Chair

COUNCIL MEMBERS PRESENT

Gladys Cortez

STAFF PRESENT

Roger Webb, Executive Director	Cynthia Ellison	Melissa Loe
Martha Cantu	Wendy Jones	Jessica Ramos
Joanna Cordry	Sonya Hosey	Koren Vogel

GUESTS PRESENT

Amanda Dunnavant	Rachel Nava	Thelma Scott
Leteshia Finely	Craig Spradling	

CALL TO ORDER

The Executive Committee of the Texas Council for Developmental Disabilities convened on Wednesday, February 8, 2012, in the Limestone 2 Room at the Marriott Austin South, 4415 South IH-35, Austin, TX 78745. Council Vice-Chair John C. Morris called the meeting to order at 3:30 PM.

1. INTRODUCTIONS

Committee members, staff and guests were introduced. Dana Perry attended as Vice-Chair of the Project Development Committee. It was noted that Council Chair Brenda Coleman-Beattie will not be in attendance as she has submitted her resignation to the Governor's office.

2. PUBLIC COMMENTS

The Committee received public comments from Thelma Scott of the Barbara Jordan Endeavors Corporation who spoke of the organization's work with students with disabilities and noted that requests for their services have increased following a recent news story. Rachel Nava spoke of her non-profit organization, Different Abilities Inc., which provides day habilitation services and has offered office space to the Barbara Jordan Endeavors Corporation.

Craig Spradling spoke to the Committee about his organization, Parking Mobility, that has developed smart phone technology to report abuse of parking spaces reserved for people with disabilities. Parking Mobility works with local governments to provide information on parking violations through trained volunteers. Volunteers are able to follow the tickets through the court system and designate a charity to receive a portion of the fines from the tickets. Spradling requested funding assistance for his organization.

3. CONSIDERATION OF MINUTES

The committee reviewed the minutes of the November 2, 2011, Committee meeting. No revisions were offered.

MOTION: To approve the minutes of the November 2, 2011, Executive Committee meeting as presented.

MADE BY: Hunter Adkins

SECOND: Dana Perry

The motion **passed** unanimously.

4. CHAIR'S REPORT

Acting Chair Morris reviewed opportunities for Council Members to attend upcoming national conferences. Council Member Kris (Bissmeyer) Clark and Public Policy Director Jessica Ramos are attending the Disability Policy Seminar in Washington, D.C., April 23-25, 2012. The ADD Technical Assistance Institute will be held in Arlington, VA, June 14-15, 2012. Morris, who is on the advisory committee and is on the NACDD Board of Directors, plans to attend and Planning Coordinator Joanna Cordry will likely attend. The NACDD Fall Conference will be held in Los Angeles, October 14-16, 2012. Morris encouraged the Committee to consider budgeting for 2-3 Council Members and 2-3 staff to attend this conference. Members who are interested in attending were asked to contact Morris or Executive Director Webb.

5. EXECUTIVE DIRECTOR'S REPORT

Webb began his report with thanks to Morris for serving as Acting Chair. Council Chair Brenda Coleman-Beattie has tendered her resignation to the Governor and has asked to step aside as Chair at this time. Morris indicated that Coleman-Beattie's resignation creates the third vacancy on the Council and noted that Mary Durham continues to serve in a "holdover" capacity following the expiration of her term. The Governor's appointments office hopes to have appointments confirmed in the near future.

Executive Director Webb reminded members that Sonya Hosey was selected as Grants Management Director beginning December 1, 2011. This creates a vacancy for a Grants Management Specialist which will be posted shortly. Jessica Ramos was selected as the Public Policy Director and started with TCDD on January 2, 2012. The Web Administrator position, previously filled by Rosalinda Lopez, was recently posted. Webb and Operations Director Martha Cantu reorganized some of the functions previously carried out by Ms. Lopez, with many of the remaining web support functions performed by a contracted temporary employee. Staff have now finalized the reorganization and including some new activities related to web support skills in the web administrator position which was then posted with Communications Coordinator Melissa Loe as the hiring supervisor.

Stipends grants were approved during the past quarter for the following applicants:

- Partners Resource Network was awarded \$5,998 for the *Statewide Parent Leadership Conference* December 2-3, 2011, in Austin.
- The Arc of Texas was awarded \$6,000 for the *Inclusion Works Conference* on February 1-4, 2012 in Austin.

- Attention Deficit Disorders Association – Southern Region was awarded \$6,000 for the 24th Annual ADDA-SR Conference February 17-18, 2012, in Houston.
- Texas A&M University was awarded \$6,000 for the *Texas Transition Conference* February 7-9, 2012 in Austin
- Southwest Chapter Autism Society of America was awarded \$1,200 for the *Techniques for Systematic Teaching and Reducing Behavior Challenges in Students with ASD* conference March 30, 2012 in El Paso.

Webb next discussed the status of federal appropriations for the Council and noted that FY 2012 funding for Councils included a 0.23% reduction from FY 2011 funding with a final award for TCDD of \$5,083,999. At the request of NACDD, staff developed a fact sheet highlighting accomplishments during FY 2011 that will be used in the advocacy efforts on behalf of the DD Councils.

The Administration on Developmental Disabilities (ADD) is hosting regional self advocacy summits focused on supporting and sustaining self advocacy efforts in each state. Texas is included in the Chicago regional summit April 19-20, 2012. ADD will provide travel assistance for 4-5 self advocates to attend the summit. The Texas Department of Aging and Disabilities (DADS) has agreed to sponsor two self advocates, and Acting Chair Morris and Webb agreed that TCDD will support 3-4 additional self advocates. Morris also asked Webb to represent TCDD as a member of the Texas team.

Webb indicated that staff have reviewed options for the public input event planned in conjunction with May 2012 Council meeting in Dallas with Acting Chair Morris and have decided that hosting that event at a separate location is not practical. Members agreed with overall plans for the event including the proposal to begin at 6:30 PM on Wednesday, May 2, 2012, following the Executive Committee meeting.

Webb and Planning Coordinator Joanna Cordry discussed the peer review process for DD Council State Plans for FY 2012 – 2016. Review comments for TCDD were non-substantive and can be addressed in revisions submitted for FY 2013. A written summary of the review comments was provided for members.

Committee members requested additional information during the November 2011 Committee meeting concerning public policy collaboration outcomes of the Texas Parent to Parent project. Grants Specialist Wendy Jones indicated that the project expects to train more advocates than originally reported and that legislators who have been “adopted” know they are being contacted frequently by certain individuals.

6. GRANT ACTIVITIES REPORT

Grants Management Director Sonya Hosey reviewed the Independent Audit Status report and noted that 10 audits were reviewed this quarter with no concerns noted. Hosey also reviewed the Grants Monitoring Exceptions report and indicated that one on-site review was conducted this quarter and the one concern identified has been resolved. She noted that more on-site reviews will be conducted during the next quarter since staff efforts this quarter were focused on beginning new projects approved during the November meeting.

7. APPEAL OF FUNDING DECISION – TEXAS IMPACT EDUCATION FUND

Webb reviewed an appeal from the Texas Impact Education Fund (TIEF) for two proposals which were not approved for funding during the November 2011 Executive Committee meeting for

Inclusive Faith-Based Communities Symposium projects. He reminded members of the review process and indicated that four other proposals were approved for grant funds. The independent review panel recommended that the two proposals from TIEF were not fundable. Members did not find any discrepancies in the review process and did not feel that the previous decision should be overturned.

MOTION: To uphold the Executive Committee decision from November 2011 to not award funding to the Texas Impact Education Fund for either proposal for *Inclusive Faith-Based Symposium* projects.

MADE BY: Dana Perry

SECOND: Hunter Adkins

The motion **passed** unanimously.

8. CONTINUATION GRANT AWARDS

Grants Management Specialist Cynthia Ellison reviewed the Executive Summary for continuation funding for the Safeplace *Meaningful Relationships* project. (Attachment 1) Ellison noted that the grantee is meeting its goals and staff do not have any concerns.

MOTION: To approve funding of up to \$117,022 to SafePlace for year two of a three year *Meaningful Relationships* project.

MADE BY: John Morris

SECOND: Dana Perry

The motion **passed** unanimously.

Grants Specialist Jones reviewed the Executive Summary for continuation funding for the Arc of San Angelo *Alternatives to Guardianship: Volunteer-Supported Decision-Making Advocate* project. (Attachment 2) Jones noted that the grantee has encountered several obstacles and difficulties but has worked hard to overcome those issues. Staff recommend approval of continuation funding for the project. Cordry reminded members that this project is in partnership with the Texas Department of Aging and Disabilities (DADS). TCDD advocated for the Texas Legislature to institute changes regarding guardianship issues. Legislation was passed directing DADS to fund up to three pilot demonstrations sites, but DADS did not receive funding for those pilots. Morris asked for more on-site monitoring of this grantee to make certain that it stays on target.

MOTION: To approve funding of up to \$73,941 to the Arc of San Angelo for year two of a three year *Alternatives to Guardianship* project.

MADE BY: John Morris

SECOND: Dana Perry

The motion **passed** unanimously.

9. TCDD QUARTERLY FINANCIAL REPORT

Operations Director Martha Cantu reviewed the TCDD Quarterly Financial Report. It reflects a summary of funds from FY 2010 – FY 2013. Cantu noted the large negative balance for FY 2012 and explained that that over \$700,000 is remaining in unspent grant funds from FY 2011 and over \$200,000 will be available from FY 11 operating expenses that will be transferred for grants. In addition, TCDD’s experience is that some current grant projects will not spend the full amount available in their grant awards. This negative balance will thus even out by the end of the fiscal year. Cantu also explained that the negative variance in benefits for FY 2011 of \$15,373 is the result of accrued vacation time paid to two employees who retired during the year. Those amounts were not anticipated in the original budget. She expects negative variances for FY 2012 to even out as the year progresses and expects additional funds to available from salaries and benefits for FY 2012 because turnover and vacancies of four TCDD staff. Any available funds will become available for grant projects. Committee members did not express any concerns regarding the financial reports.

10. REVIEW OF TCDD RULES

Executive Director Webb reviewed requirements in state law for state agencies to review Rules adopted by the agency every four years. TCDD Rules need to be reviewed during 2012. During this review process, agencies may re-adopt rules with no changes, amend rules when appropriate, or allow rules to expire when no longer needed. Webb indicated that the Council will need to approve any proposed amendments during May meetings so that proposed amendments can be posted for a 30-day comment period. The Executive Committee can review any comments received at the August meeting and recommend final adoption to the Council with any further revisions as appropriate. Webb reviewed preliminary suggestions for some amendments and asked members to provide input if other changes are desired.

11. CONFLICT OF INTEREST DISCLOSURES

Committee members reviewed Conflict of Interest disclosure statements from members and staff with no noted concerns.

12. EXECUTIVE SESSION: ANNUAL EVALUATION OF THE EXECUTIVE DIRECTOR

Vice-Chair Morris announced that the Executive Committee of the Texas Council for Developmental Disabilities would meet in closed section pursuant to Section 551.74 of Government Code related to personnel matters. A quorum of the Committee is present. The time was 5:09 PM on February 8, 2012.

At 5:18 PM on February 8, 2012, the Executive Committee reconvened in open session. Vice- Chair Morris announced that the Committee did not take any action during its closed meeting discussion on personnel matters.

ADJOURN

Vice-Chair Morris adjourned the Executive Committee meeting at 5:20 PM.

Roger A. Webb
Secretary to the Council

Date

Attachment 1

**Texas Council for Developmental Disabilities
Executive Committee**

Date: 02/08/12

Review of Proposed Activities & Budget

ITEM: A

Grantee: SafePlace

Year: 2 of 3

Project Title: Meaningful Relationships

Project Location: Austin/Travis County, Seguin/Guadalupe County

TCDD RFP Intent:

The project intent is to try to ensure that at least 60 people with developmental disabilities will indicate that they are more satisfied and happier with their personal relationships after participating in project activities and at least 3 organizations will have changed their policy and/or procedures to improve their ability to provide support to people with developmental disabilities to establish and maintain meaningful relationships. TCDD has approved funding of up to \$125,000 per year for up to three years.

Project Goals and Accomplishments for Year(s) 1:

Goal: The overall goal of the project is to create a replicable, successful and self-directed model for adults with developmental disabilities to develop lasting and meaningful relationships with other people based on shared interests.

Accomplishments per goal: The “Nurturing Workshop” was held and it was adapted to be used for this project’s purpose; staff from 1 provider participated in the adapted ‘dreams’ workshop; MOU’s were developed with 2 disability service providers to accomplish the goals and objectives of this project; a 3-part series of classes to guide activities with participants was developed; recruited 36 adults with developmental disabilities to participate in project activities; and began a series of educational classes with the project participants.

Proposed Goals and Objectives for Year 2:

Goal: Same As Above

Objectives: Support at least 20 people with developmental disabilities to increase their satisfaction and happiness with personal relationships based on self-chosen common interests; at least 1 disability service provider organization will change or develop (and institutionalize) new policies and/or procedures to improve its ability to provide support to people with developmental disabilities to establish and maintain meaningful relationships with others; and, work with recreational, volunteer, faith-based, leisure, civic or other organizations chosen by project participants to increase access to activities and programs which will increase opportunities to connect with others who have shared interests.

Council Considerations: Public Policy Considerations: Supporting individuals with significant disabilities to develop positive personal relationships is an important effort related to information suggesting that individuals with more relationships with non-paid care-givers are less likely to be the subject of abuse and neglect. No staff concerns; Council to consider continued funding for this project.

Continuation Budget Detail Summary				
		Federal	Match	Totals
Amount expended in year 1 (\$17,250 consultants)		\$64,672	\$23,838	\$88,510
Amount requested for next year budget:				
I.	Personnel services	100,302	42,736	143,038
II.	Travel	3010	600	3610
III.	Purchased services	13,170	1725	14,895
IV.	Property/materials	540	180	720
V.	Rental/leasing	0	1649	1649
VI.	Utilities	0	1681	1681
VII.	Other (Indirect Costs)	0	0	0
Budget period totals		\$ 117,022	\$48,571	\$165,593

Attachment 2

**Texas Council for Developmental Disabilities
Executive Committee**

Date: 02/08/12

Review of Proposed Activities & Budget

ITEM: B

Grantee: The Arc of San Angelo

Year: 2 of 3

Project Title: Alternatives to Guardianship: Volunteer-Supported Decision-Making Advocate Pilot

Project Location: San Angelo

TCDD RFP Intent:

The project intent is to fund a project that will demonstrate how volunteers can provide appropriate supports to help individuals with intellectual and other developmental disabilities to make decisions concerning their own lives. In 2009, the Texas Legislature passed HB 1454 directing the Health and Human Services Commission (HHSC) to develop and evaluate two Volunteer Supported Decision-Making Advocate pilot programs that will provide supported decision-making services to persons with intellectual and developmental disabilities and other cognitive disabilities. The Department of Aging and Disability Services (DADS) was directed by HHSC to develop and implement the pilot program and to provide the legislature with a report and recommendations. TCDD has partnered with DADS to implement the pilot. TCDD has approved funding of up to \$75,000 per year for up to three years.

Project Goals and Accomplishments for Year 1:

Goal One: To provide supported decision-making services to individuals with intellectual and developmental disabilities and other cognitive disabilities to increase their self-determination, power, and control of their own lives through recruiting, training, monitoring, and supporting volunteers.

Accomplishments per goal: The project explored service delivery methods in Year 1, identifying both legal and implementation barriers in the process. Project leaders explored solutions and established diversion as a priority with education and execution of advanced directives as a secondary activity. The project selected strategies to address individual needs. In addition, the project assisted with the Restoration of Rights for one individual, helped establish Advance Directives through Medical Power of Attorneys for 10 individuals (thus preventing unwarranted guardianship restrictions).

Proposed Goals and Objectives for Year 2:

Goal: Same As Above

Objectives: Recruit, train, and support volunteers to support 5 participants in Diversion of Guardianship and 10 Additional Participants in Executing Medical Power of Attorney.

Council Considerations: Public Policy Considerations: TCDD and DADS hope to use information and experiences of this project to expand alternatives to legal guardianship for individuals with significant disabilities. Staff concerns: This project may need an additional onsite visit to review TCDD procedures (e.g. compliance of RARs, quarterly reports, and other TCDD requirements); however, Council consideration of continued funding for this project is recommended.

Continuation Budget Detail Summary			
	Federal	Match	Totals
Amount expended in year 1 (based on 5 months)	\$25,930	\$8,205	\$34,135
Amount requested for next year budget:			
I. Personnel services	69,044	6930	75,974
II. Travel	0	0	0
III. Purchased services	1527	6500	8027
IV. Property/Materials	0	600	600
V. Rental/Leasing	0	10,793	10,793
VI. Utilities	3370	0	3,370
VII. Other (Indirect Cost Rate)	0	0	0
Budget period totals	\$ 73,941	\$24,823	\$98,764

EXECUTIVE COMMITTEE CLOSED SESSION

Certified Agenda

Wednesday, February 8, 2012

COMMITTEE MEMBERS PRESENT: Acting Chair John C. Morris, Hunter Adkins, Dana Perry, and Joe Rivas.

STAFF PRESENT: Martha Cantu, Operations Director

CALL TO ORDER

Acting Chair John C. Morris announced that a quorum of the Committee was present and called the meeting to order at 5:09 PM on Wednesday, February 8, 2012. The Committee met in closed session pursuant to Texas Government Code Chapter 551, Section 551.074, to discuss matters involving personnel.

I. EXECUTIVE DIRECTOR ANNUAL APPRAISAL

Chair Morris discussed matters related to the annual performance appraisal of Executive Director Roger Webb with members of the Committee. Morris and members discussed various accomplishments during the past year including managing the continuity of staff activities related to the retirement of three key staff; successfully recruiting and selecting two new managers; assisting with the transition of Council leadership functions following the retirement of the former chair; and providing objective information to the Committee and Council regarding the status of obligating prior year funds and contingency plans to address that concern.

II. RECESS

Chair Morris announced the closed session was concluded 5:20 PM Wednesday, February 8, 2012. No actions were taken.

Certified Agenda approved by the Committee:

John C. Morris, Acting Chair

Date

Background:

- **Stipends Grants Applications Approved** - TCDD Policies provide for the Executive Director to make final decisions about applications for Stipend Grants. One stipend application was approved during the quarter from the following organization:
 1. Texas Parent to Parent: for up to \$6,000 for the *8th Annual Texas Parent to Parent Conference* on June 29-30, 2012, in San Marcos.

- **State and Federal Affairs Update** –TCDD staff will provide updates about various state and federal matters during the meetings.

- **Attendance Report** – A quarterly summary of attendance of Council members at meetings is also enclosed.

Important Terms:

Stipends Grants: Organizations may apply for up to \$6000 to pay for conference registration, hotel rooms, attendants, respite, travel expenses, etc. for self-advocates and their family members to attend conferences and other events.

Executive Committee

Agenda Item 5.

Expected Action:

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

**TCDD QUARTERLY COUNCIL MEETINGS
ATTENDANCE REPORT
May 2010 – February 2012**

Council Member	2/12	11/11	8/11	5/11	2/11 meeting cancelled	11/10	8/10	5/10
H. Adkins	P	P	P	P	NA	P	P	P
K. Blackmon	P	P	EA	P	NA	P	EA	P
K. Clark	P	P	P	EA	NA	EA – Th P - Fr	P	P
B. Coleman-Beattie	EA	P	P	P	NA	P	P	P
G. Cortez	P	P	NA	NA	NA	NA	NA	NA
K. Cox	P	EA	P	P	NA	EA – Th P - Fr	P	P
A. Crim	P	P – Th EA – Fr	EA	P	NA	P	P	P
M. Delgado	EA	P	P	P	NA	P	P	P
M. Durham	EA	P	EA	P	NA	EA	P	EA
C. Johnston	P	P	P	EA	NA	P	P	P
D. Kern	EA	EA	P	EA	NA	P	P	EA
S. McAvoy	NA	NA	NA	NA	NA	NA	NA	NA
J. Morris	P	P	P EA -Fr	P	NA	P	P	EA
D. Perry	P	EA	P	EA	NA	P	EA	P
J. Rivas	P	P	P	P	NA	P	P	P
D. Taylor	NA	NA	NA	NA	NA	NA	NA	NA
L. Taylor	P	P	EA	P	NA	EA	P	P
R. Tisch	P	EA	P	P	NA	P	P	P
S. Vardell	P	P	P	P	NA	EA	P-Wed EA-Th & Fr	P
DRT (AI)	P	P	P	P	NA	P	P	P
UT CDS	P	P	EA	EA	NA	EA	P	A
A&M CDD	P	EA	P	EA	NA	EA	P	P-Th EA-Fr
DADS	P	P	P	P	NA	P	P	P
DARS	P	P	P	P-Th EA-Fr	NA	EA	P	P
DSHS	P	P	P	P	NA	P	P	P
HHSC	P	P	P	P	NA	EA	P-Th EA-Fr	P
TEA	P	P	P	P	NA	EA	P	P

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

Background:

- **Independent Audit Status Report** – Grants Management Staff will review the Independent Audit Status report which summarizes the status of desk reviews of annual independent audits submitted by grantees.
- **Grants Monitoring Exceptions Report** – The Grants Monitoring Exceptions Report enclosed summarizes concerns noted by TCDD Grants Management staff in their ongoing monitoring activities, and the status of resolving those concerns.

Executive Committee

Agenda Item 6.

Expected Action:

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

Council

Agenda Item 9. A.

Expected Action:

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

TEXAS COUNCIL FOR DEVELOPMENTAL DISABILITIES

INDEPENDENT AUDIT STATUS REPORT

GRANTEE	FYE	DATE RECEIVED	AUDIT FIRM	EXCEPTIONS NOTED	RECOMMENDATIONS/ RESOLUTIONS
Baylor College of Medicine	6/30/2011	1/18/2012	Deloitte & Touche LLP	None.	The last two audits and the current audit have an unqualified opinion; therefore, SHU7 & ' SURFHGXUH WLVDXGLVQRWent W' RQMikeska, CPA, for desk review.
Brighton School, Inc.	8/31/2011	1/6/2012	Cundiff, Rogers & Solt	None.	The last two audits and the current audit have an unqualified opinion; therefore, SHU7 & ' SURFHGXUH WLVDXGLVQRWent W' RQMikeska, CPA, for desk review.
Community Healthcore (formerly Sabine Valley Center)	8/31/2011	1/31/2012	Davis, Kinard & C., P.C.	None.	The last two audits and the current audit have an unqualified opinion; therefore, SHU7 & ' SURFHGXUH WLVDXGLVQRWent W' RQMikeska, CPA, for desk review.
Easter Seals	8/31/2011	12/27/2011	PMB Helin Donovan, LLP.	None.	The last two audits and the current audit have an unqualified opinion; therefore, SHU7 & ' SURFHGXUH WLVDXGLVQRWent W' RQMikeska, CPA, for desk review.
Family to Family Network Inc	6/30/2011	11/15/2011	Tribolet Fuller & Co., PLLC	None.	None/Done.
Family to Family Network Inc	6/30/2010	11/15/2011	Tribolet Fuller & Co., PLLC	None.	None/Done.

Key: Audits were submitted to TCDD during the fiscal year (Oct. 1, 2011 – Sept. 30, 2012). 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.

GRANTEE	FYE	DATE RECEIVED	AUDIT FIRM	EXCEPTIONS NOTED	RECOMMENDATIONS/ RESOLUTIONS
Parents		9/22/2011			
Anonymous, Inc.	9/30/2010		Smith Marion & Co., CPA	None.	Don Mikeska, recommended obtaining a copy of the P DQJ HP HQWDMUDQGDERS\ of the UHXUHGDXGURFRP P XQFDWRQZDK those charged in governance of audit. After speaking with the auditor on 1/3/12, no management letter was prepared, because there were no deficiencies. A copy of the required auditor communication with those charged in governance of audit was received 1/4/12.
Region 17 ESC	8/31/2011	12/22/2011	Bolinger, Segars, Gilbert & Moss, LLP	None.	The last two audits and the current audit have an unqualified opinion; therefore, SHU7 & ' ' SURFHGXUHV WLVDXGURWent W' RQMikeska, CPA, for desk review.
Texas A&M Research Foundation	8/30/2011	1/2/2012	Ingram, Wallis & Co., P.C.	None.	The last two audits and the current audit have an unqualified opinion; therefore, SHU7 & ' ' SURFHGXUHV WLVDXGURWent W' RQMikeska, CPA, for desk review.
Texas A&M Research Foundation	8/30/2010	1/3/2012	Ingram, Wallis & Co., P.C.	None.	The last two audits and the current audit have an unqualified opinion; therefore, SHU7 & ' ' SURFHGXUHV WLVDXGURWent W' RQMikeska, CPA, for desk review.
The Arc of Greater Tarrant County	12/31/2010	11/2/2011	The Walton Group, LLC	None.	None/Done.
The Arc of Greater Tarrant County	12/31/2009	11/2/2011	The Walton Group, LLC	None.	None/Done.

Key: Audits were submitted to TCDD during the fiscal year (Oct. 1, 2011 – Sept. 30, 2012). Independent Audit Reports are due not later than nine months after the end of the grantee's fiscal year(s) for which an audit is performed. This document includes audits that were received after the due date, but during the fiscal year.

GRANTS MONITORING EXCEPTIONS REPORT

GRANTEE PROJECT TITLE	TYPE OF ONSITE	DATE OF ONSITE	CONCERNS NOTED	CORRECTIVE ACTIONS	STATUS
Paso del Norte Children's Development Center <i>Expansion of LDAST</i>	Initial	12/08/11	Copies of Personnel Activity Report (PARs)	Documents requested: 12/13/11 Documents received: 12/15/11	Complete
Texas Tech University <i>Higher Education</i>	Initial	01/17/12	Concerns regarding PAC and non-submittal of RARs	Documents requested: 1/17/12 Documents received: 2/17/12	Complete
DARS <i>Higher Education</i>	Initial	02/8/12	Grant Related Income Questionnaire, Documentation of Donated Space, and Evidence of Accrual-based accounting system	Documents requested: 2/8/12 Documents received: 3/8/12	Complete
Region 19 Education Service Center <i>Expansion of LDAST</i>	Initial	02/22/12	None	Documents requested: 02/22/12 Documents received: 02/22/12	Complete
Any Baby Can <i>Health and Fitness</i>	Initial	03/20/12	PAC; Consultant service agreements; Leased agreement; and Utility invoices.	Documents requested: 3/27/12 Documents due: 4/27/12	Pending
Texas Advocates <i>New LDAST</i>	Initial	03/21/12	PAC; and Consultant service agreements.	Documents requested: 3/27/12 Documents due: 4/27/12	Pending
Arc of Texas <i>New LDAST</i>	Initial	03/21/12	PAC; and Consultant agreements.	Documents requested: 3/27/12 Documents due: 4/27/12	Pending
Brighton Center, Inc <i>Expansion of LDAST</i>	Initial	03/23/12	PAR; PAC; Fiscal Control Procedures; Accrual Basis Accounting, Accounting firm paid for audit; Consultant agreement; and Match.	Documents requested: 3/27/12 Documents due: 4/27/12	Pending
Arc of San Angelo <i>Alternatives to Guardianship</i>	Follow-up	03/29/12	Equipment List	Documents requested: 3/29/12 Documents due: 4/29/12	Pending

April 3, 2012

TCDD State Plan Technical Revisions**Tab 4****Background:**

At the February Council meeting, TCDD staff shared a summary of comments from a review of TCDD's FY 2012 – 2016 State Plan that was completed by the Administration on Developmental Disabilities and a group of Council Executive Directors (a "peer review team"). There were no issues of non-compliance for TCDD to address, but the peer review team offered suggestions for strengthening the plan that included providing additional detail on activities and re-writing or adding to several goals or objectives so that they might be more measurable.

Staff have revised some of the language in the Plan to address the reviewers' recommendation. All of these revisions are technical in nature and non-substantive and do not require public comment or action to be taken by the Council.

The document behind this Tab shows changes shown in "mark-up" mode. Words underlined are recommended additions; words that have a ~~line through them~~ are recommended deletions. The Executive Committee will review these changes in their meeting Wednesday evening.

Executive Committee**Agenda Item 7.****Expected Action:**

The Executive Committee will review the information provided and provide guidance for next steps as appropriate.

Council**Agenda Item 9. B.****Expected Action:**

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

TCDD FY 2012-2016 State Plan
Goals and Objectives Draft Technical Revisions
May 2012

Goal 1: Build collaborations within at least one geographic region served by an Education Service Center (ESC) to demonstrate ways to create measurable improvement in at least two identified indicators of educational success for students with developmental disabilities by 9/30/2016.

Objective 1: Evaluate achievements of Project IDEAL relative to the impact the program might have on the identified indicators of educational success and determine next steps by February 28, 2014.

Activity 1: Fund, monitor, and provide technical assistance for Project IDEAL.

Activity 2: Work with grantee to create final report for Council to include analysis of relationship between achievements and identified indicators of educational success.

Activity 3: Determine next steps and consider amendments to State Plan if needed.

Objective 2: Identify two indicators of educational success and key criteria to solicit interest from organizations for partnering on activities in a region, by September 30, 2012.

Activity 1: Determine process through which indicators and criteria will be identified.

Activity 2: Identify availability/accessibility of data that will be used to measure indicators.

Activity 3: Use process to identify at least four indicators and three regions.

Activity 4: Select two to three indicators and one region and record baseline data.

Objective 3: In the selected ESC region, provide training and/or intervention to support active engagement by at least one family member for every four students who have developmental disabilities, by 9/30/2015¹.

Activity 1: Develop relationships with partner organizations that can reach the identified populations, and members of the appropriate Texas Advanced Leadership and Advocacy Conference (TALAC) regional leadership teams and Texas Advocacy Training Network (TATN) region, "taking into account the demographics of the region and strategies suggested by the demographics.

Activity 2: Explore partnership and roles for Developmental Disabilities Assistance and Bill of Rights Act of 2000 (DD Act) Network Partners (the State P&A and the University Centers on Excellence) in establishing project.

Activity 3: Determine what type of training, information, and/or technical assistance is to be provided and develop implementation plan.

Activity 4: Implement plan.

Activity 5: As possible, provide training, information, and technical assistance to other regions.

Objective 4: Partner with other organizations to develop and evaluate a user-friendly template for a summary report of educational outcomes of students with developmental disabilities within a school district or school that may be used by organizations to provide information to parents, by 9/30/2015.

Activity 1: Work with other stakeholder organizations, including the DD Act Network Partners and TALAC regional leadership teams, to determine the scope and identify the necessary components of the summary report.

- Activity 2:** Monitor and participate as possible in workgroups and/or task forces to advocate for widespread adoption of a summary report model.
- Activity 3:** Review existing data, including data available through Lonestar Reports.
- Activity 4:** Develop and pilot summary report and user instructions.
- Activity 5:** Evaluate and refine as necessary.
- Activity 6:** Determine next steps.

Objective 5: Demonstrate how appropriate assistive technology can enable students with developmental disabilities to reach their educational goals, by 3/31/2016.

- Activity 1:** Collaborate with other stakeholders and review relevant policy to develop scope of work.
- Activity 2:** ~~Determine plan of action.~~ Develop Executive Summary outlining planned activities.
- Activity 3:** ~~Implement Plan~~ Select contractor(s), grantee(s), and/or partner(s) to implement activities.
- Activity 4:** Monitor implementation.ⁱⁱⁱ
- Activity 35:** Evaluate success of plan and determine next steps.

Goal 2: Establish at least two programs that assist Texans with developmental disabilities to gain competitive employment and/or to increase their personal income and assets, and that continue to operate after the completion of a maximum of 3-5 years of TCDD funding, by 9/30/2016.

Objective 1: Implement a program that provides supports and on-the-job learning opportunities to students with developmental disabilities in a post-secondary program that results in at least 80 percent of students who participate for two or more years in the program gaining jobs related to their desired careers within six months of completing their education, by 3/31/2016.

- Activity 1:** Continue to fund, monitor, and offer technical assistance to the selected grantee(s)^{iv}.
- Activity 2:** Track development and success of other programs that offer support for education for students with developmental disabilities learning in a post-secondary environment.
- Activity 3:** Develop comparison report for existing programs.

Objective 2: Develop and implement a plan to demonstrate to employers, people with developmental disabilities, and/or family members how available assistive technology can increase job performance and employment options, by 3/31/2016.

- Activity 1:** Collaborate with other stakeholders and review relevant policy to develop scope of work.
- Activity 2:** ~~Determine plan of action.~~ Develop Executive Summary outlining planned activities.
- Activity 3:** ~~Implement plan.~~ Select contractor(s), grantee(s), and/or partner(s) to implement activities.
- Activity 34:** Evaluate success of plan and determine next steps.^v

Objective 3: Partner with other organizations to expand and evaluate the impact of Project SEARCH in Texas, by 9/30/2016.

- Activity 1:** Collaborate with other stakeholders and review relevant policy to determine plan of action.
- Activity 2:** ~~Implement plan.~~ Develop Executive Summary outlining planned activities.
- Activity 3:** Select contractor(s), grantee(s), and/or partner(s) to implement activities.

Activity 4: Evaluate success of plan and determine next steps.^{vi}

Objective 4: Each year, advocate for legislative and/or policy change to increase the assets a person receiving SSI and/or Medicaid can retain without losing benefits and to remove other policy-related barriers to full-time or part-time employment.

Activity 1: Monitor and/or participate in multiagency workgroups related to policy regarding SSI and assets.

Activity 2: Partner with other organizations to explore and evaluate the impact of other asset and/or income development models and job options other than full time work, by 9/30/2015.

Activity 3: Provide recommendations related to legislative and/or policy change as appropriate.

Goal 3: Conduct ongoing educational campaigns in collaboration with community leaders, organizations, and businesses to enable them to better support, include, and/or provide services to people with developmental disabilities by 9/30/2016.

Objective 1: Develop, implement, and evaluate at least two targeted educational campaigns to increase awareness of specific issues and/or to reduce stigma that may negatively impact the life of a person who has a developmental disability, by 9/30/2014. ~~(example: conducting a mass media or grassroots campaign to publicize reasons why van accessible parking spots should be reserved for people in vans with lifts.)^{vii}~~

Activity 1: Develop process by which issues will be selected.

Activity 2: Develop and maintain data to be used to identify specific goals, define target populations, develop successful strategies, and evaluate resulting outcomes.

Activity 3: Establish and maintain partnerships with organizations that are highly motivated to create change and/or are able to have a significant impact in their community.

Objective 2: Provide increased level of support to TCDD during legislative sessions as needed to implement communication activities and to provide information requested by members of the legislature and/or the media.

Objective 3: Provide information and/or technical assistance to at least four organizations that promote general community development, so that they may better include, support, and address the needs of community members who have developmental disabilities by 9/30/2016.

Activity 1: Establish partnerships with organizations that are motivated to improve their ability to include, support, and address the needs of community members who have developmental disabilities.

Activity 2: Identify technical assistance needs, develop and implement technical assistance plans.

Objective 4: Work with others to provide information to at least 200 community organizations and/or businesses to better support inclusion of people with developmental disabilities more fully by 9/30/2016.

Activity 1: Collaborate with DD Act Network Partners and others to determine information products to be developed and/or updated.

Activity 2: Develop and/or update materials to be provided to community organizations and/or businesses to support inclusion of people with developmental disabilities in the community by 9/30/2013.

Activity 3: Implement dissemination plan and track demand of product(s).

Goal 4: In at least one Health and Human Service (HHS) region, increase by 1%^{viii} the percent of people with developmental disabilities surveyed who report they have access to the transportation they need to participate in their community in the manner they wish, by 9/30/2016.

Objective 1: Partner with disability advocacy groups, public transportation advocacy groups, and/or leadership and advocacy training programs to increase the number of individuals with disabilities who serve on transportation planning entities and are active in transportation planning by 9/30/2015.

Activity 1: Publicize the success of past Council transportation efforts to increase interest in participation.

Activity 2: Develop and post a Request for Proposals for at least one project to increase the number of individuals with disabilities who serve on transportation planning entities and are active in transportation planning efforts.

Activity 3: Implement, monitor, and evaluate project(s).

Objective 2: Build the capacity of at least four local organizations in the selected Region to provide transportation training to people with developmental disabilities by 9/30/2016.

Activity 1: ~~Explore promoting the use of widely available technology to assist people to navigate public transportation.~~ Develop and post a Request for Proposals for at least one project to assist organizations to build the capacity to provide transportation training to people with developmental disabilities.

Activity 2: ~~Explore the past effectiveness of grassroots efforts to develop and implement transportation training.~~ Select contractor(s), grantee(s), and/or partner(s) to implement planned activities.

Activity 3: ~~Develop and implement strategies to build the capacity of local organizations to provide transportation training.~~ Monitor implementation.

Activity 4: Evaluate success of plan and determine next steps.^{ix}

Goal 5: Demonstrate how to prevent unnecessary admissions to State Supported Living Centers (SSLC) by supporting community organizations in at least 1 HHS Region to increase their capacity to provide community-based services that support people with developmental disabilities to improve and maintain their health and to have access as needed to necessary healthcare, behavior supports, and/or respite, by 9/30/2016.^x

Objective 1: Determine evaluation methodology and gather baseline data.

Activity 1: Explore use of National Core Indicators, data on the numbers of people entering State Supported Living Centers from various HHS regions and the reasons they are entering, information from Community Centers that serve individuals with Intellectual and Developmental Disabilities, and/or input from other stakeholders.

Activity 2: Identify 3 possible target HHS region(s) based on data.

Activity 3: Select HHS region(s) in which activities will be implemented.

Objective 2: Provide funding to enable at least 10 organizations working in the target region(s) to implement plans that will increase their capacity to provide healthcare services, behavior supports,

and/or respite to support people with developmental disabilities living in the community by 9/30/2016.

Activity 1: Facilitate, to the extent feasible, collaboration between previous TCDD healthcare-related grantees (Project DOCC grantees, PBIS projects, Baylor College of Medicine), other interested partners, and organizations from the selected HHS region(s) to explore strategies and to develop a cohesive plan that will maximize available resources.

Activity 2: Fund Facilitate^{xi} implementation of selected strategies.

Activity 3: Provide support to non-medical community leaders (such as ministers) & service providers (such as speech pathologists) to collaborate with others to support the full inclusion of people with developmental disabilities^{xii} and to support people with developmental disabilities to gain access to necessary healthcare services, behavior supports, and/or respite.

Objective 3: ~~As funds are available, demonstrate and evaluate other~~ Pilot at least 5 different strategies to support individuals with developmental disabilities to improve and/or maintain their and their families to be able to have increased control over their personal health and well-being by September 30, 2016.^{xiii}

Activity 1: Pilot at least one strategy to support individuals with developmental disabilities to develop and maintain meaningful relationships based on common interests.

Activity 2: Pilot at least one strategy to support individuals with developmental disabilities to choose and participate in activities to improve their health and physical fitness.

Activity 3: Support completion of the initiated Alternatives to Guardianship/Supported Decision-Making Project and evaluate the supported decision making process as a way to facilitate individuals with developmental disabilities making their own decisions about their health.

Objective 4: Each year of the plan, advocate for reallocation and/or more efficient use of existing resources, necessary policy changes, and/or increased funding to enable individuals with developmental disabilities to access necessary healthcare services, behavioral supports, and respite in the communities in which they wish to live and to prevent unnecessary institutionalization.

Objective 5: Beginning in FY 2013, develop opportunities to partner with people who have developmental disabilities, families, providers, medical schools, licensing and certification boards, agencies, and/or community-based organizations to provide or develop training and/or practice guidelines that include knowledge related to disability and incorporate components of successful TCDD projects.

Goal 6: Work with others to double the number of identified leadership development and advocacy training programs that are able to provide culturally appropriate training for people with developmental disabilities without ongoing grant funding from TCDD, by 9/30/2016.

Objective 1: *Each year of the plan, provide funding or technical assistance to establish and/or strengthen at least one program for the direct funding of a state self-advocacy organization led by individuals with developmental disabilities.*

Activity 1: At least once every 2 years, provide funding for at least one specific public policy advocacy activity implemented by individuals who have developmental disabilities and are working with a state self-advocacy organization led by individuals with developmental disabilities.

Activity 2: At least once every 2 years, offer funding to support individuals with developmental disabilities to work with a state self-advocacy organization to implement a grassroots effort to organize and/or educate members of their community.

Activity 3: Each year, evaluate the effectiveness of Council efforts to establish and strengthen state self-advocacy organization(s) and consider alternate strategies.

Objective 2: *Each year of the plan, support opportunities for individuals with developmental disabilities who are considered leaders to provide leadership training to individuals with developmental disabilities who may become leaders.*

Activity 1: Each year provide opportunities for groups organizing disability-related conferences to apply for stipends to support speakers, mentors, or facilitators who have developmental disabilities and who have a philosophy consistent with that of TCDD.

Activity 2: Evaluate the feasibility and possible benefits of working with groups and/or individuals who offer training to improve presentation and/or training, to adapt their training to meet the needs of individuals with developmental disabilities.

Objective 3: *Each year of the State Plan, support and expand participation of individuals with developmental disabilities in cross-disability and culturally diverse leadership coalitions.*

Activity 1: As appropriate, provide direct funding to support people with developmental disabilities to serve on cross-disability and culturally diverse boards, committees, and workgroups.

Activity 2: Develop and/or provide support for at least one cross-disability and culturally diverse leadership coalition.

Objective 4: Each year of the plan, support individuals who have developmental disabilities, their family members, and their allies to improve their skills related to self-advocacy, public advocacy, and leadership.

Activity 1: Develop at least 5 new culturally competent leadership and advocacy training programs for people who strongly identify with a specific ethnic minority culture and have a developmental disability and/or have a family member who has a developmental disability.

Activity 2: Continue to provide funding to support and/or expand leadership development and advocacy training programs that serve diverse groups of people.

Activity 3: Continue to promote coordination between grantees and other organizations that provide leadership development and advocacy skill training so they may share information and maximize resources.

Activity 4: Provide opportunities for groups organizing conferences to apply for stipends to support participation by people who have developmental disabilities and their family members.

Activity 5: As appropriate and as deemed necessary, provide direct funding for people with DD to be on boards, committees, and workgroups.

Activity 6: Provide technical assistance and/or information to assist leadership and advocacy grantees to develop sustainability for leadership and advocacy training programs.

Activity 7: Each year of the plan, continue to provide support to maintain Advocacy U, an online clearinghouse that maintains current information about leaders and advocacy training programs.

Activity 8: As funding allows, support collaborative public policy activities.

Goal 7: Each year the Council and its Committees receive staff and administrative support to effectively implement the Council's mission and goals. activities for at least 90% of all identified objectives noted under Goals 1-6, by September 30, 2016.^{xiv}

Objective 1: Each year of the State Plan, provide input representing the philosophies and positions of the Council on public policy issues affecting people with developmental disabilities at ninety percent (90%) of occasions and, when possible, offer concrete policy alternatives to ensure that individuals and families can access and maintain self-directed community-based services and supports of their choice.

Activity 1: Provide information and technical assistance to Council members to support Council decision-making processes and to assist individual members in advocacy activities.

Activity 2: Research and Provide input on policies and legislation as requested.

Activity 3: Participate in workgroups at the state and national level.

Activity 4: Produce required reports and policy analyses.

Activity 5: Provide grantees with information technical support and information related to policy, legislation, and/or advocacy strategies.

Objective 2: Each year of the State Plan, coordinate the Council's planning, project development, evaluation, and reporting processes, with special attention to strategies to address issues related to the diversity of ethnicity, age, income, and geographic areas of Texas and provide updates to the Council on State Plan implementation at least four (4) times yearly.

Activity 1: Provide information and technical assistance to Council members to facilitate planning, project development and evaluation activities.

Activity 2: Coordinate outreach activities to ensure that Council members and TCDD staff receive relevant and timely public input from diverse audiences.

Activity 3: Support the Council to develop and fund projects to explore innovative ideas and/or provide timely solutions to emerging needs, as funds allow.

Activity 4: Work with outside entities, as appropriate, to evaluate Council activities.

Activity 5: Provide information and technical assistance as appropriate to grantees and/or organizations applying for a grant from TCDD.

Activity 6: Coordinate development and submission of TCDD's 5 Year State Plan, Annual Amendments, and the Annual Program Performance Report

Objective 3: Each year of the State Plan, support the Council to effectively use grant funding to reach identified goals with no lapse of funds greater than 1.5% in any fiscal year.

Activity 1: Provide information and technical assistance to Council members to facilitate oversight of grant projects.

Activity 2: Monitor grant projects to ensure that budgetary requirements are met and program activities are implemented as planned.

Activity 3: Provide information and technical assistance, as appropriate, to help grantees reach goals and to support use of best practices.

Activity 4: Work with other staff to develop and implement strategies to maximize the impact of grantee projects.

Objective 4: Each year of the State Plan, support and coordinate at least 4 quarterly Council meetings and at least 12 meetings of the Council and Committees and provide leadership and administrative coordination to implement Council approved activities.

Activity 1: Support the Council and Committees to conduct business.

Activity 2: Support Council members to participate in national level workgroups, conferences, and/or trainings as appropriate.

Activity 3: Provide oversight of staff activities.

Objective 5: ~~Each year of the State Plan, I~~ Implement outreach and strategic communication activities to reach specific goals, with at least a 3% increase in established connections to organizations and individuals each year.

Activity 1: Provide information and technical assistance to Council members to identify specific strategic communication goals.

Activity 2: Develop and maintain productive relationships with other representatives from other organizations to maximize the impact of outreach and strategic communication efforts.

Activity 3: Coordinate external communications related to staff, Council member, and grantee activities to implement the strategic communication plan.

Activity 4: Coordinate messaging, marketing, and branding activities as directed by the Council.

Activity 5: Evaluate the effectiveness of specific strategic communication activities; review increases in Facebook Fans, Twitter Followers, website traffic, and email subscribers as a measure of progress;^{xv} and provide recommendations to the Council for improvement as necessary.

ⁱ Reason for change: This was a typo; it should have been FY2016 to begin with.

ⁱⁱ Reason for deletion: TATN no longer exists

ⁱⁱⁱ Reason for change: Peer review/ADD feedback recommended activities be “spelled out in more detail,” and to correct numbering.

^{iv} Reason for change: there may be more than one grantee.

^v Reason for change: Peer review/ADD feedback recommended activities be “spelled out in more detail,” and to correct numbering.

^{vi} Reason for change: Peer review/ADD feedback recommended activities be “spelled out in more detail.”

^{vii} Reason for change: As we are intending to implement the objective soon, it is unnecessary to include “an example”

^{viii} Reason for change: To address peer review comments that a target should be specified. This number is not based on data, as we are not yet aware of relevant data; that will be acquired when we implement this goal.

^{ix} Reason for change: Peer review/ADD feedback recommended activities be “spelled out in more detail.”

^x Note: Peer review recommends we make this measurable; however, it would difficult to do that in any meaningful way and still reflect the many aspects the Council wanted in the language for this goal. The Council felt strongly about the wording of this goal.

^{xi} Reason for change: TCDD may choose to facilitate” the implementation in some way other than providing funding.

^{xii} Reason for change: Better reflects intention to build inclusive communities rather than to just expand services.

^{xiii} Reason for change: The peer/ADD review comments suggested that they may not have seen the intention of TCDD to support self-advocacy as a strategy in most plan goals and objectives. Recommend change to language to show this commitment better and to make the objective measurable.

^{xiv} Reason for changes to goal and objectives: Peer review recommended making these more measurable.

^{xv} Reason for change: to define the methodology to be used to measure Objective 5.

Background:

Five current grant projects will be reviewed this quarter for an additional year of funding. Executive Summaries are included for continuation funding for four of these projects:

- A. Community Healthcore: *Self Employment*
- B. Region 17 Education Service Center: *Positive Behavior Intervention Support – HeadStart*
- C. Region 17 Education Service Center: *Positive Behavior Intervention Support – Impacting Disproportionality*
- D. Texas A&M: *Texas Advanced Leadership and Advocacy Conference*

The fifth Executive Summary for continuation funding will be included with the handouts provided at the meeting.

- E. VSA Texas Artworks: *Creative Industries Self-Employment Project*

Important Terms:

Continuation Grant Awards: For each grant project funded by TCDD, the number of years of funding available (usually 3 to 5 years) is approved by the Council, but projects must reapply for funding each year.

Executive Committee

Agenda Item 9.

Expected Action:

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

Council

Agenda Item 9. C.

Expected Action:

The Council will receive a report on Executive Committee decisions.

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

Date: 05/02/12

ITEM: A

Grantee: Community Healthcore (Sabine Valley Center)

Year: 5 of 5

Project Title: Customized Self-Employment

Project Location: Bowie, Cass, Gregg, Harrison, Marion, Panola, Red River, Rusk, and Upshur

TCDD RFP Intent:

TCDD intends to fund projects that demonstrate innovative activities that will systematically increase employment opportunities for people with developmental disabilities and develop strategies that will make these activities sustainable after grant funding has ended. The project will provide customized self-employment opportunities for individuals with disabilities by training them, their families, and local collaborating agencies in how to develop and implement an individualized self-employment plan. The process will include assistance in securing the necessary natural supports and funding for the self-employment endeavor. TCDD has approved funding of up to \$125,000 per year for up to 5 years.

Project Goals and Accomplishments for Year 4:

Goal: Assist individuals with disabilities to become successfully self-employed by educating them, their supports, and community partners through training, technical assistance and demonstration.

Accomplishments per goal: The project is in the process of working with 10 new businesses to start up their businesses after attending the training; there was a total of 44 individuals that attended one or more of the training sessions; completed a 4-point outline that covers essential components of the Texas Customized Self Employment Project; 2 individuals were assisted in obtaining additional funding; and, 2 project staff were certified by the new Department of Assistive and Rehabilitative Services (DARS) Self Employment process.

Proposed Goals and Objectives for Year 5:

Goal: Same as above

Objectives: The project will continue to provide awareness regarding the merits of self-employment for persons with disabilities; continue to support past business owners in their businesses; and, establish effective and sustainable funds for self-employment.

Council Considerations: Public Policy considerations: Demonstrating how to effectively and efficiently create self-employment options for people with developmental disabilities may yield results that other agencies can adopt for their employment programs. No staff concerns; Council to consider continued funding for this project.

Continuation Budget Detail Summary			
	Federal	Match	Totals
Amount expended in year 1 (\$44,832 consultants)	\$100,877	\$30,896	\$131,773
Amount expended in year 2 (\$31,000 consultants)	\$125,000	\$35,494	\$160,494
Amount expended in year 3 (\$28,740 consultants)	\$115,196	\$33,493	\$148,689
Amount expended in year 4 (\$28,740 consultants) based on 8 months - \$112,704 awarded	\$55,140	\$17,326	\$72,466
Amount requested for next year budget:			
I. Personnel Services	3303	4476	7779
II. Travel	75	0	75
III. Purchased Services (\$5565 consultants)	30,326	6214	36,540
IV. Property/Materials	30	0	30
V. Rental/Leasing	171	0	171
VI. Utilities	309	0	309
VII. Other	3421	0	3421
Budget period totals (3-month budget only)	\$37,635	\$10,690	\$48,325

Texas Council for Developmental Disabilities

Executive Committee

Review of Proposed Activities & Budget

Date: 05/02/12

ITEM: B

Grantee: Region 17 Education Service Center

Year: 5 of 5

Project Title: Positive Behavior Intervention Support (PBIS) Head Start

Project Location: Lubbock

TCDD RFP Intent:

Submitted to the Project Development Committee in February 2008 as an Unsolicited Proposal for an expansion of an existing project, addressing Goal 4, Objective 1 of the TCDD State Plan.

Region 17 Education Service Center seeks to expand the current PBIS project to recruit, train, and support individuals to provide positive behavioral supports to individuals with diverse needs living in communities throughout Texas. This project will expand current PBIS strategies to staff employed by Head Start programs, early childhood settings, child care settings and pre-school settings. TCDD has approved the scope of activities for this project. The proposal has requested up to \$125,000 per year for 5 years, however the Council directed TCDD staff to attempt to negotiate a reduced funding amount for this project. The Executive Committee subsequently approved final funding of up to \$120,000 per year for up to 5 years.

Project Goals and Accomplishments Year(s) 1 - 4:

Goal 1: Improve behavior intervention skills and knowledge for staff in child care, public school pre-K, ECI Head Start and other settings that serve children with disabilities ages 2 to 5. (The number of students expelled from the above settings will be reduced as a result of the increased intervention skills, training skills and documentation skills)

Accomplishments: The project has developed the training curriculum for the PBIS Head Start project, which consists of curricula from "Promoting and Developing Social Emotional Development" and "Incredible Years." The project provided training to 3 Head Start and Childcare sites in Year 1, 5 sites in Year 2, 5 sites in Year 3, and 5 more sites in Year 4, which resulted in improved childcare programs/policies.

Proposed Goals and Objectives for Year 5:

Goal: Same as above

Objectives: 1) Fewer children will be expelled from settings serving those 2-5 years of age; 2) Staff behavior intervention skills will be increased; 3) Decrease staff turnover rates in child care settings; and, 4) increase social-emotional levels in children 2-5 years of age.

Council Considerations: Public Policy considerations: Evidence indicating that PBIS strategies have reduced the rate of children removed from classrooms and/or increased educational attainment would provide the support for expanding these important services. No staff concerns; Council to consider continued funding for this project.

Continuation Budget Detail Summary

	Federal	Match	Totals
Amount expended in Year 1	\$121,000	\$21,755	\$142,755
Amount expended in Year 2	\$120,000	\$22,827	\$142,827
Amount expended in Year 3	\$120,000	\$13,344	\$133,344
Amount expended in Year 4 (based on 9 months) - \$120,000 awarded	\$49,057	\$11,972	\$61,029
Amount requested for next year budget:			
I. Personnel Services	68,775	0	68,775
II. Travel	3500	0	3500
III. Purchased Services (\$20,000 consultant)	20,750	4385	25,135
IV. Property/Materials	16,703	500	17,203
V. Rental/Leasing	10,172	0	10,172
VI. Utilities	100	0	100
VII. Other	0	8448	8448
Budget period totals	\$120,000	\$13,333	\$133,333

Texas Council for Developmental Disabilities

Executive Committee

Review of Proposed Activities & Budget

Date: 05/02/12

ITEM: C

Grantee: Region 17 Education Service Center

Year: 5 of 5

Project Title: Positive Behavior Intervention Support – Disproportionate Impact (PBIS-DI)

Project Location: Lubbock

TCDD RFP Intent:

Submitted to the Project Development Committee in February 2008 as an Unsolicited Proposal for an expansion of an existing project, addressing Goal 3, Objective 2 of the TCDD State Plan. Region 17 Education Service Center seeks to expand the current PBIS project to recruit, train, and support individuals to provide positive behavioral supports to individuals with diverse needs living in communities throughout Texas. This project will expand PBS strategies with special emphasis placed on intervention specifically aimed at impacting disproportionality. TCDD has approved the scope of activities for this project. The proposal has requested up to \$125,000 per year for up to 5 years, however the Council asked TCDD staff to try to negotiate a reduced funding amount for this project.

Project Goals and Accomplishments for Year(s) 1- 4:

Goal 1: Districts and campuses within the Region 17 Education Service Center area will implement research-based strategies that have been shown to reduce the number of disciplinary referrals (rates of suspension and expulsion of greater than 10 days in a school year of children with disabilities by race and ethnicity); establish procedures to monitor at-risk students to prevent escalating disciplinary action and support their success in school; and will increase their skills in the area of cultural competency.

Accomplishments per goal: The project completed the curriculum mapping for PBS training and used the PBS framework. In year 1, the project trained 348 people and held 27 workshops; Year 2, trained 500 people with six school districts participating; Year 3, trained 1,133 people and six more campuses recruited; and Year 4, trained more than 1,100 educators, students, agency personnel and community members.

Proposed Goals and Objectives for Year 5:

Goal: Same as above.

Objectives: 1) Fewer students with disabilities by race and ethnicity will receive suspensions and expulsions of greater than 10 days in a school year; 2) Fewer students with disabilities by race and ethnicity will be suspended or expelled from their educational setting; 3) Fewer student with disabilities by race and ethnicity will receive disciplinary referrals to the office; 4) Staff knowledge of culturally relevant classroom strategies will be increased; and, 5) Staff behavior intervention skills will be increased.

Council Considerations: Public Policy considerations: Texas based evidence indicating that PBIS strategies have reduced the rate of children removed from classrooms and/or increased educational attainment would provide the support for expanding these important services. No staff concerns; Council to consider continued funding for this project is recommended.

Continuation Budget Detail Summary

	Federal	Match	Totals
Amount expended in year 1	\$109,058	\$21,221	\$130,279
Amount expended in year 2	\$115,000	\$18,763	\$133,763
Amount expended in year 3	\$115,000	\$12,783	\$127,783
Amount expended in year 4 (based on 9 months) – \$115,000 awarded	\$71,079	\$7,504	\$78,583
Amount requested for next year budget:			
I. Personnel Services	84,728	0	84,728
II. Travel	3000	0	3000
III. Purchased Services (\$10,000 consultant services)	10,500	4182	14,682
IV. Property/Materials	4541	500	5041
V. Rental/Leasing	12,131	0	12,131
VI. Utilities	100	0	100
VII. Other	0	8,096	8,096
Budget period totals	\$ 115,000	12,778	127,778

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

Date: 05/02/12

ITEM: D

Grantee: Texas A&M University

Year: 5 of 5

Project Title: Texas Advanced Leadership and Advocacy Conference

Project Location: Austin - Statewide

TCDD RFP Intent:

The project intent is to coordinate training events for individuals that have been active in disability policy advocacy and who want to create system changes in large geographic areas and/or specialized topics for which local training is not available. "Intentional networking" will be an important part of these training events. TCDD has approved funding of up to \$150,000 per year for up to five years.

Project Goals and Accomplishments for Year(s) 1-4:

Goal: The overall goal of the project is to provide statewide advanced leadership and public policy advocacy training to further develop leaders and public policy advocates with disabilities in Texas and to provide follow-up training and networking activities.

Accomplishments per goal: Held 2-day conferences for years 1-4: Year1: February 2009 with 82 participants; Year 2: February 2010 with 146 participants; Year 3: February 2011 with 112 participants; and Year 4: February 2012 with 111 participants in attendance (does not include speakers/presenters). There were two keynote speakers, breakout sessions, participation in mock legislative hearings with legislative aides, and co-sponsored a rally at the Capitol. The project Facebook page continues to be updated to reflect conference activities. The balance of program income funds generated from conference registration will be used to for future activities after the grant ends.

Proposed Goals and Objectives for Year 5:

Goal: Same As Above

Objectives: To conduct a 2-day conference with at least 100 participants to provide advanced training; identify innovative ways to generate funds for sustainability of project; and provide opportunity to access online social media or discussion forums to facilitate understanding and allow interest circles to continue with networking activities. Participants at the 2013 conference will be referred to the local youth leadership project to serve as speakers, facilitators, or mentors for the purpose of mentoring young developing advocacy leaders.

Council Considerations: Public Policy considerations: Recommend grantee to meet with PP Staff prior to first PAC meeting to discuss potential conference topics and agenda. No staff concerns; Council to consider continued funding for this project.

Continuation Budget Detail Summary

	Federal	Match	Totals
Amount expended in year 1 (\$44,832 consultants)	\$112,500	\$37,321	\$149,821
Amount expended in year 2 (\$41,624 consultants)	\$115,146	\$38,442	\$153,588
Amount expended in year 3 (\$36,584 consultants)	\$130,638	\$38,927	\$169,565
Amount expended in year 4 (\$34,474 consultants) based on 7 months - \$150,000 awarded	\$22,112	\$7180	\$29,292
Amount requested for next year budget:			
I. Personnel Services	58,264	0	58,264
II. Travel	3000	0	3000
III. Purchased Services	73,001	0	73,001
IV. Property/Materials	2099	0	2099
V. Rental/Leasing	0	0	0
VI. Utilities	0	0	0
VII. Other (Indirect Costs)	13,636	49,773	63,409
Budget period totals	\$150,000	\$49,773	\$199,773

RISK ASSESSMENT FOR CONTINUATION GRANT AWARDS

06/01/11 – 05/31/12

Item	Grantee	TCDD Funds	Other Fed Funds	Risk Activity	Risk Code
A	Community Healthcore (Sabine Valley Center)	\$37,635	\$2.8 mil	2	
B	Region 17 Education Service Center (PBIS-HS)	\$120,000	\$1.8 mil	2	
C	Region 17 Education Service Center (PBIS-DI)	\$115,000	\$1.8 mil	2	
D	Texas A & M University	\$150,000	\$244 mil	2	

KEY

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

**TCDD RISK MATRIX
FY 2012**

<i>Risk Activities</i> ↓	<i>Award Amounts</i> →	- \$75,999.	\$76,000. – \$199,999.	\$200,000.- \$499,999.	\$500,000. +
1. New Grantee (i.e., no previous project or no project within 2 year period)		LH	MH	HH	HH
2. Awards within Award (e.g., consultants, presenters, sub-contractors, etc.)		LH	MH	HH	HH
3. Funding Issues (e.g., budget/procurement concerns, match, sustainability, etc.)		LM	LM	MM	HM
4. Compliance Issues (e.g., OMB, UGMS, TCDD policy, oversight issues, etc.)		LM	LM	MM	HM
5. Performance Issues (e.g., unmet goals, milestones, special conditions, etc.)		LM	LM	MM	HM
6. Legal Actions		LL	LL	ML	HL
7. Fiscal Office Located Out-Of-State		LL	LL	ML	HL
8. No Audit Prior To Grant Award		LL	LL	ML	HL

KEY: 1st letter denotes impact; 2nd letter denotes probability.

	HM, HH	Extensive Risk (all levels of control plus audit)
	MM, MH, HL	Considerable Risk (most levels of control plus independent review by CPA)
	LH, ML	Moderate Risk (operating/monitoring controls + agreed upon procedures by CPA)
	LL, LM	Acceptable Risk (basic monitoring only)

Use for Risk Management Plan:

- Audit work performed and the Executive Director performs oversight via quarterly report* provided to ensure supervisory and operating controls are working.
- Department heads reporting to Executive Director perform oversight functions to ensure supervisory and operating controls are working.
- Department staff perform oversight functions to ensure supervisory and operating controls are working.
- Department staff perform basic oversight functions to ensure controls are in place.

Use for Annual Audit Plan:

- Red indicates areas to be audited by contracted internal audit services provider.
- Yellow indicates areas to be covered through oversight, supervisory and operating controls with guidance from the contracted internal audit services provider.
- Green indicates areas to be covered through staff oversight with guidance from the contracted internal audit services provider as needed.
- Gray indicates areas to be covered through basic staff oversight and reporting.

***Grants Monitoring Exceptions Report provided to E.D. and Council quarterly for review.**
No risk activities means monitoring strategies will be performed at the lowest level under the award amount.
NOTE: Risk Matrix reviewed annually with TCDD staff and Internal Auditor; updated when needed.

**MONITORING STRATEGIES
FY 2012**

STIPENDS (\$6,000. or less):

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

GRANT PROJECTS:

Level 1 GRAY

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

Level 2 GREEN

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

Level 3 YELLOW

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

Level 4 RED

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

ADDITIONAL MONITORING STRATEGIES FOR GRANT PROJECTS

To be selected and implemented on an as needed basis.

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

Background:

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

- **Summary of Funds FY 2011-2014** – Revenues budgeted from the federal allotment for each fiscal year are summarized as well as the actual or projected expenditures for each of those years. From those amounts, a projected balance of funds available for each year is shown. Note that these expenditures are tied to the federal fiscal year grant awarded to TCDD regardless of whether those funds are expended during the 1st, 2nd, or 3rd year when they are available.
- **FY 2012 Expense Budgets** –Approved budget for the current fiscal year (October 1, 2011, thru September 30, 2012) reflects expenses spent to date (October 1, 2011 thru March 31, 2012) with a column of year to date projections per category that would be expended thus far if expenses were evenly distributed each month. All expenses are reported by expense category and by type of staff activity, and show that expenses remain within approved budget for the fiscal year.
- **Current Grants/Contracts Projections** – Approved amounts awarded to each grant or contract, including amounts approved for planned projects are reported and amounts reimbursed to each grantee/contractor through the date of the report. This report shows amounts for each grant or contracted project for fiscal years 2011 through 2014.
- **Stipends Expenditures** – Provides a summary of funds awarded or expended for each stipend grant recipient, the number of individuals attending the conference or seminar who benefited from those stipend funds, and how many of those participants also received TCDD stipend support previously from that organization.

Notes:

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

Executive Committee

Agenda Item 10.

Expected Action:

The Committee will review the Quarterly Financial Report and may provide additional guidance to staff.

Council

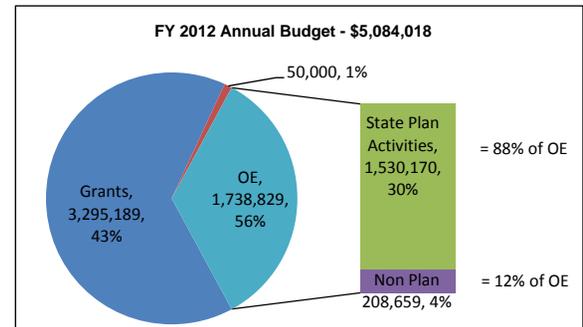
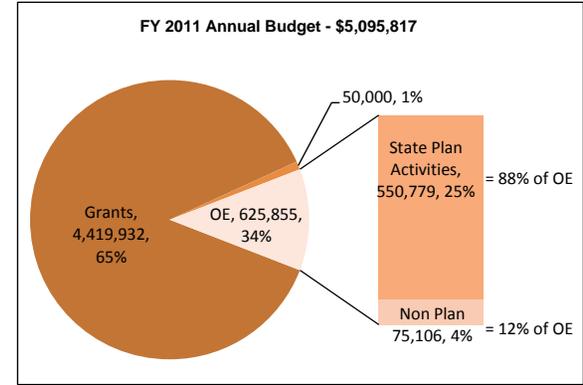
Agenda Item 9. D.

Expected Action:

The Council will receive a report from the Executive Committee about the Committee’s review of the Quarterly Financial Report and may also provide additional guidance.

**Texas Council for Developmental Disabilities
Summary of Funds FY 2011 - 2014
April 2012**

Model Key				
Numbers in black represent budget numbers or actuals for the current or prior years.				
Numbers in blue represent forecast numbers.				
	10/1/2009-9/30/2012	10/1/2010-9/30/2013	10/1/2011-9/30/2014	10/1/2012-9/30/2015
Line Item	FY 2011	FY 2012	FY 2013	FY 2014
REVENUES				
Federal Funds				
Estimate of budget award	\$5,095,817	\$5,084,018	\$5,084,018	5,084,018
Award amount	\$5,095,817	\$5,084,018	\$5,084,018	5,084,018
Budget difference (Estimate of budget award - Award amount)	\$0	\$0	\$0	\$0
Prior year difference (Current FY Award - Prior FY Award)	(\$10,213)	(\$11,799)	\$0	\$0
EXPENDITURES				
Operating Expenses				
Approved Budget	\$1,813,039	\$1,788,829	\$1,788,829	\$1,867,900
Expenses	\$453,456	\$1,788,829	\$1,788,829	\$1,867,900
Balance for Grants (Budget - Expenses)	\$1,359,583	\$0	\$0	\$0
Grants and Projects Expenses				
Available	\$4,642,361	\$3,295,189	\$3,295,189	\$3,216,118
Actual	\$3,522,982	\$3,501,911	\$2,672,744	\$1,794,920
Current Projects Difference (Available - Actual)	\$1,119,379	(\$206,722)	\$622,445	\$1,421,198
Planned	\$62,975	\$625,000	\$625,000	\$575,000
Current & Planned Projects Difference (Available - Actual - Planned)	\$1,056,404	(\$831,722)	(\$2,555)	\$846,198
Total Expenditures	\$4,039,413	\$5,915,740	\$5,086,573	\$4,237,820
BALANCE AVAILABLE FOR FUTURE YEARS & PROJECTS	\$1,056,404	(\$831,722)	(\$2,555)	\$846,198



NOTES:

- 1) Final Allotment per ADD Notice dated February 10, 2012 for FY12 is \$5,084,018.
- 2) 2011 Balance will be fully obligated by the end of Sept. 2012.
- 3) Funds awarded or anticipated to be awarded for authorized projects are included in projections of Grants and Project Expenses.
- 4) Remaining balance of funds is available for award in subsequent year.
- 5) Grants - When OE expended is less than OE budgeted, the funds available for grants will increase; a negative variance represents an increase in funds for grants.
- 6) Funds awarded each Fiscal Year (FY) can be expended within 3 FY periods.
- 7) Planned Grants & Projects Expenses include projects planned and approved but not initiated. Total amounts authorized are reflected although actual awards approved may be less.

Texas Council for Developmental Disabilities

FY 12 Admin & Expense Budget

Oct. 1, 2011 thru
Mar. 31, 2012

Expenses (Council Operations)	Budget	Year to Date Projected	Expended	Variance
Personnel (18 FTEs)				
Salaries	960,403	480,202	402,168	78,033
Benefits	287,138	143,569	96,506	47,063
Total Personnel	\$ 1,247,541	\$ 623,771	\$ 498,675	\$ 125,096
Operating				
Professional Services ¹	97,000	48,500	50,723	(2,223)
Out-of-State Travel ²	18,500	9,250	7,915	1,335
In-State Travel ³	62,000	31,000	19,998	11,002
Supplies	10,000	5,000	3,809	1,191
Utilities	41,700	20,850	13,548	7,302
Rent - Building - Space	79,618	39,809	31,791	8,018
Rent - Computers - Equip ⁴	64,220	32,110	20,325	11,785
Capital Expenditures	-	-	-	-
Other OE ⁵	118,250	59,125	32,234	26,891
Total Operating	\$ 491,288	\$ 245,644	\$ 180,343	\$ 65,301
Total Expenses	Budget	YTD Budgeted	Actual	Variance
	1,738,829	869,415	679,018	190,397
Admin Reim to TEA	50,000	50.0%	39.1%	
TOTAL	\$ 1,788,829		\$ 729,018	
Expensitures by Function				
Council Support				
\$ 82,773	\$ 146,095	\$ 106,465	\$ 227,472	\$ 125,172

NOTES:

¹ Auditor - \$25,000/\$1,918; CPA Desk Reviews - \$10,000/\$1,200; Legal Svs - \$3,000/\$0

Other Professional Services (Web Hosting) - \$2,000/\$300; Data Center Services - \$22,380/\$10,499

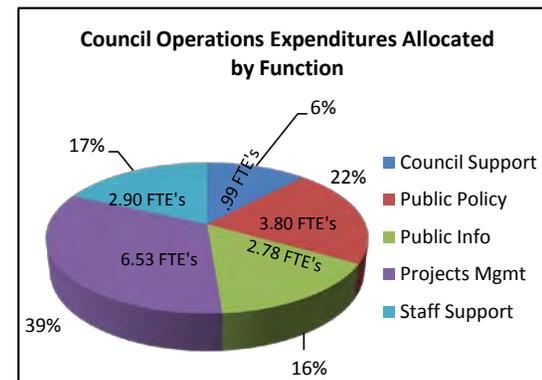
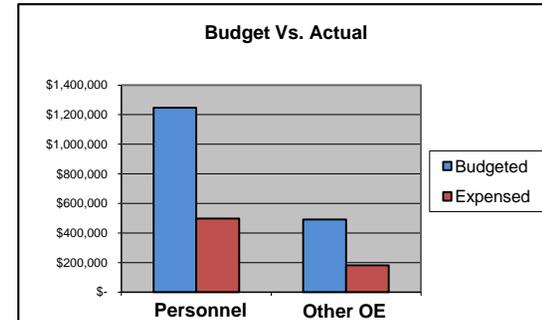
Other Professional Services (Mass DD Council) - \$3,000/\$3000; Reviewers - \$8,000/\$7,373; Temp. Services - \$20,111/\$26,433

² Travel - Out-of-State Council - \$11,500 /\$6,304 (\$2,468.02 for PAS) ; Travel - Out-of-State Staff - \$7,000 /\$1,611 (\$873 from FY 11)

³ Travel - In-State Council - \$50,000 /\$16,680; Travel - In-State Staff - \$12,000 /\$3,318;

⁴ Computer lease - \$22,800/\$6,584; AV Equipment - \$35,000/\$11,798; Copier - \$6,420/\$1,947

⁵ Other OE - NACDD Dues - \$21,044, interpreter svcs, registration fees, other training, maintenance, advertising, postage, printing, software, furniture, non-cap equip, security, and janitorial services.



GRANTS/CONTRACTS PROJECTIONS

Grantee Name	Project Title	2011		2012		2013		2014	
		Budget/Expenses							
A Circle of Ten	Capacity Building	25,000	4,060						
Any Baby Can of San Antonio, Inc	Health & Fitness 1	228,610		228,610		205,749		174,887	
Barbara Jordan Endeavors Corp	Outreach & Development 4	9,855	6,919						
Biennial Report	Biennial Report-Printing & Production	50,000	14,976						
Brighton School, Inc.	Exp of Existing Leadership Development & Advocacy Skills Trng Projects (ELDAST 2)	20,000							
Community Healthcore (formerly Sabine Valley Center)	Self-Employment 1	12,704		125,000					
Department of Assistive and Rehabilitative Services	Higher Education 3	225,000		225,000		225,000		225,000	
Educational Programs Inspiring Communities, Inc.	Enabling Technology 1	225,000		225,000		225,000		225,000	
Epilepsy Foundation Texas	Health & Fitness 2	249,538		235,000		222,000		190,000	
Family to Family Network Inc	L&A Local Basic Advocacy Training 1	20,736							
Gulf Coast African American Family Support Conference	Gulf Coast African American Family Support Conference			35,000		35,000		15,000	
Imagine Enterprises Inc	Exp of Existing Leadership Development & Advocacy Skills Trng Projects (ELDAST 3)	20,000							
Jewish Family Service of Dallas	Inclusive Faith-Based Symposium 3	75,000		75,000		75,000			
NAMI Texas	New Leadership Development & Advocacy Skills Trng (NLDAST 3)	75,000		75,000		75,000			
OneStar Foundation	Inclusive Faith-Based Symposium 1	71,453		75,000		75,000			

Grantee Name	Project Title	2011		2012		2013		2014	
		Budget/Expenses							
Parents Anonymous, Inc.	African American Family Support Conference								
Paso del Norte Children's Development Center	Exp of Existing Leadership Development & Advocacy Skills Trng Projects (ELDAST 1)	20,000							
Region 17 ESC	PBS-HS	40,000		120,000					
Region 17 ESC	PBS-ID	40,000	8,747	115,000					
Region 19 ESC	Exp of Existing Leadership Development & Advocacy Skills Trng Projects (ELDAST 4)	20,000							
SafePlace	Meaningful Relationships	117,022		125,000					
SER Jobs for Progress	Exp of Existing Leadership Development & Advocacy Skills Trng Projects (ELDAST 5)	40,000		20,000					
Strategic Education Solutions, LLC	Enabling Technology 2	224,967		250,000		250,000		250,000	
Texas A&M University	Higher Education 1	225,000		225,000		225,000		225,000	
Texas A&M University	L&A Statewide Advanced Training	78,818	17,903	150,000		37,500			
Texas A&M University	New Leadership Development & Advocacy Skills Trng (NLDAST 2)	75,000		75,000		75,000			
Texas Advocates	New Leadership Development & Advocacy Skills Trng (NLDAST 1)	75,000		75,000		75,000			
Texas Center for Disability Studies	Support for Advisory Committee Member Travel	54,740	6,419	30,000					
Texas Parent to Parent	Public Policy Collaboration Activities	61,780		65,033		65,033		65,033	
Texas State Independent Living Council	Health & Fitness 3	219,472		215,750		235,000		200,000	

Grantee Name	Project Title	2011		2012		2013		2014	
		Budget/Expenses							
Texas State Independent Living Council	New Leadership Development & Advocacy Skills Trng (NLDAST 7)	75,000	3,444	75,000		75,000			
Texas Tech University	Higher Education 2	209,384	58	225,000		225,000		225,000	
Texas Tech University	Teacher Preparation for Inclusive Education Project	149,999							
The Arc of Dallas	New Leadership Development & Advocacy Skills Trng (NLDAST 4)	75,000		75,000		75,000			
The Arc of Greater Tarrant County	Inclusive Faith-Based Symposium 2	75,000		75,000		75,000			
The Arc of San Angelo	Alternatives to Guardianship-Volunteer Advocate Pilot Program	73,941		75,000					
The Arc of Texas	L&A Specialized Advocacy Training 3	7,249	7,249						
The Arc of Texas	New Leadership Development & Advocacy Skills Trng (NLDAST 5)	75,000		75,000		47,462			
The Arc of Texas	Texas Microboard Collaboration	76,834	21,455	62,518					
West Central Texas Regional Foundation	Inclusive Faith-Based Symposium 4	74,894	5,920	75,000		75,000			
KEY: Budget/Expenses in Bold = Grant Closed	Sub Totals	3,491,996	97,150	3,501,911		2,672,744		1,794,920	
	Stipends	75,000	40,761	75,000	0	75,000	0	75,000	0
	Total Grants	3,566,996	137,911	3,576,911		2,747,744		1,869,920	

Grantee Name	Project Title	2011 Budget/Expenses	2012 Budget/Expenses	2013 Budget/Expenses	2014 Budget/Expenses
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PLANNED GRANTS/CONTRACTS PROJECTIONS					
Grants for Outreach & Development	Grants for Outreach & Development	62,975			
PP Committee-Capacity Building	PP Committee-Capacity Building-Balance		50,000	50,000	
Project Search	Project Search		175,000	175,000	175,000
Transportation	Transportation		400,000	400,000	400,000
Planned Grant Totals		62,975	625,000	625,000	575,000

Federal Allotment:	\$5,095,817	\$5,084,018	\$5,084,018	\$5,084,018
Operating Expenses:	453,456	1,788,829	1,788,829	1,867,900
Available for Grants:	4,567,361	3,220,189	3,220,189	3,141,118
Available for Stipends:	75,000	75,000	75,000	75,000
Total Available Funds:	<u>4,642,361</u>	<u>3,295,189</u>	<u>3,295,189</u>	<u>3,216,118</u>
Grants/Stipends Awarded/ Final Obligations:	3,522,982	3,501,911	2,672,744	1,794,920
Stipends Balance:	34,239	75,000	75,000	75,000
Grants Balance:	<u>1,085,140</u>	<u>-281,722</u>	<u>547,445</u>	<u>1,346,198</u>
Balance/Deficit:	\$1,119,379	(\$206,722)	\$622,445	\$1,421,198
<hr/>				
Est Available for Reobligation-OE	0	0	0	0
Current Grants Projected Balance/Deficit	\$1,119,379	(\$206,722)	\$622,445	\$1,421,198
<hr/>				
Planned Grants Totals	\$62,975	\$625,000	\$625,000	\$575,000
Current and Planned Grants Total Projected Balance/Deficit	\$1,056,404	(\$831,722)	(\$2,555)	\$846,198
<p>Note: Obligations of federal funds must be completed within 24 months of beginning of fiscal year. Funds may be expended during 36 months from beginning of fiscal year. 11 balance will be obligated Sept 12.</p>				

S T I P E N D E X P E N D I T U R E S

ORGANIZATION	MONTH OF EVENT	EXPENDED	NUMBER SERVED	PREVIOUSLY SERVED	COMMENTS/CLOSED
FYE 9-30-11					
Volar Center for Independent Living	Oct-2010	5,995	58	1	<input checked="" type="checkbox"/>
Texas Coalition of Texans with Disabilities	Oct-2010	5,386	23	8	<input checked="" type="checkbox"/>
NAMI Texas	Oct-2010	5,980	52	2	<input checked="" type="checkbox"/>
ADDA-SR	Feb-2011	6,000	27	0	<input checked="" type="checkbox"/>
Texas A&M University	Feb-2011	1,400	8	2	<input checked="" type="checkbox"/>
SW Chapter Autism Society of America	Apr-2011	1,200	20	2	<input checked="" type="checkbox"/>
Texas State Independent Living Council	Apr-2011	6,000	24	4	<input checked="" type="checkbox"/>
Texas Coalition of Texans with Disabilities	Apr-2011	2,973	15	10	<input checked="" type="checkbox"/>
Brain Injury Association of Texas	Apr-2011	1,366	11	2	<input checked="" type="checkbox"/>
Texas Parent to Parent	Jun-2011	6,000	40	11	<input checked="" type="checkbox"/>
American Association on Intellectual & Developmental Disabilities Texas Chapter (AAIDD-TX)	Jul-2011	5,552	17	0	<input checked="" type="checkbox"/>
Texas Advocates	Aug-2011	5,769	60	24	<input checked="" type="checkbox"/>
TOTALS:		\$53,621	355	66	

FYE 9-30-12

Volar Center for Independent Living	Oct-2011	6,000	73	5	<input checked="" type="checkbox"/>
Partners Resource Network	Dec-2011	5,998	22	0	<input checked="" type="checkbox"/>
Texas A&M University	Feb-2012	3,794	16	0	<input checked="" type="checkbox"/>
ADDA-SR	Feb-2012	6,000	30	0	<input checked="" type="checkbox"/>
The Arc of Texas	Feb-2012	6,000			<input type="checkbox"/>
SW Chapter Autism Society of America	Mar-2012	1,200			<input type="checkbox"/>
Texas Parent to Parent	Jun-2012	6,000			<input type="checkbox"/>
TOTALS:		\$34,992	141	5	

NOTE: Budgeted amount used if stipend not closed.

Background:

State agencies are responsible to review administrative rules adopted by the agency at least once every four years and to readopt rules when there is a continuing need, with revisions as appropriate. TCDD last reviewed and readopted Rules in 2008.

Staff recommendations for amendments to TCDD Rules are behind this Tab. The Executive Committee is asked to review and recommend proposed amendments to the Council for consideration. Once approved, proposed amendments will be posted in the Texas Register for a 30-day public comment period. The Council will review any public comments received during the August meetings and approve final adoption of the amendments to TCDD Rules.

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

The Committee will review and recommend Council approval of proposed amendments to TCDD Rules to publish for public comments.

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

The Council will approve proposed amendments to TCDD rules for public comment.

TEXAS COUNCIL FOR DEVELOPMENTAL DISABILITIES

ADMINISTRATIVE RULES

TEXAS ADMINISTRATIVE CODE TITLE 40, PART 21

Chapter §876 General Provisions

Chapter §877 Grant Awards

**Proposed Review Schedule
and
Draft Proposed Amendments**

February 2012

Texas Administrative Code

Title 40 Part 21

Social Services Texas Council for Developmental Disabilities

Chapter §876	General Provisions
§876.1	Definitions
§876.2	Legal Authority
§876.3	Administration
§876.4	Responsibilities of the Council
§876.5	TCDD State Plan
§876.6	Powers and Duties of the Executive Director
§876.7	Committees of the Council
§876.8	Standards of Conduct
§876.9	Charges of Access to Public Records
§876.10	Petition for Adoption of Rules
876.11	Applicability of Open Meetings Law
§876.12	Alternative Dispute Resolution Process
Chapter §877	Grant Awards
§877.1	General
§877.2	Application and Review Process
§877.3	Suspension or Termination of Funding
§877.4	Appeal of Funding Decisions
§877.5	Confidentiality of Records

TITLE 40. SOCIAL SERVICES AND ASSISTANCE

PART 21. TEXAS COUNCIL FOR DEVELOPMENTAL DISABILITIES

Chapter 876. GENERAL PROVISIONS

§876.1 Definitions

The following words and terms, when used in these sections, shall have the following meanings, unless the context clearly indicates otherwise.

(1) Council --Texas Council for Developmental Disabilities.

(2) Designated State agency -- the State agency designated by the Governor to provide administrative support to the Council.

(3) Developmental disability – The term "developmental disability" has the meaning as defined in federal law, the Developmental Disabilities Assistance and Bill of Rights Act as amended (42 USC 6000 et seq).

(4) Executive director -- Chief administrative officer of the Texas Council for Developmental Disabilities.

(5) Grant – An award of financial assistance, including cooperative agreements, in the form of money, property provided in lieu of money, or other financial assistance paid or furnished by the Council to an eligible recipient to carry out a program in accordance with the rules, regulations and guidance provided by the Council.

§876.2 Legal Authority

(a) These rules are adopted under provisions of the Texas Human Resources Code, Title 40, Chapter 112.

(b) The following federal laws and regulations are adopted by reference into this part:

(1) Developmental Disabilities Assistance and Bill of Rights Act as Amended (U.S.C. 6000 et. seq.); and

(2) Developmental Disabilities Program, 45 Code of Federal Regulations, Parts 1385-1387.

§876.3 Administration

(a) The Texas Council for Developmental Disabilities is a joint state-federal program designed to **assist people with developmental disabilities and their families to participate in the design of and have access to needed community services and supports, and to** promote the development of a consumer and family-centered, comprehensive system and a coordinated array of culturally competent services, supports, and other assistance designed to achieve independence, productivity, and integration and inclusion into the community for individuals with developmental disabilities.

(b) The Council performs its responsibilities through staff activities, grants or contracts to public, or nonprofit, or private for-profit organizations and in other ways as determined by the Council to carry out the state plan.

(c) The Council shall enter into a memorandum of understanding with the designated state agency which sets forth their respective roles;

(d) The designated state agency carries out the functions set forth in applicable federal and state laws and regulations and the memorandum of understanding with the Council.

§876.4 Responsibilities of the Council

The Council is an agency within the executive branch, but functions independently within its statutory authority to serve the long-term public interest. The Council is responsible for

establishing the policy framework through which the agency carries out its statutory responsibilities. Specifically, the Council shall:

- (1) exercise the authority provided by law to adopt policies and rules governing Council activities;
- (2) develop and implement policies that clearly separate the policymaking authority of the Council and the management responsibilities of the executive director and staff of the Council;
- (3) approve the state plan and amendments;
- (4) serve as an advocate for state and federal legislation, appropriations and policies on behalf of individuals with developmental disabilities as authorized by federal law;
- (5) oversee operations of the Council for integrity, effectiveness, and efficiency;
- (6) approve personnel policies that provide for the selection, supervision, and evaluation of the executive director and staff
- (7) ensure projects and activities comply with all applicable federal and state requirements; and
- (8) **carry out** other responsibilities as provided by Council policies.

§876.5 TCDD State Plan

The Council develops and submits the "TCDD State Plan for Texans with Developmental Disabilities" in a manner consistent with federal law and regulations. The state plan may be revised and updated after public review and comment as provided by the federal requirements. The plan is available from the offices of the Texas Council for Developmental Disabilities.

§876.6 Powers and Duties of the Executive Director

The executive director is responsible for the effective and efficient administration of the affairs of the Council subject to applicable laws and this chapter and under the general direction of the Council. The director shall select, supervise and evaluate staff to implement Council approved activities consistent with policies approved by the Council. The director may delegate responsibilities to Council staff as appropriate.

§876.7 Committees of the Council

The Council may establish standing and special committees of Council members to expedite the work of the Council. Members shall be appointed to Committees in the manner provided by Council policies.

§876.8 Standards of Conduct

- (a) Standards of conduct of members and employees of the council are governed by Texas Government Code Annotated, Chapter 572, and by Human Resources Code Chapter 112.0161.
- (b) Council members and staff shall adhere to the conflict of interest policy approved by the Council.

§876.9 Charges of Access to Public Records

- (a) The charge to any person requesting copies of any public record of the Council will be the charge established by the Buildings and Procurements Commission at 1 TAC §§111.61-111.70.
- (b) The Council may reduce or waive these charges at the discretion of the executive director if there is a public benefit.

§876.10 Petition for Rules or Changes to Rules

Any interested person may petition the Council for a rule or rule change by submitting a request to the executive director in a manner and form as directed by the Council, consistent with state law.

§876.11 Applicability of Open Meetings Act

(a) The official minutes of all Council and committee meetings are kept in TCDD staff offices, are posted on the TCDD website, and are available for public review as authorized by the Open Meetings Act.

(b) Opportunities to provide public comments are provided at each Council and committee meeting. The chair of the Council or committee may limit each person presenting public comments or public testimony on any agenda item to a certain number of minutes by announcing the period when comments or testimony are given.

§876.12 Alternative Dispute Resolution

The dispute resolution process provided for in Chapter 2260 of the Government Code shall be used by the State and any other party to attempt to resolve any claim for breach of contract made by any party against the State as applicable.

Chapter 877 GRANT AWARDS

§877.1 General

(a) As authorized by Human Resources Code Title 40, Chapter 112.020 (a)(3), the Council may contract or provide grants to public or private organizations to implement the TCDD State Plan for Texans with Developmental Disabilities, if funds are available.

(b) The Council may solicit proposals from state agencies, non-profit organizations, or private for profit organizations that have organizational expertise related to the requirements of the proposal.

(c) **The Council may accept unsolicited** ~~Unsolicited proposals~~ **or unsolicited ideas for future projects** ~~may be submitted by organizations and will be considered~~ consistent with Council policies and procedures.

(d) The Council may develop projects with organizations without competitive proposals as allowed by state and federal requirements and Council policies.

(e) All grantees shall comply with applicable state and federal requirements including the Texas Uniform Grant Management Standards, Office of Management and Budget (OMB) circulars, and Council grants procedures.

(f) Independent audits of grantees are required for each year of funding in accordance with the requirements of OMB Circulars and Texas Uniform Grant Management Standards. Project specific independent reviews and other procedures may be required of grantees not subject to annual independent audit requirements of OMB or UGMS consistent with Council policies. The Council shall reimburse the grantees for the reasonable cost of the required audit activities.

(g) Grant awards shall contain appropriate provisions for program and fiscal monitoring and for collection and submission of evaluation data and related reports.

(h) The Council may limit by policy the amount of Council funds allowed to reimburse indirect costs of projects. Any indirect costs of a grantee above those amounts may be allowed as part of the required non-federal participant share.

(i) Donated time and services may be included as a financial match contribution unless otherwise restricted by a specific request for proposals or by state or federal requirements.

(j) No organization shall receive more than three (3) direct grants from the Council at any time.

§877.2 Application and Review Process

(a) All requests for proposals will be published in the Texas Register and posted on the Council's website, and a notice will be provided to interested parties.

(b) Proposal information for each request for proposal shall be available upon request from Council offices and will be made available at the Council's website.

(c) Proposals received after the closing date will not be considered unless an exception is approved in a manner consistent with Council policies.

(d) Projects seeking continuation funding may have separate application forms, instructions, and procedures, as determined by Council staff.

(e) Grants shall be awarded based on guidelines that reflect state and federal mandates. Selection criteria shall be designed to select applications that provide best overall value to the state and to the Council and meet the requirements and intent of the Council as provided in the request for proposals.

(f) Final approval of organizations to receive grant funding shall be determined by the Council consistent with Council policies.

(g) Council staff may negotiate with selected applicants to determine the final terms of the award.

§877.3 Suspension or Termination of Funding

(a) If a grantee fails to comply with the terms of the grant, the Council may suspend authority to obligate or receive grant funding pending the result of corrective measures.

(b) The Council, in its complete discretion, may terminate authority to obligate or receive grant funding prior to the end of the funding period if corrective actions are not taken during the suspension period, or if the deficiency is serious enough to warrant immediate termination.

(c) A grant, or portion thereof, may also be terminated at the grantee's request by approval of the Council executive director.

(d) The procedure to request reconsideration of a suspension or termination of funding shall be included in grant award materials.

§877.4 Appeal of Funding Decisions

Appeals may be submitted from applicants for grants who did not receive funding or from grantees whose grants have not been awarded continuation funding. The appeals process adopted by the Council shall be included in grant application materials.

§877.6 Confidentiality of Records

A grantee that provides direct services to individuals under a Council grant must have a system to protect client records from inappropriate disclosure. Disclosure of confidential information must be in accordance with applicable law.

Background:

TCDD’s mission statement expresses the Council’s belief that that all people with disabilities should be fully included in their communities. The FY 2012-2016 State Plan follows up on this belief with action: two of the Council’s seven goals focus on working with others to develop inclusive communities that welcome and support people with developmental disabilities.

One of the strategies that other DD Councils have been exploring as a way of creating inclusive communities is Asset Based Community Development (ABCD). ABCD is a model that allows people to uncover and use the strengths that already exist within communities as a means of sustainable development.

The Georgia DD Council has been using principles of ABCD to connect people with developmental disabilities and their organizations to other citizens and their associations to act collectively on community issues. The goals of their “Real Communities” initiative are:

- **Create real, positive changes** that improve life in the community for all, based on a thoughtful and well informed answer to the question, *What does our community need from us?*
- **Build strong bridges** to community associations, leaders, and alliances that reach outside the boundaries of disability so that a wider network benefits from the energy and gifts of people with developmental disabilities and their families, so that people with disabilities will have more people to count on.
- **Create a sustainable model of community-based family support** that is based on collaboration and ABCD which appropriately addresses the needs of unserved or underserved families with developmental disabilities inclusive with their community partners who do not have a disability.
- **Learn about how to make real changes** in a way that moves from “me” to “we” and creates a great awakening to the assets that every community has.

At the Committee of the Whole meeting, Eric Jacobson, Executive Director of the Georgia Council on Developmental Disabilities, will present information about how their Council evolved into using this model to develop Real Communities and the results they have achieved.

Eric will also be available throughout the TCDD quarterly meeting.

If you are interested in reading more about Asset Based Community Development, the following websites are suggested:

<http://www.abundantcommunity.com/>

<http://www.gcdd.org/real-communities.html>

<http://www.abcdinstitute.org/>

Committee of the Whole

Expected Action:

Agenda Item 3.

The Committee will receive the presentation.

Project Development Committee

Expected Action:

Agenda Item 7.

The Committee will have further discussion on this topic.

Public Policy Committee

Expected Action:

Agenda Item 6.

The Committee will have further discussion on this topic.

Background:

Minutes of the February 9, 2012, Project Development Committee meeting are included for your review.

**Project Development
Committee**

Agenda Item 3.

Expected Action:

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

TEXAS COUNCIL FOR DEVELOPMENTAL DISABILITIES
PROJECT DEVELOPMENT COMMITTEE
THURSDAY, FEBRUARY 9, 2012

DRAFT MINUTES

COMMITTEE MEMBERS PRESENT

Susan Vardell, Chair	Kristine Clark	John C. Morris
Dana Perry, Vice Chair	Andrew Crim	Cindy Swain, TEA
Kimberly Blackmon	Kathy Griffis-Bailey	

COMMITTEE MEMBERS ABSENT

Kristen Cox	Diana Kern
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GUESTS PRESENT

Gina Fuller – Attendant	James Faragoza - Attendant
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STAFF PRESENT

Jeri Barnard	Cynthia Ellison	Wendy Jones
Martha Cantu	Sonya Hosey	Melissa Loe
Joanna Cordry		

CALL TO ORDER

The Project Development Committee met on Thursday, February 9, 2012, in the Bluebonnet Room at the Austin Marriott South at 4415 South IH-35, Austin, Texas 78744. Chair Susan Vardell called the meeting to order at 1:20 p.m. A quorum was present.

1. INTRODUCTION OF COMMITTEE MEMBERS, STAFF AND VISITORS

Committee members, staff and guests were introduced.

2. PUBLIC COMMENTS

No public comments were offered.

3. APPROVAL OF MINUTES

The Committee reviewed minutes of the November 3, 2011, Committee meeting.

MOTION: To approve the minutes of the November 3, 2011, Project Development Committee meeting minutes as presented.

MADE BY: Kathy Griffis-Bailey

SECOND: Dana Perry

The motion **passed** unanimously.

4. CHAIR'S REPORT

Committee Chair Susan Vardell reviewed discussions of the Executive Committee including public comments from Thelma Scott, Rachel Nava, and Craig Spradling. Executive Director Webb briefed the Executive Committee on plans for a regional Self Advocacy Summit hosted by the Administration on Developmental Disabilities in Chicago April 19-20, 2012. TCDD is a member of the Summit Team and is providing financial support for some self advocate team members to attend. The Summit is planned as a way

to assess what is currently happening in the states to support self-advocacy efforts and to develop plans to strengthen efforts at the state level. Acting Council Chair John Morris has approved Webb to represent TCDD, and TCDD will need to help with travel expenses for 2-4 self advocates.

5. GRANTS AND PROJECTS REPORT

A. Staff Activities Report

Planning Coordinator Joanna Cordry briefly reviewed a summary of feedback received by TCDD staff from a peer review of the State Plan. Grants Management Director Sonya Hosey provided information about continuation grant awards approved by the Executive Committee: SafePlace's Meaningful Relationships project and The Arc of San Angelo's Alternatives to Guardianship project. Hosey and Cordry provided information about a Capacity Building contract that was awarded to the Circle of 10. They will work with Leadership & Advocacy training grantees to help them to increase their resources, by providing intensive 3 day trainings, offering individualized assistance in grant writing, and helping grantees network with other organizations. Hosey noted that negotiations have been completed for 14 out of 16 grant projects approved at the November meeting.

B. Projected Available Funds

Operations Director Martha Cantu reviewed the TCDD Quarterly Financial Report including the Summary of Funds for FY 2009-2012; FY 2011 Expense Budgets; Current Grants and Contracts Projections; and Stipends Expenditures.

6. PUBLIC INFORMATION REPORT

Communications Coordinator, Melissa Loe provided updates on materials distributed, social media, and website visits.

7. MEMBER UPDATES

The Committee received reports from Andrew Crim and Vice Chair Dana Perry about advocacy-related activities in which they were involved. Perry successfully advocated for a DADS on-site review of a local residential facility that had an infestation of bedbugs; action was taken to correct the issue.

8. STATE PLAN IMPLEMENTATION AND FUTURE FUNDING ACTIVITIES

The Committee reviewed progress made on State Plan Goals and Objectives and action to be taken in the next 3-6 months.

A. Next Steps – Outreach and Development Activities

Crim summarized discussion of a workgroup established to develop recommendations for "next steps" based on efforts of TCDD outreach and development projects (Attached). The Committee discussed the recommendations and directed staff to explore what would be required to implement them.

MOTION: To endorse the overall recommendations of the workgroup report and ask the workgroup to continue their work and explore implementation strategies with staff, and to include a member of the Public Policy committee in the workgroup.

MADE BY: Kathy Griffis-Bailey

SECOND: Kristine Clark

The motion **passed** unanimously.

B. Health Goal Activities

Cordry reviewed the State Plan Goal 5, which reflects an intention to build the capacity of communities to support individuals with developmental disabilities and prevent unnecessary state supported living center admissions. Staff have already begun to gather data regarding related strengths and needs in different HHSC regions, and TCDD is currently working to strengthen communities through activities such as funding 4 new projects to promote inclusive faith-based communities. Staff intend to gather information on admissions to State Supported Living Centers, including the reasons why people are admitted. Additionally, the Council will hear a presentation from Eric Jacobson, Georgia DD Council Executive Director, in May about actions that the Georgia Council has taken to strengthen communities. Staff recommend that the Committee also request ideas from previous and current grantees who implemented Project DOCC and/or similar programs, the Transition Medicine Clinic, and PBIS projects to get their input and recommendations for future projects related to this Goal. The Committee asked staff to get input from those grantees, and others who worked with them, including recommendations for future projects. The Committee discussed other possible ideas to address the goal and decided to wait until further information was available before taking any further action.

C. Leadership and Advocacy Training Network

The Committee reviewed Goal 6 and discussed activities to promote leadership and advocacy. Staff noted that since these activities were placed on this list, several new related strategies have been implemented, including: TCDD's involvement in the Self-Advocacy Summit in Chicago; staff facilitation of monthly conference calls and sharing of information via a Yahoo group that includes leadership and advocacy training grantees; the initiation of a contract with Circle of 10 to help grantees increase their revenue; and reviewing the lessons learned through the Outreach and Development grants. Other possible activities have been identified in the State Plan or by staff but have not yet been implemented, such as providing support for organizations holding conferences to have speakers who are self-advocates and/or exploring how social media is being used to help people around the state participate in hearings at the Texas Senate. Committee members noted that social media provides avenues for collaboration and information-sharing that did not previously exist. Staff recommended that the Committee consider removing the Statewide Advocacy Training Network and the Regional Network Development activities from the list of Future Funding Activities, make funds that are currently reserved for those activities available for other activities, and revisit the idea at a later date, after TCDD can review the outcomes of current activities.

MOTION: To remove the Statewide Advocacy Training Network and the Regional Advocacy Training Network development activities from the list of future funding activities and in calculations when estimating projected available funds.

MADE BY: John Morris

SECOND: Andrew Crim

The motion **passed** without opposition; Susan Vardell abstained.

The Committee also expressed the intention to revisit the need for advocacy training networks and/or advocacy networks in the future. The Committee also discussed the

need to support younger, “up and coming” self-advocates to be leaders, and directed staff to develop a project idea to ensure that individuals who would make strong leaders in the future are identified and supported to develop their skills.

9. FUTURE PROJECT FUNDING PRIORITIES

The Committee reviewed and agreed by consensus to remove #3: Statewide Advocacy Training Network and #7: Regional Advocacy Training Network development activities from the Future Funding Activities Priorities list. All other items on the list will remain the same.

ADJOURN

There being no further business, Chair Susan Vardell adjourned the meeting at 3:25 PM.

Roger A. Webb, Secretary to the Council

Date

Outreach and Development Workgroup
Recommendations for “Next Steps”
Feb 3, 2012

During the November 3, 2011, Project Development Committee meeting, Committee members established a workgroup (Gladys Cortez; Andy Crim; John Morris; and Cindy Swain) to recommend how the Council might build on the “lessons learned” from Outreach and Development grantees and to suggest related “Next Steps.”

The workgroup reviewed a summary of related activities conducted by Councils in ten other states, as well as TCDD’s past efforts, ideas, and accomplishments. Workgroup members developed the recommendations below for consideration by members on both Committees. The workgroup also recommends that the existing workgroup continue to work together to plan the implementation of activities, monitor progress, and share information with both Committees; and the workgroup requests the Public Policy Committee appoint at least one member of their Committee to participate in the workgroup.

Those activities marked with * are currently happening to some degree.

1. Increase the participation of individuals from diverse backgrounds in Council activities and take steps to get input from diverse groups of people into the Council’s planning processes, grant projects, policy discussions, and other activities.
 - a. Approach past Outreach and Development grantees to see if they would be willing to work as partners with the Council in any of the following activities:
 - i. Serve as part of a focus group or advisory committee to work with the Council. Activities might include:
 1. *Attend Council meetings occasionally and/or meet with Council members about specific issues;
 2. *Provide feedback to staff and/or the Council on planning activities, projects, policy issues, needs, alternate approaches to meeting needs;
 3. *Provide feedback about Council processes/procedures to eliminate any unnecessary barriers to collaboration; and/or
 4. Provide training to grantees to enable them to conduct outreach and project activities in culturally appropriate ways.
 - ii. Assist the Council to meet and/or partner with other groups or individuals representing groups typically underserved or unserved.
 - iii. Suggest ideas for Council activities.
 - b. Request that state agency representatives who are Council members assist by bringing/sending to Council meetings people from their agency who can provide input representative of groups typically considered underserved or unserved.
 - c. Build partnerships with organizations that work with diverse communities.
2. Develop active processes and/or activities that will help TCDD (members and staff) continue to become more knowledgeable about cultural diversity/cultural competence.

- a. Consider asking Council members to provide feedback (through a brief survey or discussion) after meetings about opportunities that arise during Council meetings that they believe were “teachable moments.” The idea of “teachable moments” can be introduced using a story provided by another Council about a person who took his elderly mother to the polling place in her wheelchair and who failed to make the connection that accessibility is a “disability issue.” Increased participation and more creative thinking could be stimulated by drawing attention to an often overlooked type of diversity (like economic circumstances or age). Survey/discussion questions might include:
 - i. What went well and what needs improvement?
 - ii. What were some transformative moments that anyone experienced as an “aha” during the last three days?
 - iii. What were some teachable moments we let go by (because it was too much trouble, we didn’t want to call someone out, etc.) and wish we had taken advantage of?
 - b. As soon as possible after Council members hear a presentation (such as the ones given in November), Council members should take the opportunity to discuss what was learned and what actions might be taken in response to what was learned, and key points should be written down at that time. Workgroup members would then follow up with a teleconference to determine what follow-up should be done, if any.
 - c. Grantees whose grants are ending could participate in an exit interview of some sort or complete a follow-up survey.
3. Provide support to the groups with whom we work to help them to advocate for themselves and their families as effectively as possible.
 - a. *Make funds available for groups made up of, and/or working with, non-English speakers to ensure that they have important information about services, supports, rights, and other disability issues available to them in their native language.

Background:

The quarterly Grants and Projects Report is enclosed for review by Committee members. TCDD staff may also provide updates to the Committee of notable achievement or items of concern. Items included in this report are:

- TCDD Projects Training Schedule – This calendar of training events planned by TCDD grant projects during the next six months is included as general information for Committee and Council members.
- Grant Project Highlights – The quarterly Grant Project Highlights Report is enclosed for review by Committee members. This report provides highlights of grantee accomplishments for a number of current TCDD funded projects. Different grantees are highlighted each quarter.

**Project Development
Committee**

Agenda Item 5. C.

Expected Action:

No action anticipated; information item only.

Council

Agenda Item 10. A.

Expected Action:

The Council will review discussions on this item. No action is anticipated.

TCDD Projects' Training Schedule

May 2012 – October 2012

May	10	Brighton Center Building Bridges Curriculum: Developing Advocacy Skills Parents Alliance for Learning and Support (PALS) Advocacy Training One For Autism (Class 1 of 4) 265 E. Lullwood (San Antonio) 6:30pm–8:00pm Contact Manny Garcia at (210) 826-4492 Open to Public – Limited to 15 participants Free
	10	Brighton Center Building Bridges Curriculum: Developing Advocacy Skills Parents Alliance for Learning and Support (PALS) Advocacy Training New Braunfels Kids Club (Class 1 of 4) 169 South Hickory (New Braunfels) 6:30pm-8:00pm Contact Dot O'Donnell at (210) 826-4492 Open to Public Free
	11	Brighton Center Parents Alliance for Learning and Support (PALS) Advocacy Training Self Determination Program 265 E. Lullwood (San Antonio) 6:00pm-7:30pm Contact Manny Garcia at (210) 826-4492 Open to Young Adults 15-22 years of age Free
	12	El Paso del Norte Youth Leadership Forum YLF Celebration! Vista del Sol Conference Center (El Paso) 5:00pm-9:00pm Contact Rick Razo at (915) 780-5091 Open to individuals registered as YLF delegates Free
	15	Brighton Center Parents Alliance for Learning and Support (PALS) Advocacy Training ARD Clinic: Special Education 101 Arc of San Antonio 13430 West Ave (San Antonio) 9:00am-11:00am Contact Dot O'Donnell at (210) 826-4492 Open to Public Free

If you are interested in attending any of the events listed,
please contact Cynthia Ellison at 512-437-5436.

May

- 17 **Brighton Center**
Building Bridges Curriculum: Special Education Law
Parents Alliance for Learning and Support (PALS) Advocacy Training
One For Autism (Class 2 of 4)
265 E. Lullwood (San Antonio)
6:30pm–8:00pm
Contact Manny Garcia at (210) 826-4492
Open to Public – Limited to 15 participants
Free
- 17 **Brighton Center**
Building Bridges Curriculum: Developing Advocacy Skills
Parents Alliance for Learning and Support (PALS) Advocacy Training
New Braunfels Kids Club (Class 2 of 4)
169 South Hickory (New Braunfels)
6:30pm-8:00pm
Contact Dot O'Donnell at (210) 826-4492
Open to Public
Free
- 17 **VSA Arts of Texas**
Arts and Disability Discussion Group
3701 Guadalupe St. (Austin)
11:30am-1:00pm
Contact April Sullivan at (512) 323-6626 or april@vsatx.org
Open to the Public – RSVP required
Free
- 24 **Brighton Center**
Building Bridges Curriculum: The Pre-ARD (Effective Communication)
Parents Alliance for Learning and Support (PALS) Advocacy Training
One For Autism (Class 3 of 4)
265 E. Lullwood (San Antonio)
6:30pm–8:00pm
Contact Manny Garcia at (210) 826-4492
Open to Public – Limited to 15 participants
Free
- 24 **Brighton Center**
Building Bridges Curriculum: Developing Advocacy Skills
Parents Alliance for Learning and Support (PALS) Advocacy Training
New Braunfels Kids Club (Class 3 of 4)
169 South Hickory (New Braunfels)
6:30pm-8:00pm
Contact Dot O'Donnell at (210) 826-4492
Open to Public
Free
- 26 **VSA Arts of Texas**
Open Mic Night
3701 Guadalupe St. (Austin)
7:00pm-9:00pm
Contact April Sullivan at (512) 323-6626 or april@vsatx.org
Open to the Public
Free

If you are interested in attending any of the events listed,
please contact Cynthia Ellison at 512-437-5436.

May

31 **Brighton Center**
Building Bridges Curriculum: The Ard Process (Evaluation, IEP, Placement)
Parents Alliance for Learning and Support (PALS) Advocacy Training
One For Autism (Class 4 of 4)
265 E. Lullwood (San Antonio)
6:30pm–8:00pm
Contact Manny Garcia at (210) 826-4492
Open to Public – Limited to 15 participants
Free

31 **Brighton Center**
Building Bridges Curriculum: Developing Advocacy Skills
Parents Alliance for Learning and Support (PALS) Advocacy Training
New Braunfels Kids Club (Class 4 of 4)
169 South Hickory (New Braunfels)
6:30pm-8:00pm
Contact Dot O'Donnell at (210) 826-4492
Open to Public
Free

June

4-14 **VSA Arts of Texas**
Summer Camp 1
3710 Cedar St. Room 101 (Austin)
10:00am-2:00pm
Contact April Sullivan at (512) 323-6626 or april@vsatx.org
Open to the Young Adults with Disabilities age 15 and Older
Cost: \$350

7 **Brighton Center**
Building Bridges Curriculum: Developing Advocacy Skills
Parents Alliance for Learning and Support (PALS) Advocacy Training
One For Autism (Class 1 of 4)
265 E. Lullwood (San Antonio)
6:30pm–8:00pm
Contact Manny Garcia at (210) 826-4492
Open to Public – Limited to 15 participants
Free

7 **Brighton Center**
Building Bridges Curriculum: Developing Advocacy Skills
Parents Alliance for Learning and Support (PALS) Advocacy Training
New Braunfels Kids Club (Class 1 of 4)
169 South Hickory (New Braunfels)
6:30pm-8:00pm
Contact Dot O'Donnell at (210) 826-4492
Open to Public
Free

If you are interested in attending any of the events listed,
please contact Cynthia Ellison at 512-437-5436.

June

- 8** **Brighton Center**
Parents Alliance for Learning and Support (PALS) Advocacy Training
Self Determination Program
Hector Garza Treatment Center
620 East Afton Oaks Blvd. (San Antonio)
4:00pm-6:00pm
Contact Manny Garcia at (210) 826-4492
Closed to Public
Free
- 14** **Brighton Center**
Building Bridges Curriculum: Special Education Law
Parents Alliance for Learning and Support (PALS) Advocacy Training
One For Autism (Class 2 of 4)
265 E. Lullwood (San Antonio)
6:30pm-8:00pm
Contact Manny Garcia at (210) 826-4492
Open to Public – Limited to 15 participants
Free
- 14** **Brighton Center**
Building Bridges Curriculum: Special Education Law
Parents Alliance for Learning and Support (PALS) Advocacy Training
New Braunfels Kids Club (Class 2 of 4)
169 South Hickory (New Braunfels)
6:30pm-8:00pm
Contact Dot O'Donnell at (210) 826-4492
Open to Public
Free
- 18-28** **VSA Arts of Texas**
Summer Camp 2
3710 Cedar St. Room 101 (Austin)
10:00am-2:00pm
Contact April Sullivan at (512) 323-6626 or april@vsatx.org
Open to the Young Adults with Disabilities age 15 and Older
Cost: \$350
- 19** **Brighton Center**
Parents Alliance for Learning and Support (PALS) Advocacy Training
ARD Clinic
Down Syndrome Association
7607 Sommerset Rd. (San Antonio)
6:00pm-8:00pm
Contact Manny Garcia at (210) 826-4492
Open to Public
Free

If you are interested in attending any of the events listed,
please contact Cynthia Ellison at 512-437-5436.

- 21 Brighton Center**
Building Bridges Curriculum: The Pre-ARD (Effective Communication)
Parents Alliance for Learning and Support (PALS) Advocacy Training
One For Autism (Class 3 of 4)
265 E. Lullwood (San Antonio)
6:30pm–8:00pm
Contact Manny Garcia at (210) 826-4492
Open to Public – Limited to 15 participants
Free
- 21 Brighton Center**
Building Bridges Curriculum: The Pre-ARD (Effective Communication)
Parents Alliance for Learning and Support (PALS) Advocacy Training
New Braunfels Kids Club (Class 3 of 4)
169 South Hickory (New Braunfels)
6:30pm-8:00pm
Contact Dot O'Donnell at (210) 826-4492
Open to Public
Free
- 21 VSA Arts of Texas**
Arts and Disability Discussion Group
3701 Guadalupe St. (Austin)
11:30am-1:00pm
Contact April Sullivan at (512) 323-6626 or april@vsatx.org
Open to the Public – RSVP required
Free
- 28 Brighton Center**
Building Bridges Curriculum: The Ard Process (Evaluation, IEP, Placement)
Parents Alliance for Learning and Support (PALS) Advocacy Training
One For Autism (Class 4 of 4)
265 E. Lullwood (San Antonio)
6:30pm–8:00pm
Contact Manny Garcia at (210) 826-4492
Open to Public – Limited to 15 participants
Free
- 28 Brighton Center**
Building Bridges Curriculum: The ARD Process (Evaluation, IEP, Placement)
Parents Alliance for Learning and Support (PALS) Advocacy Training
New Braunfels Kids Club (Class 4 of 4)
169 South Hickory (New Braunfels)
6:30pm-8:00pm
Contact Dot O'Donnell at (210) 826-4492
Open to Public
Free

July

- 5 Brighton Center**
Building Bridges Curriculum: Developing Advocacy Skills
Parents Alliance for Learning and Support (PALS) Advocacy Training
One for Autism (Class 1 of 4)
265 E. Lullwood (San Antonio)
6:30pm-8:00pm
Contact Manny Garcia at (210) 826-4492
Open to Public – Limited to 15 participants
Free
- 5 Brighton Center**
Building Bridges Curriculum: Developing Advocacy Skills
Parents Alliance for Learning and Support (PALS) Advocacy Training
New Braunfels Kids Club (Class 1 of 4)
169 South Hickory (New Braunfels)
6:30pm-8:00pm
Contact Dot O'Donnell at (210) 826-4492
Open to Public
Free
- 9-19 VSA Arts of Texas**
Summer Camp 3
3710 Cedar St. Room 101 (Austin)
10:00am-2:00pm
Contact April Sullivan at (512) 323-6626 or april@vsatx.org
Open to the Young Adults with Disabilities age 15 and Older
Cost: \$350
- 12 Brighton Center**
Building Bridges Curriculum: Special Education Law
Parents Alliance for Learning and Support (PALS) Advocacy Training
One for Autism (Class 2 of 4)
265 E. Lullwood (San Antonio)
6:30pm-8:00pm
Contact Manny Garcia at (210) 826-4492
Open to Public – Limited to 15 participants
Free
- 12 Brighton Center**
Building Bridges Curriculum: Special Education Law
Parents Alliance for Learning and Support (PALS) Advocacy Training
New Braunfels Kids Club (Class 2 of 4)
169 South Hickory (New Braunfels)
6:30pm-8:00pm
Contact Dot O'Donnell at (210) 826-4492
Open to Public
Free
- 19 VSA Arts of Texas**
Arts and Disability Discussion Group
3701 Guadalupe St. (Austin)
11:30am-1:00pm
Contact April Sullivan at (512) 323-6626 or april@vsatx.org
Open to the Public – RSVP required
Free

If you are interested in attending any of the events listed,
please contact Cynthia Ellison at 512-437-5436.

July

- 19 **Brighton Center**
Building Bridges Curriculum: The Pre-ARD (Effective Communication)
Parents Alliance for Learning and Support (PALS) Advocacy Training
One for Autism (Class 3 of 4)
265 E. Lullwood (San Antonio)
6:30pm-8:00pm
Contact Manny Garcia at (210) 826-4492
Open to Public – Limited to 15 participants
Free
- 19 **Brighton Center**
Building Bridges Curriculum: The Pre-ARD (Effective Communication)
Parents Alliance for Learning and Support (PALS) Advocacy Training
New Braunfels Kids Club (Class 3 of 4)
169 South Hickory (New Braunfels)
6:30pm-8:00pm
Contact Dot O'Donnell at (210) 826-4492
Open to Public
Free
- 26 **Brighton Center**
Building Bridges Curriculum: The ARD Process (Evaluation, IEP, Placement)
Parents Alliance for Learning and Support (PALS) Advocacy Training
One for Autism (Class 4 of 4)
265 E. Lullwood (San Antonio)
6:30pm-8:00pm
Contact Manny Garcia at (210) 826-4492
Open to Public – Limited to 15 participants
Free
- 26 **Brighton Center**
Building Bridges Curriculum: The ARD Process (Evaluation, IEP, Placement)
Parents Alliance for Learning and Support (PALS) Advocacy Training
New Braunfels Kids Club (Class 4 of 4)
169 South Hickory (New Braunfels)
6:30pm-8:00pm
Contact Dot O'Donnell at (210) 826-4492
Open to Public
Free
- 2 **Brighton Center**
Building Bridges Curriculum: Developing Advocacy Skills
Parents Alliance for Learning and Support (PALS) Advocacy Training
One for Autism (Class 1 of 4)
265 E. Lullwood (San Antonio)
6:30pm-8:00pm
Contact Manny Garcia at (210) 826-4492
Open to Public – Limited to 15 participants
Free

August

If you are interested in attending any of the events listed,
please contact Cynthia Ellison at 512-437-5436.

August

- 2** **Brighton Center**
Building Bridges Curriculum: Developing Advocacy Skills
Parents Alliance for Learning and Support (PALS) Advocacy Training
New Braunfels Kids Club (Class 1 of 4)
169 South Hickory (New Braunfels)
6:30pm-8:00pm
Contact Dot O'Donnell at (210) 826-4492
Open to Public
Free
- 9** **Brighton Center**
Building Bridges Curriculum: Special Education Law
Parents Alliance for Learning and Support (PALS) Advocacy Training
One for Autism (Class 2 of 4)
265 E. Lullwood (San Antonio)
6:30pm-8:00pm
Contact Manny Garcia at (210) 826-4492
Open to Public – Limited to 15 participants
Free
- 9** **Brighton Center**
Building Bridges Curriculum: Special Education Law
Parents Alliance for Learning and Support (PALS) Advocacy Training
New Braunfels Kids Club (Class 2 of 4)
169 South Hickory (New Braunfels)
6:30pm-8:00pm
Contact Dot O'Donnell at (210) 826-4492
Open to Public
Free
- 16** **VSA Arts of Texas**
Arts and Disability Discussion Group
3701 Guadalupe St. (Austin)
11:30am-1:00pm
Contact April Sullivan at (512) 323-6626 or april@vsatx.org
Open to the Public – RSVP required
Free
- 16** **Brighton Center**
Building Bridges Curriculum: The Pre-ARD (Effective Communication)
Parents Alliance for Learning and Support (PALS) Advocacy Training
One for Autism (Class 3 of 4)
265 E. Lullwood (San Antonio)
6:30pm-8:00pm
Contact Manny Garcia at (210) 826-4492
Open to Public – Limited to 15 participants
Free

If you are interested in attending any of the events listed,
please contact Cynthia Ellison at 512-437-5436.

August

- 16 Brighton Center**
Building Bridges Curriculum: The Pre-ARD (Effective Communication)
Parents Alliance for Learning and Support (PALS) Advocacy Training
New Braunfels Kids Club (Class 3 of 4)
169 South Hickory (New Braunfels)
6:30pm-8:00pm
Contact Dot O'Donnell at (210) 826-4492
Open to Public
Free
- 23 Brighton Center**
Building Bridges Curriculum: The ARD Process (Evaluation, IEP, Placement)
Parents Alliance for Learning and Support (PALS) Advocacy Training
One for Autism (Class 4 of 4)
265 E. Lullwood (San Antonio)
6:30pm-8:00pm
Contact Manny Garcia at (210) 826-4492
Open to Public – Limited to 15 participants
Free
- 23 Brighton Center**
Building Bridges Curriculum: The ARD Process (Evaluation, IEP, Placement)
Parents Alliance for Learning and Support (PALS) Advocacy Training
New Braunfels Kids Club (Class 4 of 4)
169 South Hickory (New Braunfels)
6:30pm-8:00pm
Contact Dot O'Donnell at (210) 826-4492
Open to Public
Free
- 30 Brighton Center**
Building Bridges Curriculum: Developing Advocacy Skills
Parents Alliance for Learning and Support (PALS) Advocacy Training
One for Autism (Class 1 of 4)
265 E. Lullwood (San Antonio)
6:30pm-8:00pm
Contact Manny Garcia at (210) 826-4492
Open to Public – Limited to 15 participants
Free
- 30 Brighton Center**
Building Bridges Curriculum: Developing Advocacy Skills
Parents Alliance for Learning and Support (PALS) Advocacy Training
New Braunfels Kids Club (Class 1 of 4)
169 South Hickory (New Braunfels)
6:30pm-8:00pm
Contact Dot O'Donnell at (210) 826-4492
Open to Public
Free

If you are interested in attending any of the events listed,
please contact Cynthia Ellison at 512-437-5436.

September

- 4** **Brighton Center**
Building Bridges Curriculum: Developing Advocacy Skills
Parents Alliance for Learning and Support (PALS) Advocacy Training
Class 1 of 4
3823 Fortuna CT (San Antonio)
8:30am-10:30am
Contact Dot O'Donnell at (210) 826-4492
Open to Families within the Edgewood School District
Free
- 6** **Brighton Center**
Building Bridges Curriculum: Special Education Law
Parents Alliance for Learning and Support (PALS) Advocacy Training
One for Autism (Class 2 of 4)
265 E. Lullwood (San Antonio)
6:30pm-8:00pm
Contact Manny Garcia at (210) 826-4492
Open to Public – Limited to 15 participants
Free
- 6** **Brighton Center**
Building Bridges Curriculum: Special Education Law
Parents Alliance for Learning and Support (PALS) Advocacy Training
New Braunfels Kids Club (Class 2 of 4)
169 South Hickory (New Braunfels)
6:30pm-8:00pm
Contact Dot O'Donnell at (210) 826-4492
Open to Public
Free
- 11** **Brighton Center**
Building Bridges Curriculum: Special Education Law/504
Parents Alliance for Learning and Support (PALS) Advocacy Training
Class 2 of 4
3823 Fortuna CT (San Antonio)
8:30am-10:30am
Contact Dot O'Donnell at (210) 826-4492
Open to Families within the Edgewood School District
Free
- 13** **Brighton Center**
Building Bridges Curriculum: The Pre-ARD (Effective Communication)
Parents Alliance for Learning and Support (PALS) Advocacy Training
One for Autism (Class 3 of 4)
265 E. Lullwood (San Antonio)
6:30pm-8:00pm
Contact Manny Garcia at (210) 826-4492
Open to Public – Limited to 15 participants
Free

If you are interested in attending any of the events listed,
please contact Cynthia Ellison at 512-437-5436.

September

- 13** **Brighton Center**
Building Bridges Curriculum: The Pre-ARD (Effective Communication)
Parents Alliance for Learning and Support (PALS) Advocacy Training
New Braunfels Kids Club (Class 3 of 4)
169 South Hickory (New Braunfels)
6:30pm-8:00pm
Contact Dot O'Donnell at (210) 826-4492
Open to Public
Free
- 18** **Brighton Center**
Building Bridges Curriculum: The Pre-ARD Process (Effective Communication)
Parents Alliance for Learning and Support (PALS) Advocacy Training
Class 3 of 4
3823 Fortuna CT (San Antonio)
8:30am-10:30am
Contact Dot O'Donnell at (210) 826-4492
Open to Families within the Edgewood School District
Free
- 20** **Brighton Center**
Building Bridges Curriculum: The ARD Process (Evaluation, IEP, Placement)
Parents Alliance for Learning and Support (PALS) Advocacy Training
One for Autism (Class 4 of 4)
265 E. Lullwood (San Antonio)
6:30pm-8:00pm
Contact Manny Garcia at (210) 826-4492
Open to Public – Limited to 15 participants
Free
- 20** **Brighton Center**
Building Bridges Curriculum: The ARD Process (Evaluation, IEP, Placement)
Parents Alliance for Learning and Support (PALS) Advocacy Training
New Braunfels Kids Club (Class 4 of 4)
169 South Hickory (New Braunfels)
6:30pm-8:00pm
Contact Dot O'Donnell at (210) 826-4492
Open to Public
Free
- 20** **VSA Arts of Texas**
Arts and Disability Discussion Group
3701 Guadalupe St. (Austin)
11:30am-1:00pm
Contact April Sullivan at (512) 323-6626 or april@vsatx.org
Open to the Public – RSVP required
Free

If you are interested in attending any of the events listed,
please contact Cynthia Ellison at 512-437-5436.

September

25 Brighton Center
Building Bridges Curriculum: The ARD Process (Evaluation, IEP, Placement)
Parents Alliance for Learning and Support (PALS) Advocacy Training
Class 4 of 4
3823 Fortuna CT (San Antonio)
8:30am-10:30am
Contact Dot O'Donnell at (210) 826-4492
Open to Families within the Edgewood School District
Free

27 Brighton Center
Building Bridges Curriculum: Developing Advocacy Skills
Parents Alliance for Learning and Support (PALS) Advocacy Training
One for Autism (Class 1 of 4)
265 E. Lullwood (San Antonio)
6:30pm-8:00pm
Contact Manny Garcia at (210) 826-4492
Open to Public – Limited to 15 participants
Free

27 Brighton Center
Building Bridges Curriculum: Developing Advocacy Skills
Parents Alliance for Learning and Support (PALS) Advocacy Training
New Braunfels Kids Club (Class 1 of 4)
169 South Hickory (New Braunfels)
6:30pm-8:00pm
Contact Dot O'Donnell at (210) 826-4492
Open to Public
Free

October

4 Brighton Center
Building Bridges Curriculum: Special Education Law
Parents Alliance for Learning and Support (PALS) Advocacy Training
One for Autism (Class 2 of 4)
265 E. Lullwood (San Antonio)
6:30pm-8:00pm
Contact Manny Garcia at (210) 826-4492
Open to Public – Limited to 15 participants
Free

4 Brighton Center
Building Bridges Curriculum: Special Education Law
Parents Alliance for Learning and Support (PALS) Advocacy Training
New Braunfels Kids Club (Class 2 of 4)
169 South Hickory (New Braunfels)
6:30pm-8:00pm
Contact Dot O'Donnell at (210) 826-4492
Open to Public
Free

If you are interested in attending any of the events listed,
please contact Cynthia Ellison at 512-437-5436.

October

- 11 Brighton Center**
Building Bridges Curriculum: The Pre-ARD Process (Effective Communication)
Parents Alliance for Learning and Support (PALS) Advocacy Training
One for Autism (Class 3 of 4)
265 E. Lullwood (San Antonio)
6:30pm-8:00pm
Contact Manny Garcia at (210) 826-4492
Open to Public – Limited to 15 participants
Free
- 11 Brighton Center**
Building Bridges Curriculum: The Pre-ARD (Effective Communication)
Parents Alliance for Learning and Support (PALS) Advocacy Training
New Braunfels Kids Club (Class 3 of 4)
169 South Hickory (New Braunfels)
6:30pm-8:00pm
Contact Dot O'Donnell at (210) 826-4492
Open to Public
Free
- 18 Brighton Center**
Building Bridges Curriculum: The ARD Process (Evaluation, IEP, Placement)
Parents Alliance for Learning and Support (PALS) Advocacy Training
One for Autism (Class 4 of 4)
265 E. Lullwood (San Antonio)
6:30pm-8:00pm
Contact Manny Garcia at (210) 826-4492
Open to Public – Limited to 15 participants
Free
- 18 Brighton Center**
Building Bridges Curriculum: The ARD Process (Evaluation, IEP, Placement)
Parents Alliance for Learning and Support (PALS) Advocacy Training
New Braunfels Kids Club (Class 4 of 4)
169 South Hickory (New Braunfels)
6:30pm-8:00pm
Contact Dot O'Donnell at (210) 826-4492
Open to Public
Free
- 18 VSA Arts of Texas**
Arts and Disability Discussion Group
3701 Guadalupe St. (Austin)
11:30am-1:00pm
Contact April Sullivan at (512) 323-6626 or april@vsatx.org
Open to the Public – RSVP required
Free

If you are interested in attending any of the events listed,
please contact Cynthia Ellison at 512-437-5436.

**TCDD Project Highlights
May 2012**

**Grantee: Community Healthcare
Supported Employment**

Project Title: The Texas Customized Self-Employment
Project Location: Longview, TX

Year: 5 of 5
TCDD Budgeted: \$112,704

RFP Intent: To fund projects that demonstrate innovative activities that will systematically increase employment opportunities for people with developmental disabilities and develop strategies that will make these activities sustainable after grant funding has ended. The project will provide customized self-employment opportunities through training and local collaboration on how to develop and implement an individualized self-employment plan.

Accomplishments:

- A total of 150 individuals have attended one or more of the self-employment trainings;
- To date, 38 individuals were assisted with funds for their business;
- Currently, there are 38 self-owned businesses, 10 of which are beginning this project period; and
- The Texas Customized Self-Employment project has presented at 2 conferences and 8 workshops on self-employment.

Sustainability: One focus of the project has been to obtain sufficient in-kind match through the Potential Business Owner's Business Design Team. The staff has identified some ways to encourage individuals to bring these supports to the trainings and get them involved early in the process, which will help provide the individual with needed support for business longevity and success. The project collaborates with the Department of Assistive and Rehabilitative Services (DARS) and the Department of Aging and Disability Services (DADS).

Products: None

Grantee: Paso del Norte

Expansion of Leadership Development and Advocacy Skills Training

Project Title: Leadership Academy for Families
Project Location: El Paso, TX

Year: 1 of 2
TCDD Budgeted: \$40,000

RFP Intent: The intent of the RFP is to expand the impact of TCDD leadership development and advocacy skills training projects that have been funded through previous RFPs. TCDD intends to continue development of a network of training programs and resources to assist Texans with developmental disabilities and their families to have support and training needed to be strong leaders and advocates.

Accomplishments:

- The project recruited ten graduates of the Leadership Academy for Families to become mentors.
- To date, the project has held 13 trainings for mentors and parents; project holds at least 1-2 trainings per week.
- Mentors have begun some activities such as visiting schools, doctors' offices and meeting with other parents to promote the Leadership Academy training and other trainings.

Sustainability: The Paso del Norte Children's Development Center (PdNCDC) already maintains the Leadership Academy for Families. The mentoring component will be integrated into the advocacy/outreach component for the long term.

Products: None

Background:

The Executive Summary entitled, “Building Community Capacity through Collaboration” is provided in this binder; the Project Development Committee will discuss possible funding of this project as a strategy to meet Goal 5, Objective 2 of the TCDD FY 2012 – 2016 State Plan. This objective reflects the need for communities to develop supports for individuals who need a significant degree of support, and their families, so that admission into an institution might be avoided.

The Executive Summary builds on the concept that communities have their own set of characteristics that make them unique, much like individual people or families do. When individuals and families work with providers to develop an array of services and supports that will help them meet their personal goals, there is no “one size fits all” model; the need for and the availability of unique or atypical supports may be identified in the process of exploring individual goals. Likewise, there is no “one size fits all” model for community service systems; providers and their partners must continually work to discover and develop the resources present in their individual community.

The proposed project would provide support to up to four communities to begin to establish a formal way for community-based organizations and individuals to work together to develop supports for the members of their communities who might have high levels of need.

The Committee will also discuss other ideas related to State Plan Implementation, including;

- the current status of the Outreach and Development grants;
- a possible opportunity to partner with the Hogg Foundation to support pastors to transform their communities; and
- an Executive Summary proposing projects to implement State Plan Goal 6, Objective 2 to promote self-advocacy at conferences through encouraging and providing funding for speakers, including self-advocates.

Project Development Committee

Agenda Item 9.

Expected Action:

The Project Development Committee will review the information provided, provide guidance for next steps, and may recommend proposed new projects to the Council for consideration.

Council

Agenda Item 6.

Expected Action:

The Council will consider recommendations from the Project Development Committee.

Funding Proposal

Building Community Capacity through Collaboration

Background

Texans with developmental disabilities report various barriers to receiving the services and supports they need to fully participate in their communities. Obvious barriers include the inability to pay for needed services and difficulty finding qualified providers. Large numbers of Texans are uninsured and/or living in poverty. The Texas Medical Association reported in 2010 that less than 42 percent of physicians accepted Medicaid. In the mental health arena, although Community Centers typically serve more individuals than the number for which they receive state funding, only a portion of those in need receive services. The Hogg Foundation for Mental Health estimates that in FY10, only 34% of adults with serious, persistent mental illness and 29% of children with severe emotional disturbance received treatment through community mental health services. These are barriers that may be beyond TCDD's ability to significantly impact through grant funding.

Less obvious but still challenging barriers arise from characteristics of the service system that may be more amenable to change. Supporting communities to integrate and coordinate the services and supports available at a local level may address fragmentation of the service system and could lead to identification of additional informal community-based supports and resources. In fact, the state-level Integration of Health and Behavioral Health Services Workgroup, established by the Texas Health and Human Services Commission (HHSC) and comprised of individuals representing various constituencies, found that strategies were needed to encourage integration in both private and public sectors. The workgroup recommended that support be given to providers and healthcare entities integrating their practices, perhaps in recognition that it is unrealistic to assume that providers have the resources to do this while also adapting to the changing expectations of funders and continuing to provide services to their local community.

The diversity of the needs and resources present in local communities makes it difficult for the statewide system to drive integration and coordination of care in local communities. Texas is home to nine counties that are more populous than some states; it is also home to the least populous county in the country - Loving County, population 82 (in 2010). The Houston metropolitan area is now the most ethnically diverse large metropolitan area in the country, and Harris County, where Houston is located, is more populous than at least twenty other states. Four Texas counties are among the 100 counties with the highest median income in the country, and seven Texas counties are in the 100 poorest counties in the country. The HHSC FY 2011-15 Strategic Plan identifies disparities in care among groups of people: "Minority populations are often underserved or served inappropriately...Disparities in care also affect residents of underserved or rural areas." HHSC notes that Texans in rural areas face limited access to affordable health care and to trained health professionals; increased need for geriatric services; prolonged response times for emergency; limited transportation options; and limited economic development.

If the capacity of some communities wasn't already stretched thinly enough, natural disasters, such as Hurricane Ike, wild fires and tornadoes have substantially impacted some local service systems. The HHSC FY 11-15 Plan notes the damage from Hurricane Ike "caused severe strains on community capacity to provide...basic health care, specialty health services, child care, public education, and senior support systems. Hurricane Ike compounded the impacts on individuals with disabilities... Longer-term, these communities may continue to face challenges in areas such as mental health, individual physical health, and a variety of epidemiological hazards."

The TCDD 2012-2016 State Plan noted these needs, identified related opportunities, and listed Council strengths that could be used to support communities to develop their own individualized solutions. The Council noted strengths related to participation by representatives of state agencies and the DD Network partners on the Council; access to information; and the flexibility to fund different strategies and to partner with many and varied organizations. These strengths allow the Council the opportunity to facilitate change in communities by collaborating with community organizations and service providers and to apply knowledge from, and build on, past successes.

TCDD's related successes include: providing funding for a group of collaborators to establish EveryChild, Inc., as its own entity focused on preventing institutionalization of children; supporting the expansion of the Baylor College of Medicine Transition Clinic to meet the needs of the local community; developing multiple Project DOCC sites tailored and/or adapted to the communities in which they were located; and participating in the Texas Integrated Funding Initiative, which established Systems of Care communities in areas around the state. TCCD has shown that collaboration between self-advocates, families, providers, and other non-traditional partners can positively impact communities in lasting ways.

Organizations and individuals in some communities around Texas have already developed collaborative initiatives, successfully tapping into the existing strengths of their community, and are working on shared goals. The following are examples of existing community collaborations that reflect the type of collaboration that might be developed through this project:

- The Community Action Network: A partnership of Central Texas agencies, organizations and individuals who work together to achieve sustainable social, health, educational and economic outcomes through engaging the community.
- The East Texas Behavioral Healthcare Network: A network comprised of 11 community mental health and IDD centers that cover 70 Counties in Texas. The network was established in 1998 as a response to the unique challenges that these organizations face in delivering care effectively and efficiently to consumers living in the region. The network has been effective in developing economies of scale, assisting with quality of services, and delivering training initiatives for the member centers since the inception of the program.
- The Intellectual and Developmental Disabilities Needs Council of Tarrant County: A collaboration of public and private agencies, as well as individuals who have IDD and their caregivers. The organization works to revolutionize the service delivery system in Tarrant County, Texas, for people with IDD and their families. Its members develop plans for long-term changes in the system while addressing key issues and providing immediate solutions where possible.

- Texas Integrated Funding Initiative Communities: Local Systems of Care that meet the needs of children and youth with serious mental health needs and their families. Families and youth work in partnership with public and private organizations so services and supports are effective, build on the strengths of individuals, and address each person's cultural and linguistic needs.

TCDD has the resources to fund and provide technical assistance to local communities that are interested in developing and/or strengthening collaborative efforts such as these “networks.” Additionally, TCDD can ensure that networks established through TCDD funding reflect TCDD’s values and philosophy, and address the issues identified in Goal 5 of TCDD’s State Plan.

State Plan Goal

Goal 5: Demonstrate how to prevent unnecessary admissions to State Supported Living Centers (SSLC) by supporting community organizations in at least 1 HHS Region to increase their capacity to provide community-based services that support people with developmental disabilities to improve and maintain their health and to have access as needed to necessary healthcare, behavior supports, and/or respite, by 9/30/2016.

Objective 2: Provide funding to enable at least 10 organizations working in the target region(s) to implement plans that will increase their capacity to provide healthcare services, behavior supports, and/or respite to support people with developmental disabilities living in the community by 9/30/2016.

Expected Outcome(s)

- Four communities will establish or strengthen a community support network of diverse organizations and individuals collaborate to increase their community’s capacity to provide culturally appropriate, person-centered or family-centered healthcare services (including both physical and mental health), behavior supports, and/or respite to community members who have developmental disabilities and their families.
- Four community support networks will support people with developmental disabilities and their families to take leadership or other active roles in creating change in their communities.
- Four community support networks will ensure that individuals and organizations involved in creating change in their communities reflect the diversity of that community.
- Four community support networks will each develop a strategic plan and identify resources necessary to build the capacity of their community to provide culturally appropriate, person-centered or family-centered healthcare services (including both physical and mental health), behavior supports, and/or respite to community members who have developmental disabilities and their families.

Project Description

Phase 1

Award up to 4 grant(s) to support a group of organizations/individuals in a certain geographic community to:

- (1) Establish and/or strengthen a network of appropriately diverse organizations and individuals who are committed to developing and supporting inclusive communities; and
- (2) Develop a strategic plan and identify resources needed to build the capacity of the community to provide high quality, community-based, person-centered and/or family-centered healthcare services, behavior supports, and/or respite to support people with developmental disabilities.

The recipient of each grant will be the community organization responsible for identifying and seeking the commitment of organizations and individuals in the community; convening an appropriately diverse network that includes self-advocates and family members; facilitating the network to assess the strengths and needs of the community; ensuring the development of a strategic plan and identification of resources needed to implement the plan; and complying with TCDD's grant monitoring and reporting processes. Other organizations or individuals participating in the network will be responsible for participating actively in the process; contributing resources (including in-kind) to the process as they are able; and ensuring that the strategic plan builds on the strengths/assets that exist in their community to address the identified needs.

TCDD expects that the network members will include self-advocates, family members, behavior analysts, providers, local authorities, local colleges or universities, and/or local medical providers.

Phase 1 funds may be used for staff to coordinate the process; consultant services; materials needed to conduct outreach; training and technical assistance; a community survey; travel; and/or other activities or items necessary to support the development of the network and the plan.

Phase 1 may take no longer than 18 months, but may be completed sooner.

At the completion of Phase 1, the network is responsible to complete and submit the strategic plan describing the communities targeted issue(s) and planned approach as noted above. Each network will have the opportunity to request additional funding from TCDD to implement their plan when the strategic plan is submitted. Implementation of the plans is Phase 2.

Phase 2

TCDD will review plans completed by the recipients of Phase 1 grants and applications for grant support to implement that plan and may award funds for all or part of the strategic plans presented. The recipient(s) of each Phase 2 grant will be the organization responsible for the implementation of the plan and compliance with TCDD's grant monitoring and reporting processes. Only one organization from each network developed through Phase 1 may apply for the funds to implement the plan. The network members should select the organization that will apply for Phase 2 funding.

In the application for funding for Phase 2, the network would be required to include information from the community assessment to support their strategic plan. The proposed plan must address:

- (1) How the plan's relates to Goal 5 of the TCDD FY 2012-2016 State Plan;
- (2) How the change achieved through the plan will either be sustained beyond the funding period or will result in permanent systems change;
- (3) How specific public policy implications will be identified, and if they will be addressed, the strategy to be used;
- (4) How people with developmental disabilities and people who are members of groups who are identified as being underserved or unserved were involved in the planning process; and
- (5) How people with developmental disabilities and people who are members of groups who are identified as being underserved or unserved will be involved in meaningful ways in the implementation of the plan.

Phase 3

TCDD will discuss the information and understanding gained through the process and determine how to use the information to inform future activities and/or public policy recommendations.

Proposed Funding Amount

Phase 1: Up to \$75,000 per grant, for up to four (4) grants.

Phase 2: Exact amount to be determined. For planning purposes, up to \$150,000 per grant, per year, for up to four (4) grants, would be reserved.

Phase 3: Funding to be determined.

Proposed Duration

Phase 1: Up to 18 months.

Phase 2: Up to 5 years, depending on plans submitted for funding.

Phase 3: Duration to be determined.

Other Considerations

Priority would be given to projects that propose to address identified disparities in access and/or quality of services.

Funding Proposal Executive Summary Promotion of Self-Advocacy at Texas Conferences

Background

TCDD stipends assist more than 500 individuals with developmental disabilities and/or their family members to attend various conferences and seminars each year. Additionally, TCDD occasionally receives requests from other organizations to provide financial assistance for or to “co- sponsor” conferences. Although TCDD has funded, hosted, and/or contributed to the support of various types of conferences, the Council rarely provides financial support to bring in individual speakers or panels.

Currently, the types of support that TCDD staff provide to organizations holding conferences include:

- Providing handout materials (such as the People First Language Materials);
- Disseminating promotional information about conferences via media releases and materials;
- Presenting at the conference when possible; and
- Registering and staffing an exhibit table or booth at events.

One impact of current financial times is that it is increasingly difficult for organizations holding conferences that benefit people with developmental disabilities to have the financial ability to pay speaker fees and at times, even to reimburse their travel expenses. Unfortunately, this means both that fewer Texans have the opportunity to hear from and meet nationally known speakers, and that individuals who do not have disposable income are unable to present or serve on panels at conferences if it would require travel and/or an overnight stay. This situation creates the opportunity for TCDD to promote an increased understanding of the importance of self-advocacy, self-determination, and full inclusion by offering financial assistance for organizations who wish to contract with speakers who are experts in these topics or in related topics that are consistent with TCDD’s philosophy.

Three different mechanisms could be used to facilitate these outcomes:

1. Supporting self-advocates to serve as speakers at in-state conferences;
2. Sponsoring plenary speakers at in-state conferences; and/or
3. Sponsoring concurrent sessions or “tracks” at in-state conferences.

Council Procedures, as noted below, currently allow: the Executive Director to approve stipends for financial assistance for individuals attending a conference; the Executive Director and Chair to jointly approve “non-financial sponsorship” of conferences; and the Executive Committee to approve financial sponsorships.

Council Procedure #4: TCDD Co-Sponsorship of Conferences

Financial Sponsorship. *If financial sponsorship is requested, the Executive Committee will review each request individually and can take various actions, including disapproval;*

approval of sponsorship for a specific function such as a speaker, stipends, etc.; or approval of other types of support as appropriate

Non-Financial Sponsorship. *If Non-financial sponsorship is requested, the Executive Director and the Council Chair will make a decision based upon the program's consistency with the Council's philosophies.*

-Approved by the Council February 7, 1997

The DD Act Amendments of 2000 **require** Councils to include a goal and/or an objective in their State Plans to “support opportunities for individuals with developmental disabilities who are considered leaders to provide leadership training to individuals with developmental disabilities.” Currently, TCDD addresses this requirement through peer to peer advocacy training projects. However, the TCDD FY 2012-2016 State Plan includes an activity to promote self-advocates as speakers.

TCDD staff propose developing a grant project to increase the number of Texas conference speakers, mentors, or facilitators who are self-advocates; and propose developing a process through which TCDD can sponsor plenary session speakers and/or concurrent session presentations or “tracks” that are related to advancing self-advocacy, self-determination or inclusion. Such opportunities can promote the Council’s vision and values and can further self-advocacy efforts in Texas.

State Plan Goal(s)

Goal 6: Work with others to double the number of identified leadership development and advocacy training programs that are able to provide culturally appropriate training for people with developmental disabilities without ongoing grant funding from TCDD, by 9/30/2016.

Objective 2: *Each year of the plan, support opportunities for individuals with developmental disabilities who are considered leaders to provide leadership training to individuals with developmental disabilities who may become leaders.*

Activity 1: Each year provide opportunities for groups organizing disability-related conferences to apply for stipends to support speakers, mentors, or facilitators who have developmental disabilities and who have a philosophy consistent with that of TCDD.

Expected Outcome

1. TCDD would sponsor at least 50 different self-advocates who have diverse backgrounds to speak and/or serve as a mentors or facilitators at in-state conferences by 9/30/2016.
2. TCDD would sponsor at least 20 general or concurrent session speakers at conferences by 9/30/2016.

Project Description

1. **Support for Self Advocates as Speakers:** TCDD would develop a Request for Proposals (RFP) for an organization to provide administrative support, outreach and promotion for this activity. The selected grantee will:

- Use a range of communication strategies that are culturally appropriate for multiple different cultures to locate, evaluate, and promote self-advocates who are public speakers and/or facilitators;
 - Advertise and promote self-advocates as speakers and provide information, using a range of culturally appropriate communication strategies, about how organizations hosting conferences may apply for financial support for self-advocates to serve as speakers;
 - Review and evaluate applications from organizations hosting conferences for support of self-advocates to present, and provide information to TCDD for final review and approval;
 - Ensure that:
 - Any one speaker is be supported by TCDD funds more than 3x per year in the first year of the grant and 2x per year each year after that.
 - Presenters show evidence that they have presented previously at a reasonably similar event and provide references.
 - No more than 5 self advocate presenters or panelists, and not more than 20% of the total number of presenters or panelists, are supported per conference.
 - No organization would be eligible for support for speakers for more than 1 conference yearly. Conferences could also apply for a stipend grant to assist attendees.
 - Awards do not exceed \$7500 per event, and conference hosts provide a 10% match.
 - Reach out to existing Speakers' Bureaus to promote inclusion of self-advocates in their pools of speakers.
 - Disburse funds; and
 - Provide quarterly reports to TCDD.
2. **Sponsorship of Plenary Speakers:** TCDD staff would develop a process through which organizations could apply for TCDD sponsorship of a plenary session speaker. The proposed process will be reviewed by the Executive Committee with final approval by the Council as appropriate. The process would outline application requirements, guidelines by which applications would be evaluated, limitations on funding amounts, expectations and responsibilities of the applicant organization, and a recommended review and approval procedure. Staff propose that Plenary Speaker sponsorship requests would be approved jointly by the Council Chair and the Executive Director.
 3. **Sponsorship of concurrent session speakers or "tracks":** TCDD staff would develop a process through which organizations could apply for TCDD sponsorship of concurrent session speakers or tracks. The proposed process would be reviewed by the Executive Committee with final approval by the Council as appropriate. The process would outline application requirements, guidelines by which applications would be evaluated, limitations on funding amounts, expectations and responsibilities of the applicant organization, and a recommended review and approval procedure. Propose approval jointly by Council Chair and Executive Director. *This would likely be a very staff intensive process, which must be taken into consideration.*

Proposed Funding Amount

Support for Self Advocates as Speakers: Up to \$125,000 award (that amount would include up to \$75,000 per year for direct support of speakers).

Sponsorship of Plenary Speakers: Up to \$75,000 available for all speaker supports in this category, per year; up to \$7500 per event, for up to one event per year per organization. This is consistent with the current stipends policies.

Sponsorship of concurrent session speakers or “track”: Up to \$75,000 available for all stipends in this category, per year; up to \$7500 per event; and not more than 5 sessions per event.

Proposed Duration

Support for Self Advocates as Speakers: Up to four years.

Sponsorship of Plenary Speakers: To be determined from review after first year; quarterly reports to Executive Committee and Council.

Sponsorship of concurrent session speakers or “track”: To be determined from review after first year; quarterly reports to Executive Committee and Council.

Other Considerations

Related projects that might be considered include working with an organization, or organizations, that provide training to help people to develop presenting skills, to enable them to include and supports self-advocates to participate fully in their trainings.

Future Funding Priorities

Tab 13

Background:

This chart includes all projects that have previously been approved by the Council but have not yet been initiated. The Project Development Committee reviews the Priority List each quarter, adds new projects recommended for approval by the Council, and may revise the priority order as the Committee determines is appropriate.

Project Development Committee

Agenda Item 10.

Expected Action:

The Committee will review possible future funding activities and determine the priority order for any new projects recommended for funding.

Council

Agenda Item 6. E.

Expected Action:

The Council will consider recommendations from the Project Development Committee.

TCDD Future Funding Activities Priority List

As of
February 9, 2012

#	Organization/Activity	Possible Projects	Funding "Up To"	Council Approved	Expected RFP Post	Expected Start	Expected End
1.	ENABLING TECHNOLOGY: (tech supporting independence) up to 3 yrs with possible 2 additional yrs	2 approved	\$750,000 collectively /yr	05/06/11	05/27/11	Feb – Apr '12	Feb – Apr '16
2.	PROJECT SEARCH up to 5 yrs	1	\$175,000 /yr	11/03/11	4/27/2012	9/4/2012	8/31/2017
3.	LEADERSHIP & ADVOCACY NEXT STEPS: New Leadership and Advocacy via RFP up to 3 yrs	7 approved	\$75,000/yr ea	05/06/11	05/27/11	12/01/11	11/30/14
4.	OUTREACH CONSULTANT – ON GOING	1	\$500,000/yr/2 yrs	05/14/04	FINAL	FINAL	FINAL
	Gulf Coast of Texas African American Family Support Conf up to 3 yrs	1	\$35,000 yrs 1-2; \$15,000 yr 3	11/03/11	01/13/12	06/01/12	05/31/15
	Inclusive Faith Based Symposium – re post up to 3 yrs	4	\$75,000/yr	11/13/09	05/20/11	01/01/12	11/30/15
	GRANTS (minority communities collaborations) up to 1 yr 5 - Outreach and Development Projects awarded thru 7/12	10	\$10,000/yr ea	05/14/04	07/02/10	12/31/10	1 yr max
5.	HEALTH AND FITNESS up to 5 yrs	3 approved	\$250,000/yr ea	05/06/11	06/03/11	01/01/12	12/31/17
6.	TRANSPORTATION up to 5 yrs	1	\$400,000/yr	11/03/11	6/29/2012	12/3/2012	11/30/2017
7.	FUNDERS ROUNDTABLE: (TCDD staff participation)	1	No Funding	11/03/10	N/A	01/01/11	TBD

LEGEND: Open RFP or proposal received are under review at time of printing.

Proposals have been approved, awarded or are in the process of beginning since last Council meeting.

note: /yr = available each year of project; (\$) = amount approved 1st year; * = limited to statewide network members; (4) designate the count of mini-grants approved.

Background:

Minutes of the February 9, 2012, Public Policy Committee meeting are included for your review.

Public Policy Committee

Agenda Item 3.

Expected Action:

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

**PUBLIC POLICY COMMITTEE MEETING
DRAFT MINUTES
FEBRUARY 9, 2012**

COMMITTEE MEMBERS PRESENT

Joe Rivas, Chair	Mary Faithfull, DRT	Sara Kendall, DARS
Kristen Cox, Vice Chair	Sandy Graham, CDS - UT	Amy Sharp, CDD TX A&M
Hunter Adkins	Cindy Johnston	Lora Taylor
Kevin Estes, HHSC	Jeff Kaufmann, DADS	Rick Tisch

COUNCIL MEMBERS PRESENT

John Morris	Gladys Cortez
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COMMITTEE MEMBERS ABSENT

Mateo Delgado

STAFF MEMBERS PRESENT

Belinda Carlton	Melissa Loe	Roger Webb
Joanna Cordry	Jessica Ramos	
Cassie Fisher	Melissa Rosser	

GUESTS

Amanda Dunnavant	Ileene Robinson
Leticia Finely	Charlene Seawright

CALL TO ORDER

The Public Policy Committee convened on Thursday, February 9, 2012, in the Limestone Room of the Austin Marriott South; Austin, TX 78701. Committee Chair Joe Rivas called those present to order at 1:27 PM.

1. INTRODUCTION

Committee members, staff, and guests were introduced.

2. PUBLIC COMMENTS

Charlene Seawright stated that she wished to learn who establishes policy in the Public Policy Committee.

Craig Spradling, founder of Parking Mobility, commented that many of the problems associated with accessible parking are due to a lack of public awareness. If members of the public were aware of the critical need for accessible parking, then they would not violate parking regulations.

3. CONSIDERATION OF NOVEMBER 3, 2011, MINUTES

The Committee reviewed the minutes from the November 3, 2011, Public Policy Committee meeting.

MOTION: To approve the minutes of the November 3, 2011, Public Policy Committee meetings as presented.

MADE BY: Lora Taylor

SECOND: Hunter Atkins

The motion **passed**, with an abstention by Amy Sharp.

4. CHAIR'S REMARKS

Public Policy Chair Joe Rivas announced that Kristen Cox was selected as Vice Chair of the Public Policy Committee, effective immediately.

5. MEMBER UPDATES

Gladys Alonzo gave an update about the activities of a workgroup established to develop recommendations for "Next Steps" to Promote Outreach and Development. Kristen Cox volunteered to join the workgroup, which will conduct meetings via teleconference.

6. PUBLIC POLICY ISSUES

A. State Policy Issues

Public Policy Specialist Belinda Carlton gave the committee an update on a Position Statement that was drafted and adopted by a group of mental health advocates from 45 different organizations on the "Mental Health Prevention & Early Intervention: A Framework for Action." The statement includes goal statements, guiding principles, and an elevator speech to deliver to policymakers.

Public Policy Director Jessica Ramos provided a briefing on the Medicaid 1115 Waiver. The Texas Health and Human Services Commission (HHSC) recently received approval for a new managed care waiver that includes hospitals and will be developing another waiver that will include long-term care. A joint legislative committee on Oversight of the Medicaid Reform Waiver was appointed and will be meeting on February 29, 2012. Staff will keep the committee apprised of the committee's progress and findings. No formal proposals are expected until the summer of 2012.

Director Ramos provided an update on the My Medicaid Matters (MMM) coalition, which is comprised of more than 60 stakeholder organizations. The purpose of MMM is to provide a unified voice to inform policymakers and the public about the benefits of Medicaid and what could happen to Texans if Medicaid funding were reduced or eliminated. Although the organization was somewhat active during the 82nd Legislative Session, it is expected to be more organized and involved during the 83rd session of the Texas Legislature.

Public Policy Director Jessica Ramos updated the committee on the implementation of the cost containment measure that required certain waiver services to be reduced to the 90th Percentile. Individuals whose services were proposed to be cut had the opportunity to request an exception to the reduction. In the Home and Community Based Services (HCS) waiver program, 99 percent of individuals who requested an exception received it. One hundred percent of those who requested an exception in the Community Living Assistance and Support Services (CLASS) program received the exception. The Department of Aging and Disability Services (DADS) will contact the individuals who voluntarily accepted service reductions to ensure that they received the proper information about the cost containment measures.

B. Update on State Supported Living Center Monitoring Activities

The Committee received a briefing from Public Policy Assistant Melissa Rosser on the efforts of the Department of Aging and Disability Services (DADS) to comply with the U.S. Department of Justice Settlement Agreement (SA) regarding state supported living centers (SSLCs). Overall, there was not significant improvement in the facilities' compliance with the SA. On average, the facilities improved compliance by two percent. Richmond SSLC improved compliance by seven percent, the greatest increase of any SSLC reviewed this quarter.

C. Federal Policy Issues

The Committee discussed specific federal policy issues currently under consideration by the US Congress, including federal appropriations, federal efforts to hire individuals with disabilities, and manufactured housing access.

Jessica Ramos informed the committee that the federal budget has not yet been adopted, so the funding for DD Councils is not yet known. Currently TCDD and other councils are operating at fiscal year 2011 levels, with a reduction of .89 percent.

In January 2012, the Obama Administration determined that the federal CLASS Act could not be implemented in its current form. As a result, legislation has been filed in the U.S. House of Representatives to repeal the CLASS Act. The U.S. Senate is not expected to follow suit and a coalition is forming for the purpose of addressing the issues identified with the implementation of the law in order to make needed changes.

The U.S. Department of Labor is proposing a new goal for federal contractors and subcontractors to hire persons with disabilities at a rate of seven percent of their workforces. TCDD submitted comments on the proposed rule to the National Association of Councils on Developmental Disabilities (NACDD), which submitted input on behalf of all DD Councils.

Public Policy Specialist Belinda Carlton reported that the U.S. Department of Housing and Urban Development approved recommendations to increase the width of doorway and hallways standards in manufactured housing on January 18, 2012.

7. PUBLIC INFORMATION REPORT

Communication Coordinator Melissa Loe reported to the Committee about staff public information and outreach activities. Since the Council directed staff to create awareness and build connections, TCDD staff is collaborating with other groups, led by DADS, to plan to celebrate October as Disability History and Awareness Month. The group of agencies organizing activities is meeting regularly to more strategically plan this year's observance. Staff recently updated the People First Language handout, which is the most requested material. The format of the handout was changed, and the Spanish language content was combined into one handout to do more Spanish language outreach. TCDD staff also developed a new handout about Becoming A Council Member. The Annual Report is being drafted and will highlight the accomplishments of TCDD and grant projects. TCDD's Facebook fans and Twitter followers continue to grow steadily, enabling TCDD to connect with new people and organizations. Loe also updated the committee on TCDD website visitors.

8. TCDD 2012 BIENNIAL DISABILITY REPORT UPDATE

Public Policy Specialist Cassie Fisher provided an update to the committee on the 2012 Biennial Report. Fisher reviewed the project timeline for the report and also informed council members that staff have received and reviewed bids for a technical writer. The interview process will take place the week after the Council meeting. Staff already have collected data from the Department of Assistive and Rehabilitative Services and will also collect data from DADS and the Texas Education Agency.

9. REVIEW OF POSITION STATEMENTS

Cassie Fisher led a discussion on Council position statements regarding the following issues: Transportation, Children & Families, Right to Privacy and Emergency Preparedness. The committee reviewed proposed changes from Council members and staff made prior to the committee meeting and proposed additional changes for the consideration of the Council.

MOTION: To approve all proposed changes and present revised position statements to the Council.

MADE BY: Amy Sharp

SECOND: Kristen Cox

The motion **passed** unanimously.

10. FUTURE PROJECTS/ STATE PLAN IMPLEMENTATION

Communications Coordinator Melissa Loe led a discussion on the new State Plan objective on Public Awareness Activities. Goal Three of the State Plan calls for the Council to conduct two ongoing educational activities in collaboration with other organizations and businesses to provide culturally responsive services for people with disabilities. The Committee discussed several options for public information activities and asked staff to further research public awareness on accessible parking.

MOTION: To gather more information regarding the topic of accessible parking for Goal Three of the State Plan and have staff report in May 2012 on public information efforts that are already occurring and/or if there are any planned.

MADE BY: Kristen Cox

SECOND: Lora Taylor

The motion **passed**, with Amy Sharp voting no.

11. ADJOURN

There being no further business, Rivas adjourned the meeting at 4:40 PM.

Roger A. Webb
Secretary to the Council

Date



Children and Families

Position Statement

All children belong in families that provide love, caring, nurturing, bonding and a sense of belonging and permanence that best enables them to grow, develop and thrive. Children with disabilities are no different from other children in their need for the unique benefits that come only from growing up in a permanent family relationship. All children benefit and are enriched by being part of an inclusive environment that promotes physical, social, and intellectual well-being and leads to independence and self-determination.

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

The Texas Council for Developmental Disabilities supports the position that:

- All children can and should live in a family. All children need a family to best grow, develop and thrive. All children deserve the love, nurturing and permanency that are unique to family life.
- Families come from many cultures and are multidimensional. No matter its composition or cultural background, a family offers a child a home and a lifelong commitment to love, belonging and permanency. Parents with disabilities are capable of and do provide loving families and homes to children.
- Families, including parents with disabilities, should have available the level of supports and services needed to keep children with disabilities in their own homes. Family support services should include, but are not limited to, respite care, provision of rehabilitation and assistive technologies, personal assistant services, parent training and counseling, vehicular and home modifications, and assistance with extraordinary expenses associated with disabilities. In addition, since the vast majority (over 85%) of individuals with disabilities reside with families in their own households, families of children with disabilities need access to appropriate child care and to before- and after-school programs. Child care for children with disabilities should be affordable, safe, appropriate and in the most integrated setting.
- Providers of family support services must have education and training that will prepare them to work with people with disabilities in inclusive settings to achieve this goal.
- To be effective and beneficial, supports and services must be easy to access, family-driven, individualized, flexible to changing needs and circumstances, culturally sensitive and based on functional needs rather than categorical labels.

(Continued)

- ❑ When children cannot remain in their own families, for whatever reason, they still deserve to live and grow up in a family. The first priority should be to reunite the family through the infusion of services and supports. When that is not possible and the family can remain actively involved in the child's life, the natural family should be a key participant in selecting an alternate family situation for their child, including foster families, co-parenting and adoption.
- ❑ When families cannot be actively involved in their children's lives, permanency planning must occur to allow each child to live in a family.
- ❑ School districts and health and human services agencies are integral sources of information and training for parents. Coordination among school districts and outside agencies is critical to provide parents with accurate, timely information regarding services and eligibility requirements.
- ❑ The state Child Protective Services system is essential to guarantee that all children are safe from abuse and neglect. Support of the families of children with disabilities from this system is critical to make sure children remain in a safe, family environment and are not unnecessarily removed from families due to the absence of necessary services and supports.

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

The Council supports the position that the State of Texas should adopt a public policy statement recognizing the value of families in children's lives and develop programs, policies and funding mechanisms that allow all children to live and grow up in a family.

Reviewed February 09, 2012



Emergency Preparedness Position Statement

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

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

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

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



Right to Privacy Position Statement

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

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

- ❑ Individuals, government entities, nonprofit organizations, and businesses have a shared responsibility for the secure use of personal information.
- ❑ Prior to the collection and dissemination of personal and identifiable information, each individual should be advised of:
 - the specifics of personal information to be collected and/or released;
 - the entity which is collecting the information and the entity to which the information will be released;
 - the purpose for which the information is to be collected and/or released;
 - the individual's legal rights to privacy and confidentiality of personal 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 avenues of recourse to recover damages in the case of improper use and/or disclosure of personal information; and

(Continued)

- the degree of risk that personal information may be inadvertently collected by other entities through the electronic transmission processes.

- ❑ Those who obtain, possess or retain personal information should make efforts to ensure that such personal information is not inadvertently shared, obtained, or collected by unauthorized parties through the process of electronic data transmission.

- ❑ Directories of an individual's personal information which may include personal identity; social security number; religious, political or organizational affiliations; employment; educational, medical, psychiatric, psychological, financial, and legal history; and family status should be used only as originally allowed by the individual.

Reviewed February 9, 2012



Public Transportation Systems Position Statement

Within our society, freedom of movement is a fundamental right; however, it remains a largely unfulfilled promise for citizens with disabilities. Transportation is essential to any effort to enable all citizens to live as independently as they choose, to engage in productive self-sustaining activity, to participate in all facets of community life, and to be fully integrated in their communities. A transportation system should be a seamlessly connected network with a pedestrian infrastructure linked to all modes of public transportation including taxi services, bus, light rail, trains and airplanes as well as cars and bicycles. A public transportation system must meet the needs of citizens in an accessible and affordable manner.

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

- seamlessly coordinated at state, federal and local levels among all modes of transportation;
- expanded 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.; and
- be fully accessible to all people with disabilities

The Council advocates for people with disabilities to be actively represented on boards and advisory groups for both public and private entities that oversee or provide transportation services.

The Council will continue to work collaboratively with partners such as agencies representing seniors, people with disabilities and low income families, who share transportation concerns, to continue to seek solutions now and in the future.

Reviewed February 09, 2012

Background:

Staff will provide updates on the following policy areas of interest:

A. State Policy Issues

Staff will provide an update of recent public policy activities, including the implementation of legislation and the budget adopted by the 82nd Legislature.

Discussion topics include:

- Interim Charges
- Legislative Committee Hearings Update
- STAR Health for Waiver Consumers in Medicaid Rural Service Areas
- CPC Letters on Pharmacy and Dental Carve-In

B. Update on State Supported Living Center Monitoring Activities

The Committee will receive an update on recent Department of Justice monitoring team reports of State Supported Living Centers. Staff will also discuss with the Committee recent advocacy efforts and discussions in response to those reports. A summary of the monitoring reports and information on job fill rates and turnover rates for direct service workers is provided.

C. Update on Federal Policy Issues

TCDD Public Policy staff will provide an overview of the status and implementation of various federal legislative initiatives that impact people with developmental disabilities. Additional information is provided in meeting materials.

Discussion topics include:

- Federal Budget
- Update Regarding U.S. Department of Labor Hiring Goal
- Workforce Incentive Planning and Assistance (WIPA) – Social Security Work Incentive Projects Funding Cut

Public Policy Committee

Agenda Item 7.

Expected Action:

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

Council

Agenda Item 11. A.

Expected Action:

The Council will receive a report from the Public Policy Committee and consider any recommendations offered from the Committee.

House and Senate Charges Released

Key Interim Study Charges for the Texas Legislature

The Texas Legislature meets every two years. In the year between, the Lt. Governor and Speaker of the House appoint interim committees to study important issues. These interim committees hold hearings and take public testimony. Their findings will affect actions taken during the Regular Session of the 83rd Texas Legislature which begins Jan. 8, 2013.

Key interim charges for the House and Senate that could have an impact on people with disabilities follow. Individuals who wish to provide input on any of these issues can submit written comments directly to the committee involved or attend committee hearings.*

Key House Interim Charges Include:

All House Committees

All Substantive House Committees must find ways to increase transparency, accountability and efficiency in state government.

House Committee on Appropriations

- Monitor the implementation of cost-savings initiatives in health and human services programs directed by HB 1 (82R) and SB 7 (82S1), including the expansion of Medicaid managed care. Study the impact of changes in hospital reimbursement methodology, including implementation of a statewide Standard Dollar Amount and the Texas Healthcare Transformation and Quality Improvement Program Medicaid 1115 waiver.
- Study existing financing mechanisms and delivery methods for long-term services and supports in the Texas Medicaid program. Consider best practices, expansion of consumer-directed models, and successful programs in other states. Make recommendations to simplify and streamline existing programs and to provide services in a more cost-effective manner to a greater number of eligible individuals while ensuring an appropriate level of services for those with significant needs.
- Assess the current infrastructure and funding mechanisms for mental health services in both rural and urban areas throughout the state. Study innovative local programs that could be expanded, as well as successful delivery and financial models in other states. Make recommendations to expand access and improve services through increased efficiency, competition and transparency.
- Examine strategies to maximize state funding for programs designed to prevent and end homelessness, with an emphasis on programs that have demonstrated a successful coordination of state and local resources. *(Joint with the House Committee on Urban Affairs)*
- Evaluate the funding, performance, and administration of the state's adult basic education programs. *(Joint with the House Committee on Higher Education)*

House Committee on Corrections

- Study ways to reduce the number of youth referred to the juvenile justice system. Consider the availability of mental health services, diversion and early intervention programs, and other prevention methods.

House Committee on Government Efficiency & Reform

- Examine areas of potential privatization of state services in an effort to achieve a higher level of service and greater efficiency for Texas taxpayers. *(Joint with the House Committee on State Affairs)*

House Committee on Higher Education

- Evaluate proposals for the state's next master plan for higher education beyond 2015, including a review of various metrics to measure successful outcomes in higher education.

House Committee on Human Services

- Monitor the implementation of Foster Care Redesign. Evaluate the mechanisms for monitoring and oversight, including rates, contracts, and client outcomes.
- Explore strategies, including those in other states, to support the needs of aging Texans, including best practices in nursing home diversion, expedited access to community services, and programs to assist seniors and their families in navigating the long-term care system, with the goal of helping seniors remain in the community. Assess the feasibility of leveraging volunteer-supported initiatives using existing infrastructure to enhance the ability of seniors to remain active and involved.
- Monitor the agencies and programs under the committee's jurisdiction and the implementation of relevant legislation passed by the 82nd Legislature, including the implementation of managed care in South Texas.

House Committee on Insurance

- Study whether Texas would benefit from allowing purchases of health insurance coverage across state lines. Examine the options available to facilitate such purchases, and include consideration of how to guarantee appropriate consumer protections.

House Committee on Judiciary & Civil Jurisprudence

- Study and make recommendations regarding the discrepancies in guardianship and child custody statutes. Review potential solutions to the problems surrounding "arbitrary and capricious" findings by trial court judges.

House Committee on Pensions, Investments & Financial Services

- Monitor all agencies and programs under the committee's jurisdiction. Specifically, monitor the study by the Employees Retirement System of Texas and the Teacher Retirement System of Texas of the viability of the current defined benefit plans as well as the implications and feasibility of creating a defined contribution or hybrid plan.

House Committee on Public Education

- Monitor state and local implementation of the new state assessment system (STAAR), specifically the impact on students, instruction, teachers, and graduation or promotion rates. Review how districts are implementing the requirement that the end-of-course assessment count for 15 percent of the student's course grade. Recommend any changes to graduation or testing requirements that promote instructional rigor and support postsecondary readiness while appropriately limiting an overreliance on standardized testing.
- Evaluate the charter schools system in Texas. Examine success and failure stories in Texas and other states. Review the educational outcomes of students in charter schools compared to those in traditional schools. Identify any best practices and how those practices may be applied statewide. The study should include recommendations.
- Review and make recommendations on the effectiveness of Disciplinary Alternative Education Programs (DAEPs) and Juvenile Justice Alternative Education Programs (JJAEPs) in reducing students' involvement in further disciplinary infractions. Determine the appropriate role of disciplinary alternative placements in promoting education achievement and how technology could be used to supplement education services. Consider appropriate placements in DAEPs or JJAEPs and consistent funding models for those programs. Consider options for counties without a JJAEP or inefficiently few placements in a JJAEP. Identify positive behavioral models that promote a learning environment for teachers to appropriately instruct while addressing any behavioral issues and enforcing student discipline.
- Review methods and best practices in Texas and other states to encourage more parental and community involvement in the education of Texas children.
- Monitor the agencies and programs under the committee's jurisdiction and the implementation of relevant legislation passed by the 82nd Legislature.

House Committee on Public Health

- Examine the adequacy of the primary care workforce in Texas and assess the impact of an aging population, the passage of the Patient Protection and Affordable Care Act, and state and federal funding reductions to graduate medical education and physician loan repayment programs. Study the potential impact of medical school innovations, new practice models, alternative reimbursement strategies, expanded roles for physician extenders, and greater utilization of telemedicine. Make recommendations to increase patient access to primary care and address geographic disparities.
- Monitor implementation of the federal Patient Protection and Affordable Care Act, including any changes that may result from ongoing litigation or legislative modification or repeal. (*Joint with the House Committee on Insurance*)

House Committee on State Affairs

- Examine areas of potential privatization of state services in an effort to achieve a higher level of service and greater efficiency for Texas taxpayers. *(Joint with the House Committee on Government Efficiency & Reform)*

House Committee on Transportation

- Conduct a thorough review of the operations of transit organizations in Texas. Explore possible reforms to streamline and improve services to Texans.

House Committee on Urban Affairs

- Examine strategies to maximize state funding for programs designed to prevent and end homelessness, with an emphasis on programs that have demonstrated a successful coordination of state and local resources. *(Joint with the House Committee on Appropriations)*
- Study whether Texas would benefit from allowing purchases of health insurance coverage across state lines. Examine the options available to facilitate such purchases, and include consideration of how to guarantee appropriate consumer protections.
- Monitor implementation of the federal Patient Protection and Affordable Care Act, including any changes that may result from ongoing litigation or legislative modification or repeal. *(Joint with the House Committee on Public Health)*

Key Senate Interim Charges Include:**Senate Business & Commerce Committee**

- Study and make recommendations for workforce training programs in Texas to ensure that such programs meet business and worker needs for health care, skilled trades, construction, manufacturing, aerospace, and information technology industries.

Senate Criminal Justice Committee

- Evaluate existing comprehensive mental health diversion and treatment systems within the Texas including federal, state and local collaborations to maximize effective use of funding and resources.
- Conduct a comprehensive review of school discipline practices including Disciplinary Alternative Education Programs (DAEP), Juvenile Justice Alternative Education Programs (JJAEP), "Zero Tolerance" policies, and specialized school police departments.
- Determine number of students in conservatorship referred to juvenile or municipal courts, suspended, expelled, or placed in DAEPs and make recommendations to increase educational outcomes.

Senate Education Committee

- Study public school management practices. Examine the role of Regional Education Service Centers. Specifically, review the types of services being provided and their ability to assist school districts with improving efficiencies.

- Study educator and principal preparation programs and make recommendations to improve these programs.
- Study the performance and accountability of charter schools, best practices and benefits of and costs related to increasing the number.
- Study the impact of school choice programs in other states on students, parents, and teachers and potential impacts on state funding.
- Conduct a comprehensive review of school discipline practices, including:
 - Disciplinary Alternative Education Programs (DAEP), Juvenile Justice Alternative Education Programs (JJAEP), disproportionate school discipline referrals, and, “Zero Tolerance in secondary education;
 - The number of students in the conservatorship of the Department of Family and Protective Services (DFPS) referred to juvenile or municipal courts, suspended, expelled, and placed in Disciplinary Alternative Education Programs (DAEP). Examine data-sharing practices between DFPS, TEA, and local education agencies, and make recommendations to increase communication between schools and DFPS to increase educational outcomes for children in foster care; and
 - Evidence based models used for addressing juvenile delinquency prevention that is targeted to non-adjudicated, but at-risk youth, in the school disciplinary system. (Joint Charge with Senate Committee on Criminal Justice)
- Monitor HB 1942 passed by the 82nd Legislature relating to bullying in public schools and legislation related to the state's accountability system.

Senate Finance Committee

- Review the state's current spending limits and determine if statutory changes are needed to continue restraint of spending growth below the rate of inflation plus population growth.
- Monitor the implementation of legislation addressed by the Senate Committee on Finance, 82nd Legislature, Regular and Called Sessions, and make recommendations for any legislation needed to improve, enhance, and/or complete implementation including: implementation of budget riders to enhance government efficiency, reduce government, and encourage job growth and others.

Senate Government Organization Committee

- Investigate the costs and benefits of cost-effectiveness analysis in state agency rule making and consider the development of cost-effectiveness standards for all state agencies.
- Examine ways to ensure the protection of state information and electronic data from unauthorized access and cyber threats.

Senate Health & Human Services (HHS) Committee

- Monitor the potential impact and constitutional challenges of the Patient Protection and Affordable Care Act (PPACA) on insurance regulations, Medicaid and Children's Health Insurance

Program (CHIP), health care outcomes, health care workforce, overall health of all Texans, and the state budget in Texas. *(Joint charge with Senate State Affairs Committee)*

- Evaluate cost-containment strategies across the Health and Human Services Enterprise to determine if and how each strategy can be expanded upon to achieve additional savings next biennium.
- Review the state's current investment in health care innovation to improve the health of Texans and encourage continued medical research in the most cost-effective manner possible.
- Review existing policies for prior authorization and medical necessity review across the Medicaid Program to reduce unnecessary utilization and fraud.
- Review the Medicaid Home and Community Based Services Waivers to identify strategies to lower costs, improve quality, and increase access to services.
- Evaluate the management structure and supervision of Child Protective Services. Identify legislative changes that could improve the quality of care children receive while in CPS custody.
- Review the state's public mental health system and recommend “best value” practices to improve access, service utilization, patient outcomes and system efficiencies.
- Monitor pertinent HHS legislation and make recommendations to improve, enhance, and/or complete implementation, including but not limited to:
 - Transition of Medicaid and the CHIP to quality-based payments, establishment of the Texas Institute of Health Care Quality and Efficiency, implementation of the Health Care Collaborative certificate, patient-centered medical home for high-cost populations, development and use of potentially preventable event outcome measures, and reduction of health care-associated infections and reducing infant and maternal mortality;
 - Implementation of initiatives to increase state flexibility, including the Health Care Compact and the Medicaid Demonstration Waiver;
 - Implementation of the initiative to redesign the foster care system; and
 - Implementation of the Department of Justice Settlement Agreement to address State Supported Living Center concerns.

Senate Intergovernmental Relations Committee

- Study the impact that regulatory requirements have on the price of residential housing on the sale of new and used homes and ways to improve the affordability of housing.
- Review state policies regarding the provision of affordable housing including ways to improve the provision of affordable housing to special-needs populations, such as co-location with social services and coordination with mass transit.
- Study the impact of recent court rulings regarding the determination of eligibility for property tax exemptions of community housing development organizations (CHDOs) by local appraisal districts to ensure the provision of affordable housing and reduce any cost to the state.

- Study the most effective ways to identify and report data on homeless and runaway youth, and develop recommendations for prevention and maximizing services for this population.

Subcommittee on Flooding & Evacuations

- Examine the current practices Texas uses during evacuations to provide immediate assistance to evacuated residents.

Senate Jurisprudence Committee

- Examine the process for the creation of powers of attorney in Texas. Review methods to protect consumers, particularly older Texans and those with disabilities, from power of attorney abuse perpetrated by agents or co-agents.
- Review the jurisdiction and qualifications of special judges.
- Examine court processes in child protection cases, in Texas and in other jurisdictions, and identify any legislative changes that would create better outcomes for children.

Senate Select Committee on Open Government

- Examine the effectiveness of security measures used to protect electronic information held by state agencies and make recommendations for enhancing security, if needed.
- Review record retention policies for state and local governments and make recommendations for improvements to record retention schedules and policies, including e-mail retention and archiving requirements.

Senate State Affairs Committee

- Study the policies and actions the State can pursue to preserve state authority and protect Texas citizens from federal overreach in the form of conditional federal grants, conditional federal preemption, and excessive legislation and regulation interfering with states' enumerated powers by Congress.
- Study the feasibility and fiscal impact to consumers of altering the insurance code to allow for the purchase of health insurance across state lines.
- Monitor the potential impact of and constitutional challenges to the Patient Protection and Affordable Care Act (PPACA). *(Joint charge with Senate Health & Human Services Committee)*

For the Full List of House and Senate Interim Charges

Only key charges relevant to Texas with developmental disabilities are listed above. Full House Interim charges are at <http://www.house.state.tx.us/media/pdf/interim-charges-82nd.pdf>. Full Senate Interim Charges are at <http://www.ltgov.state.tx.us>.

***Schedules for House Committee meetings** are online at <http://www.house.state.tx.us/committees/cmteschd.php> and **Senate Committee** schedules are at <http://www.senate.state.tx.us/75r/senate/events.htm>.

Legislative Committee Hearings Update

FYI ~ Texas Economy Improving, but State Budget Still Struggling

While the state's economy is improving, Texas still faces more than \$4.1 billion in budget shortfalls, budget experts told the House Appropriations Committee in February. This includes nearly \$4 billion to cover Medicaid costs that lawmakers deferred by not funding Medicaid for a full two-year budget cycle.

This means that the state will have to pass a supplemental appropriations bill to cover the remaining Medicaid costs before money runs out in April 2013 or find other ways to reduce costs. State agencies may be asked to make further cuts if lawmakers refuse to use the state's Rainy Day Fund to cover the shortfall, said Texas House budget chief, Rep. Jim Pitts.

Last year, the Legislative Budget Board (LBB) estimated that the Medicaid shortfall would be about \$4.3 billion. "Our newest estimate is \$3.9 billion," said LBB Chair John O'Brien. The state also needs \$183 million to cover the cost of wildfires and \$60 million for correctional/prisoner health care.

O'Brien said the state received \$1.6 billion more than expected in revenues because of the improving economy. In addition to this surplus, legislators could choose to use some of the state's Rainy Day Fund to cover the budget shortfall. The Rainy Day Fund has \$6.1 billion now and is expected to grow to \$7.3 billion, according to John Heleman of the Texas comptroller's office.

Heleman also pointed out that the state had recovered more than 440,000 jobs that the state lost in the recession, although thousands of people move to Texas every day which kept the unemployment rate at 7.8 percent last month.

House Appropriations Interim Committee, February 21, 2012 **Fiscal Year 2012-2013 Budget**

Expenses: At \$173.5 billion the FY 2012-2013 budget is 7.5 percent less than the 2010-2011 budget of \$187.5 billion. However, Medicaid is underfunded by \$3.9 billion (\$10 billion in underfunding if federal funds are included). Health and human services account for 32 percent of all funds and 28 percent of General Revenue (GR). Public education accounts for 42 percent of all funds and 56 percent of GR. Of the \$15-\$17 billion available revenue quoted by Commissioner Suehs, ([HHSC Presentation](#)), Mr. O'Brien said \$3.9 billion is for FY13, \$7.8 billion is for the next biennium, a minimum of \$2 billion is for caseload growth and \$7.8 billion is necessary for Foundation Schools Program. Discussion ensued about reductions, deferrals, improved property appraisals and \$1.3 billion in TEA grant cuts. While student growth was funded, funding per student was reduced. John Keel of the State Auditor's Office said for the first quarter of FY12, there has been a decrease of 2.5 percent to 310,865 FTEs - 6,179 FTEs reduction from state agencies and 1,769 FTEs reduction from higher education.

**Joint House Committee on Insurance and House Committee on Public Health,
February 27, 2012**

Affordable Care Act

A joint hearing of the House Committee on Insurance and House Committee on Public Health was held February 27, 2012 at the State Capitol on the interim charge: monitor implementation of the federal Patient Protection and Affordable Care Act (PPACA). Invited witness, Dr. Thomas Saving, a professor of economics at Texas A&M said Medicare enrollees will increase from 47 million to 80 million by 2032; rising Medicare costs will result in lower reimbursements to hospitals and doctors, driving them out of business; consumers will pay more for healthcare and Congress must raise taxes to set-aside monies for the future costs of healthcare. The Health and Human Services Commission [HHSC Presentation on PPACA](#) included data that 26 percent of Texans are currently uninsured and that after PPACA, an estimated 9 percent will remain uninsured (2.3 million Texans). An additional 1.2 million persons will be enrolled in Medicaid bringing the total to 4.7 million. The Texas Department of Insurance has been preparing to implement PPACA requirements for consumer comparison shopping, cost-sharing, the yet-determined "benchmark plan," medical-loss ratio, and the health insurance exchange. Texas has had 4,000 enrollees in the PPACA high risk pool. Public testimony was supportive of Medicaid and PPACA noting: the high risk pool assisting individuals with pre-existing conditions who have been unable to access health care; young adults allowed to stay on parents' insurance up to age 26; children with pre-existing conditions can no longer be denied health insurance; a small employer tax benefit; rate increases subject to review; and the medical loss ratio requirement. Medical loss ratio means small insurance companies must spend at least 80 percent and large companies must spend at least 85 percent of insurance premiums on medical care. One of the final witnesses informed the committee that 80 percent of the state's businesses are "micro enterprises" with 5 or fewer employees and are thus exempt from PPACA employer requirements. Representative Schwertner asked HHSC to prepare "true estimates" of the cost to Texas of implementing the PPACA. TCDD has the presentations by Dr. Savings and TDI on file.

**The Medicaid Reform Waiver Legislative Oversight Committee,
February 29, 2012**

SB 7 directs HHSC to pursue a federal waiver requesting flexibility in the way Texas operates its Medicaid program and appointed a legislative oversight committee. According to SB 7, the types of reforms to be considered by the committee include building in flexibility to determine Medicaid eligibility categories, income levels, and benefits design; establishing Medicaid copayments; redesigning long-term services and supports (LTSS) to increase access to cost-effective person-centered care; and establishing vouchers for consumer-directed LTSS.

DADS and HHSC identified the following opportunities for improving the system: coordinating eligibility determination; the Balancing Incentives Program; Community First Choice; increased flexibility for Consumer Directed Services; and restructuring the intellectual and developmental disabilities (IDD) service system. DADS and HHSC already have started work to improve electronic communication among the various entities involved in eligibility screening, referral and functional eligibility determination (e.g., local authorities, DADS regional offices, aging and disability resource centers).

Balancing Incentives is a federal option, available through September 30 2015, intended to incentivize states to increase their capacity for community-based LTSS. Texas is eligible to

receive a two percent increase in FMAP in exchange for making structural and programmatic changes, such as: establishing a No Wrong Door/Single Entry Point (SEP) System; utilize a core standardized assessment instrument; and ensuring conflict-free case management.

Another federal option, Community First Choice (CFC) allows states to provide home and community-based attendant services and supports for individuals at or below 150 percent FPL, through a State Plan amendment, with a **six percent** increase in FMAP. There is no expiration on the six percent increase. Conflicting interpretations regarding whether this benefit would include a habilitative component exist. The CFC option would create a new entitlement for persons with IDD to receive attendant services outside of the community waivers, which means that those on the interest lists would be eligible. Though some would object to the cost of a new entitlement, this option would provide a basic level of services to all eligible persons with IDD.

Though there was some discussion of restructuring the current IDD service system, no specific information was provided. A white paper with more details is expected sometime this summer.

Medicaid Managed Care Rollout in Rural Areas

The Health and Human Services Commission (HHSC) plans to mail STAR Medicaid managed care enrollment packets around the third week in May, to people in six Medicaid waivers (listed below) in 164 rural counties in west, central and northeast Texas. These individuals or their legally authorized representative (LAR) need to choose a health plan by a date to be set in June, with enrollment effective on July 1.

Because of concerns regarding the adequacy of the network of physicians, some Medicaid 1915(c) waiver participants' level of understanding about how managed care works, and lack of notification regarding the change, some Texans were given the opportunity to delay their participation in the STAR program even though STAR officially expanded to these rural counties on March 1. This included individuals who may already have chosen a health plan. STAR provides acute health care only, which is short-term medical treatment such as office visits to their doctor, prescription drugs, emergency room and inpatient hospital visits. It does not replace any services provided through Medicaid waiver programs under the Department of Aging and Disability Services.

In the meantime, HHSC continues to provide training on managed care across the state, with events listed at <http://www.txmedicaidevents.com>. Specialized education and outreach is also planned for the individuals in the six Medicaid waiver programs to make sure they understand the STAR program. HHSC indicated that this training will be provided in a manner that is convenient for individuals and LARs, including going to individual's homes if needed.

The six waiver programs involved are:

- Community Based Alternatives (CBA);
- Community Living Assistance and Supports Services (CLASS);
- Deaf Blind with Multiple Disabilities (DBMD);
- Home and Community-based Services (HCS);
- Medically Dependent Children Program (MDCP); and
- Texas Home Living (TxHmL).

More details on the expansion of managed care into rural areas, which Medicaid participants are affected, who can delay their transition, and maps of rural counties covered are at <http://www.dads.state.tx.us/providers/communications/2012/letters/IL2012-26.pdf>.

Children's Policy Council 2012 Recommendations

Policy Issue:

(Clearly state the problem and how it impacts children with disabilities and their families.)

The Texas Health and Human Services Commission is changing the model for providing pharmacy services to children in Medicaid STAR and STAR+PLUS programs and CHIP. The Children's Policy Council (CPC) would like Texas Health and Human Services Commission to consider and address issues unique to children with special health care.

Recommendation:

(Identify policy/system change needed to address the problem.)

Below are some issues to consider and address before implementation of the new program:

Texas HHSC should provide written guidance for both health plans and parents of children with special needs on:

1. The planned process to secure medically necessary drugs not on the preferred drug list. This should include guidelines on any pre-authorizations, how long the pre-authorizations should last and the process to appeal those decisions.
2. The planned process to secure medically necessary drugs new in the market. This should include guidelines on any pre-authorizations, how long the pre-authorizations should last and the process to appeal those decisions.
3. The planned process to receive compounded drugs. This should include requirements how far a member must drive to find a pharmacy willing to provide compounding of drugs.
4. The planned process to access home delivery of prescription drugs.
5. The planned process to access drugs from a pharmacy not in the health plan network and/or not a listed Texas Medicaid pharmacy whether in the service delivery area or outside the services delivery area.
6. The pre-authorization process immediately after implementation, such as a requirement to honor all prior-authorized drugs for 90 days. In addition, Texas HHSC should provide written guidance on the process after 90 days of the implementation date. How long will the pre-authorization last and what will the process be with each health plan?
7. The planned process to access specialty pharmacy services.
8. The planned process for a parent to access durable medical equipment through their pharmacy. Will the process change? How will a parent know if services are covered through a certain pharmacy?
9. The planned process for parents to receive Comprehensive Care Program (CCP) services through managed care plans and know which pharmacies can provide these services. Parents of children with special needs have received additional benefits such as nutritional supplements, IV medications, and specialized vitamins through the CCP program. Some parents received those items for their children through pharmacies.

Background:

(History, actions/activities attempted to address the problem, current status, etc.)

Effective March 1, 2012, the Texas Health and Human Services is changing the model for receiving pharmacy benefits in STAR and STAR+PLUS Medicaid and CHIP to a managed care model.

The Children's Policy Council would like to provide input to Texas HHSC concerning any unique issues as a result of this change to the Medicaid STAR and STAR+PLUS and CHIP programs impacting children with special needs.

Children with special needs sometimes need specific medications to treat their conditions. These medications may not be on the preferred drug list but are medically necessary for the child. Some of these types of drugs are for the treatment of seizures, ADD, mental health conditions, and many other conditions of children with special needs. Parents work with their child's physician to request an exception to the preferred drug list. These types of exceptions may be for longer periods due to the long-term diagnosis of the child.

Children may need certain drugs compounded such as some prescriptions you can only receive in a solid form, but needing to be taken in oral form.

Children with special needs may also need specialty pharmacy items. They may also seek durable medical equipment during as nebulizers, syringes, etc. through their pharmacy. They may receive supplies through the Comprehensive Care Program such as nutritional supplements, IV medications, special vitamins, etc. Parents seek these products for their children through pharmacies because they are already established to provide services to these children.

Making sure children with special needs have access to medically needed medications in a timely manner is essential to the health of children with special needs. We urge Texas HHSC to carefully address all of our concerns.

CPC subcommittee submitting recommendation:

CPC Subcommittee on System Reform

CPC members of subcommittee:

Leah Rummel, John Cissik, Belinda Carlton, Kelly Chirhart, Larry Swift

**Children's Policy Council
2012 Recommendations**

Policy Issue:

The Texas Health and Human Services Commission (HHSC) is changing the dental health delivery model for children receiving Medicaid and CHIP services to a new dental contractor managed care model. The Children's Policy Council (CPC) would like HHSC to consider and address dental health issues unique to children and youth with special needs.

Recommendation:

Improve dental services to children with special needs when delivering the services through dental managed care and involve stakeholders in the design process.

Below are issues to consider concerning the new dental managed care program:

1. Too few dentists in Texas are willing to accept and treat children with special health care needs. HHSC should:
 - Identify dentists across the state currently treating or willing to treat children with special health care needs. Dentists currently treating children with special needs should be regarded as “significant” traditional dental providers for purposes of the new dental contract;
 - Ensure each health plan's network includes an adequate number of dentists willing to treat children with special needs;
 - Ensure access to specialized dental services in each area of the state including hospital services and administration of general anesthesia; and,
 - Routinely spot check the provider lists of dentists provided by dental contractors to verify the dentists included in the directory are currently under contract and accepting new patients. Implement a pre-determined county-based CYSHCN-treating dentist : total patient population ratio threshold for minimum amount of CYSHCN treating dentists and ensure that dental contractors have a pre-defined corrective action in place to re-establish the minimum ratio when the ratio falls below the set threshold. Consumers and families continually receive provider participation lists from health plans which include providers who either never agreed to a contract or are no longer willing to accept new patients.
 - Implement revamped Dental Provider Education for children with special needs in a manner that increases participating dentists' willingness to treat children with special needs for regular checkups, cleanings and preventive care; implementation could mirror the First Dental Home certification program. Providers who complete the course or obtain O.R./hospital privileges should be offered significant traditional dental provider (STP) designation for purposes of the new dental contract.
 - Encourage health plans to implement a special designation on their provider participation lists for dentists that accept children with special needs in their practice; this could incentive providers to accept children with special needs by helping them to stand out on participating provider lists.
 - Consider expanding coverage for a more aggressive dental checkup frequency (i.e 3-month vs. 6-month checkup intervals) for those children with special

needs patients with high caries risk or those disease-states more likely to develop caries rapidly.

2. HHSC should ensure children with special needs have a dental home with a dentist willing to provide treatment based on the child's unique needs. HHSC should ensure that each dental home willing to accept children with special needs has appropriate medical facility privileges to provide services. Additionally, HHSC should require the dental homes and medical facilities meet contractually-defined access standards as defined in 8.1.4.3 of the Dental Contract with HHSC. In the event there is no in-network dentist willing to accept children with special needs in the radius defined by the contract, HHSC must define an out-of-network process to ensure access to a dentist willing to accept and treat children with special needs.
3. Too few dentists are willing to accept and treat medically fragile children and youth with particularly complex needs. HHSC should ensure that all children with special needs have access to dental care.
4. HHSC should require the wait time for children with special needs accessing dental services be clearly defined within the dental contractor's contract with Texas HHSC. Furthermore, a contingency plan should be pre-established to correct the wait time when the wait time becomes too long in any one county.
5. Some children with special needs need dental services in a hospital setting. HHSC should ensure case management is provided to families to coordinate care and reliable transportation.
6. Ensure that each dental contractor has proper customer service hours and systems in order for O.R. / Hospital cases to be adequately and quickly pre-authorized (when necessary) without excessive hold-times or chance for treatment delay caused by dental contractor.
7. Parents report difficulty enrolling in dental coverage through Maximus. Maximus does not have immediate access to Medicaid information for children receiving services through some waivers because some waiver programs utilize a different data system. Currently a parent must insist Maximus look further to verify the child's eligibility for Medicaid to complete the managed care enrollment process,. Additionally, parents report being unable to sign up for their child's current dentist due to age limits listed in the Maximus provider file. When a youth is over 18 some dentists identified as a provider by the dental contractors indicate in the provider directory they will not accept these patients due to age restrictions even though the youth is already established with the dentist. HHSC should carefully and continually review the accuracy of the dental provider list to ensure all age categories of children with special needs can access dental services.
8. Another scenario adding to the challenges for families occurs when children with special needs have health coverage through a private health plan as their primary insurer and Medicaid fee-for-service (FFS) as their secondary insurer-- especially when outpatient hospitalization and anesthesia are needed. Or, the child may have primary dental coverage through a private dental health plan and secondary dental coverage provided through one of the new Medicaid dental contractors.

In these situations, careful coordination of benefits is necessary between four entities-- the private dental plan, the health plan, the Medicaid dental contract and Medicaid FFS-- to be cost-effective for the state.

The involvement of multiple entities compounds the difficulties for children with special needs in accessing dental services in many ways:

- The dentist needs to participate in both networks and may need to obtain two prior authorizations;
- The dental Medicaid managed care contractor needs to pay the child's out of pocket expenses typically paid for by Medicaid FFS;
- The private health plan may want to verify it is medically necessary to provide dental services in a hospital and may want to confirm the dental contractor paid for the dental services; and,
- The private health plan needs to coordinate with Medicaid FFS.

HHSC should require the complete comprehensive coordination of benefits be defined clearly in the contract and the process will not cause additional burdens for the child receiving the services or their family. Case managers should be available to help families coordinate access to and payment for services. HHSC should further ensure that dental contractors do not require participating providers to submit unnecessary or onerous pre-authorizations (TAR – Treatment Authorization Requests) for O.R./hospital cases or in-office treatment.

Background:

Effective March 1, 2012, the Texas Health and Human Services is changing the dental Medicaid program to a managed care model. The new statewide dental managed care program will include children ages birth through age 20, eligible for Medicaid Texas Health Steps Comprehensive Care Program (CCP) services, including Supplemental Security Income (SSI) recipients. In addition, all children enrolled in the CHIP Program will be eligible to participate in the dental managed care initiative.

The following Medicaid recipients will not be eligible to participate in the Dental Program and will continue to receive dental services through their existing service delivery models:

- Medicaid recipients age 21 and over;
- all Medicaid recipients, regardless of age, residing in Medicaid-paid facilities such as nursing homes, state supported living centers, or Intermediate Care Facilities for Mentally Retarded Persons (ICFs/MR); and
- STAR Health Program recipients.

The CPC would like to provide input to HHSC concerning unique issues relating to accessing vital dental services that children with special needs and their families face which will be compounded as a result of the dental managed care initiative.

Too few dentists are willing to treat children with special needs due to their complex medical conditions. Further, many of these children and youth can only receive dental services in a hospital setting and sometimes use the emergency room as their only means of receiving services.. Often children with special needs have health challenges such as

risk of aspiration, breathing complications, and seizure disorders making it difficult or unsafe to receive dental care in an office setting.

In order for children with special needs who require care in a hospital setting to receive a comprehensive dental exam and treatment, the parent or guardian must:

- Secure an appointment during limited hours the dentist has privileges at the hospital;
- Coordinate with the hospital concerning the outpatient stay at the hospital;
- Receive a check-up and medical clearance for general anesthesia from their primary care physician (PCP) within 1-2 weeks of the scheduled procedure; and
- Ensure the hospital staff verifies the medical clearance previously provided by the PCP is still current the day before the scheduled procedure.

After these and other hurdles, the child may then receive a thorough dental exam, cleaning, and additional services needed in a hospital setting under general anesthesia. The private dental health plan will pay for some of the dental services with the remainder paid by the Medicaid dental contractor; and the health plan or Medicaid fee-for-service will pay for the outpatient hospital services, anesthesia, any lab or x-ray and the physician check-up.

All of these components require comprehensive care coordination between the various payors and providers. Parents have difficulty finding a dentist willing to treat their children and consequently, may only access services during dental emergencies in a costly emergency room.

Ensuring all children with special needs have access to cost-effective preventative dental services today will save the state money tomorrow.

CPC subcommittee submitting recommendation:

CPC Subcommittee on System Reform

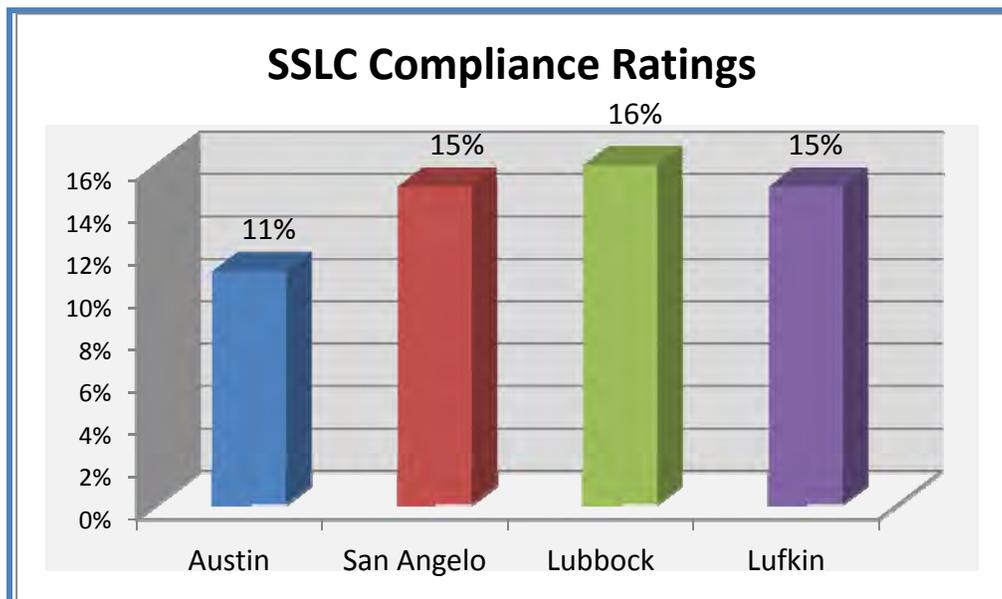
CPC members of subcommittee:

Leah Rummel, John Cissik, Belinda Carlton, Kelly Chirhart, Larry Swift

State Supported Living Centers Monitoring Update

In June 2009, the State of Texas/Department of Aging and Disability Services (DADS) and the U.S. Department of Justice (DOJ) entered into a Settlement Agreement (SA) that covers the 12 State Supported Living Centers (SSLC) and the ICF component of Rio Grande State Center. As determined by the Settlement Agreement, three monitors are responsible for monitoring the facilities' compliance with the SA and related Health Care Guidelines. The monitoring teams examine activities in 20 different aspects of care provided to residents in each facility to determine the status of each facility's compliance with provisions of the U.S. DOJ Settlement Agreement. Within each section, there are a varying number of more specific provisions. Each provision is rated as in substantial compliance or noncompliance with the terms of the Settlement Agreement. There also are provisions that are not rated if the monitoring team had insufficient information to rate a provision.

Baseline reviews of the facilities were conducted from January through May 2010. The first round of compliance reviews were completed from July 2010 to January 2011 to report on each facility's compliance with the SA. The second compliance reviews of each facility began in February 2011 and concluded in mid-July 2011. The monitors began the third reviews of SSLCs in September 2011. This report covers the reports issued in the third round of compliance reviews for Austin, San Angelo, Lubbock and Lufkin SSLCs, the last to be reviewed for the third time. Some aggregate information is available on the third compliance reviews of all SSLCs.



This chart shows the proportion of compliance with all of the provisions evaluated in the monitoring reports.

Austin State Supported Living Center (AUSSLC)

AUSSLC is in compliance in 11 percent of the provisions assessed by the monitoring team, which is the same percentage of compliance as in the second round report. The monitoring team expressed concern that the facility was not further along in achieving compliance. The team noted, "Little progress had been made in some of the areas that are key to providing individuals with safe, meaningful lives with opportunities for growth and development, as well as complying with the Settlement Agreement." Although data concerning the use of restraint was inadequate for evaluation, the monitoring team

observed that there was no evidence of improvement in this area or that improving the use of restraint was a priority at AUSSLC. In the area of abuse, neglect, and incident management, AUSSCL is not taking action to address well-documented problems or areas of vulnerability. As a result, according to the report, “the vulnerable individuals entrusted to AUSSLC were not only not protected from harm, but they were subjected to increased risk.” Although monitors documented that progress was made in determining the risk levels of residents, the quality of documentation on risk was varied. The monitoring team noted that no progress had been made in the provision of medical care, commenting that the staff did not have an understanding of the intent or the urgency of complying with the SA. According to monitors, “No initiatives were in place for internal review. To date, the Medical Department had had two years to develop internal tracking systems. The Medical Department appeared to consider Section L.3 an option rather than a requirement.”¹ AUSSLC had made strides in hiring additional nursing staff and filling open positions. AUSSLC also was commended for improving its skill acquisition programs by personalizing them for the preferences of residents. However, activities available to individuals were often of poor quality and without functional outcome or purpose. Although AUSSLC was expected to make a determination on whether or not an individual could be supported in a less restrictive community setting, many assessments did not include this information.

San Angelo State Supported Living Center (SGSSLC)

SGSSLC was rated as in substantial compliance in 15 percent of the provisions assessed by the monitoring team, which noted that the staff made continued progress towards substantial compliance in most provisions of the SA. In the six months prior to the most recent monitoring team visit, there were 598 incidents of restraint use. Although fewer individuals were restrained since the last monitoring team visit, this represented a 27 percent increase in the number of restraint incidents, meaning a smaller number of people were restrained more often. Between May 1 and September 30, 2011, there were 39 confirmed cases of abuse, neglect, or exploitation. This included 17 incidents of abuse and 22 instances of neglect. Between May 1 and November 30, there were 1,735 injuries reported, 24 of which were serious injuries that resulted in fractures or sutures. SGSSLC took a number of steps to achieve compliance in the area of at-risk individuals. The monitoring team commended the medical staff for its dedication to serving the individuals at SGSSLC. Although there were a number of areas where the medical team was not achieving compliance, the monitors pointed out that this was often due to systemic issues that did not fall under the purview of the medical team. For example, the Information Technology infrastructure of SGSSLC did not allow for databases to track specific information. The nursing department continued to struggle with high turnover and vacancies, with 17 vacant positions in the nursing department, representing 20 percent of the department’s workforce. The monitoring team reported positively about efforts of SGSSLC to move individuals to the most integrated community setting. Ten percent of individuals at SGSSLC were placed in the community on an annual basis, with an additional 14 percent of individuals on the active referral list.

¹ L.3: “Commencing within six months of the Effective Date hereof and with full implementation within two years, each Facility shall maintain a medical quality improvement process that collects data relating to the quality of medical services; assesses these data for trends; initiates outcome-related inquiries; identifies and initiates corrective action; and monitors to ensure that remedies are achieved.”

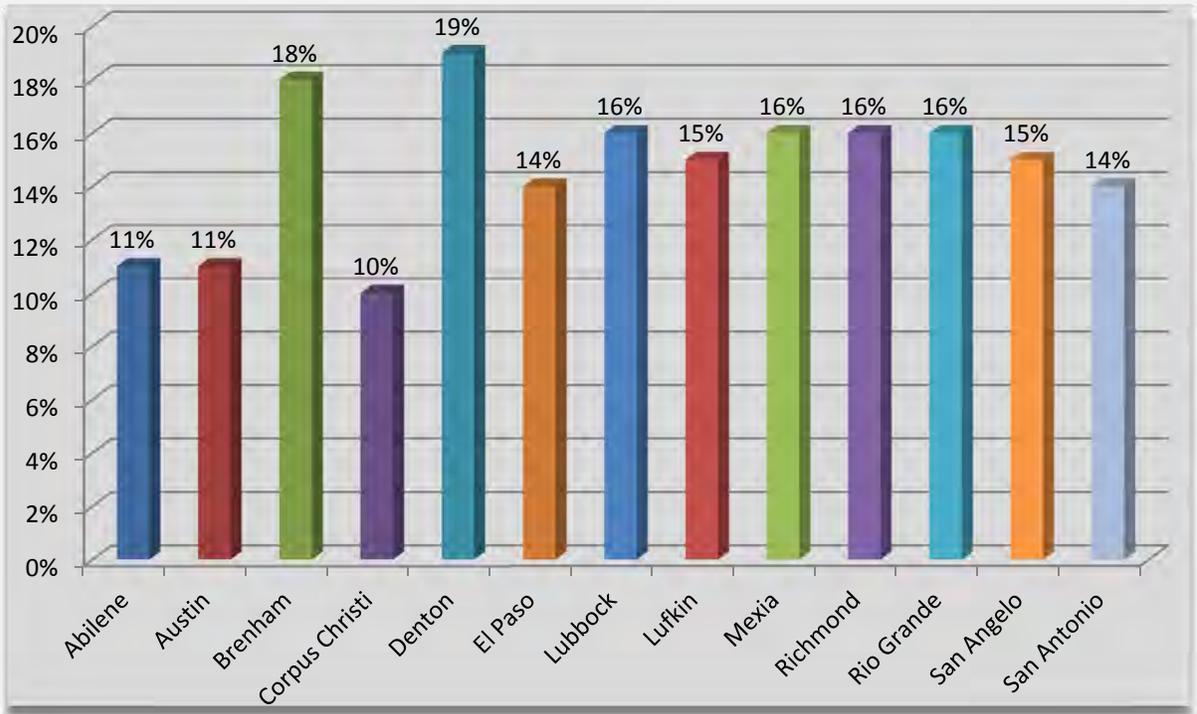
Lubbock State Supported Living Center (LBSSLC)

The monitoring team rated 16 percent of provisions assessed at LBSSLC as in substantial compliance. Staff was taking creative approaches to produce dramatic reductions in the use of restraint for several individuals with histories of challenging behavior. However, there was a continuing problem of ensuring that a licensed health care professional arrived within 30 minutes of the initiation of restraint, as required by policy. The monitoring team observed that the Department of Family and Protective Services and the staff at SGSSLC made notable progress in a number of practices concerning abuse, neglect, and incident management. However, the team recommended that SGSSLC improve response time of beginning investigations to within 24 hours of an incident occurrence. Monitors pointed out that SGSSLC made improvements concerning at risk individuals; however, a “significant amount of work had yet to be done to achieve compliance” in this area. Initial progress was made in developing improved skill acquisition programs. The engagement level was still less than desirable, and formal skill programming in vocational and community-based settings was still a concern. The monitoring team pointed out that individual service plans did not identify all of the protections, services, and supports that would be necessary for an individual to transition to the community. Further, the plans often reflected misconceptions about what was available in the community.

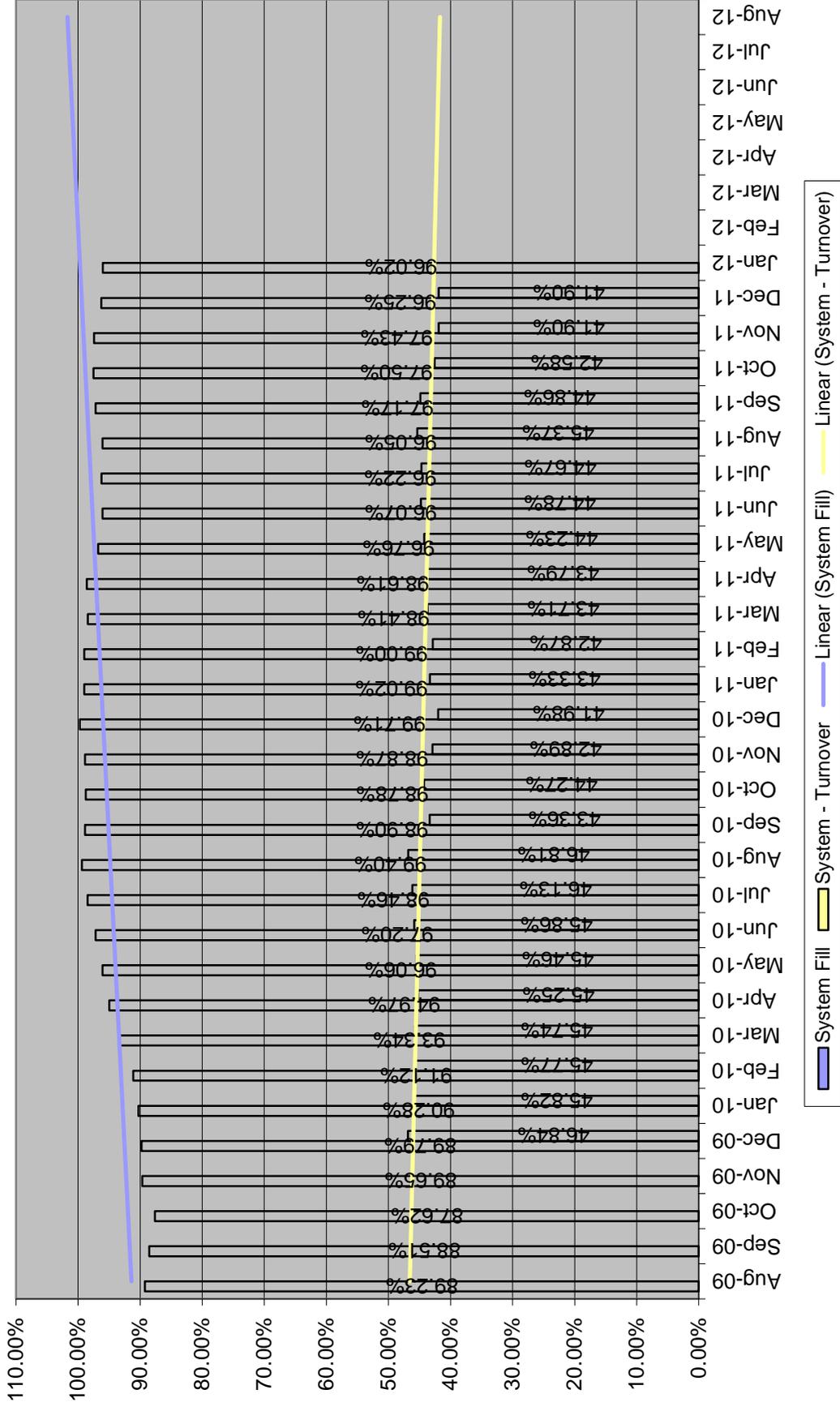
Lufkin State Supported Living Center (LSSLC)

LSSLC was rated as in substantial compliance in 15 percent of provisions assessed by the monitoring team. The monitoring team indicated that LSSLC should more thoroughly review serious incidents, such as repetitive and serious injuries, serious medication errors, and failed community placements to ensure that generally accepted standards of professional care are met. In the six months leading up to the monitoring team visit, 93 restraints were implemented on 19 individuals, which represented a reduction in the use of restraint since the previous visit. In the six months prior to the visit, there were five confirmed cases of neglect, two confirmed cases of emotional or verbal abuse, and one instance of physical abuse. In addition, there were 19 serious incidents at LSSLC that did not involve allegations of abuse or neglect. Four of these were deaths and 15 were serious injuries. There were 1,441 injuries reported between May 1 and September 31, 2011. The monitoring team attributed the high number of injuries to lack of engagement in meaningful activities. Since individuals were not engaged in activity, there was a higher incidence of self-abusive behavior and aggression toward others. Although the state issued new guidance on risk management and LSSLC developed a number of policies in this area, individual plans still were not accurately identifying risk for individuals. In the area of medical care, the monitoring team observed lapses in the follow-up of acute issues, including chronic issues. Although a medical quality program was initiated during the previous review, efforts to maintain this program seemed to be abandoned. Although the number of individuals referred and placed in the community was still low, the rate of transfer was increasing since the baseline review conducted in April 2010. Since the previous review, 13 individuals were placed in community settings.

Compliance of All SSLCs, 3rd Review



DSP Series Position Fill and Projected Annualized Turnover Rates All State Supported Living Centers



Turnover data is annualized using an established formula. Data is calculated and projected for a single fiscal year that restarts each September.



Federal Funding

FACT SHEET

2012 DISABILITY POLICY SEMINAR

The Arc | UCP | AUCD | AAIDD | NACDD | SABA

Background

People with disabilities, their families, and advocates are extremely concerned about the outlook for federal programs as Congressional leaders discuss strategies for reducing federal deficits and the debt. While entitlement programs (such as Medicaid, Medicare, and Social Security) have so far largely been protected from deficit reduction efforts, there are growing calls to cut eligibility and benefits for these essential programs. The discretionary programs that people with disabilities rely upon to live in the community (employment, education, housing, and more) are slated for unprecedented cuts starting in 2013.

The Budget Control Act

The Budget Control Act (BCA), enacted into law in August 2011, establishes the overall discretionary spending caps for defense and nondefense discretionary spending (which includes disability programs) over the next ten years. Beginning in Fiscal Year 2012, the BCA cuts \$840 billion in discretionary spending over 10 years through spending caps. Beginning in FY 2013, an additional nearly \$1 trillion will be cut through automatic, across-the-board cuts (also known as "sequestration"), over 9 years if Congress does not change the law or find alternate savings and revenue increases.

The President's Budget

On February 13, President Obama released his FY 2013 budget request to Congress. The President's budget offers a replacement for the automatic \$1 trillion in spending cuts required by the BCA over 10 years, with a number of targeted spending cuts and revenue increases. The request avoids major cuts to entitlement benefits and would allow the high-income Bush-era tax cuts to expire. It also requests a few small increases, decreases, and consolidations for discretionary disability-related programs.

The Congressional Budget

On March 20, House Budget Committee Chairman Paul Ryan (R-WI) released his proposed FY 2013 Budget Resolution which would cap total spending at \$19 billion below the limit set by the Budget Control Act. It was passed by the House on March 29 by a vote of 228 to 191. Similar to last year's House Budget Resolution, this one contains many proposals that would decimate critical disability-related programs, including block granting the Medicaid program and slashing spending for discretionary programs. The Senate is not likely to vote on a separate Senate Budget Resolution since the BCA already set spending caps for FY 2013.

Key Issues

All recently enacted deficit reduction has been through program cuts ONLY. Further cuts to entitlement and discretionary programs are short-sighted. They would threaten the fragile economic recovery and reduce the number of jobs available. Most discretionary disability-related programs have largely been level funded in the last five years, including the Councils on Developmental

Disabilities, University Centers for Excellence in Developmental Disabilities, and Protection and Advocacy Systems. Some programs, including supported employment, postsecondary programs for people with intellectual disabilities, and disability prevention research and services within the Centers for Disease Control and Prevention have been slated for elimination or consolidation. All Family Support projects funded through the Projects of National Significance (within the Developmental Disabilities Act) were terminated in the FY 2012 funding cycle as a result of a \$6 million cut to this program. These projects provided direct services to over 5,000 families with children with disabilities nationwide. The federal share of average per pupil spending for special education remains at about 17% -- far below the 40% promised by the Individuals with Disabilities Education Act (IDEA).

Rebuilding our investment in these domestic programs will boost the economy and reduce the deficit through prevention of costly chronic diseases, increased earnings, and reduced expenditures for unemployment and other social service programs.

A Balanced Approach to Deficit Reduction

We share in our Nation's goal of reducing the deficit and returning to a path of fiscal sustainability. However, this cannot be done through spending cuts alone. Revenues must be part of the equation. To achieve the additional \$1.2 trillion in savings over the next ten years (as the BCA requires) from the spending side alone would require cutting an average of roughly \$110 billion annually, starting in FY 2013.

Recommendations

- Congress should cancel the across-the-board cuts (sequester) and replace them with a more reasonable deficit reduction package.
- Congress must balance deficit reduction between program cuts and revenues.
- Congress should not block grant or cap the Medicaid program.
- Congress should fully exempt non-defense discretionary programs from any further cuts.
- If the sequester is not cancelled, Congress must not exempt or reduce the cuts to defense discretionary programs as this would result in even greater cuts to non-defense discretionary programs.
- Congress must protect programs for people with disabilities.

Relevant Committees

House and Senate Budget Committees

House and Senate Appropriations Committees

House and Senate Appropriations Subcommittees on Labor, Health and Human Services, Education and Related Agencies

For more information, please contact The Arc at (202) 783-2229, United Cerebral Palsy at (202) 776-0406, Association of University Centers on Disability at (301) 588-8252, American Association on Intellectual and Developmental Disabilities at (202) 387-1968, National Association of Councils on Developmental Disabilities at (202) 506-5813, or Self-Advocates Becoming Empowered at SABEnation@gmail.com

Notice of Proposed Rulemaking (NPRM) to Address Federal Contractors Obligations for Hiring People with Disabilities

Background:

On December 9, 2011 the Office of Federal Contract Compliance Programs (OFCCP) of the U.S. Department of Labor proposed a new rule which would propose significant changes to the regulations implementing Section 503 of the Rehabilitation Act of 1973. The proposed rule would require federal contractors and subcontractors to set a hiring goal of having 7 percent of their workforces are people with disabilities. OFCCP invited public comment on this proposal; comments were due February 21, 2012. OFCCP received about 400 comments on the proposed rule coming from a variety of stakeholders, including individuals with disabilities, contractors, disability rights organizations and employer groups.

TCDD Action:

TCDD continues to monitor the proposed rule change. However, according to an article in the *Wall Street Journal*, 'companies have flooded the department with complaints.' The article states that the rule change would have a wide-ranging impact, affecting some 200,000 companies that either receive federal contracts or are subcontracted for work that adds up to approximately \$700 billion annually.

In light of the recent companies who are pushing against the rule change, CEO Greg Babe with Bayer Corp, USA submitted comments supporting the rule change stating "my company submitted comments in support of the rule because we know that promoting equal opportunity is good for business and for the community. Our successful efforts to recruit and retain qualified employees with disabilities prove that it can be done."

Opposition from the federal contractor sector has led the leadership of the House Education & Workforce Committee to question the legality of the proposed rule. In recent correspondence to Secretary of Labor Hilda Solis, House Education and Workforce Committee Chairman John Kline (R-MN) asks six specific questions related to the Department's legal authority to initiate the rule.



SOCIAL SECURITY
The Commissioner

March 9, 2012

The Honorable Sam Johnson
Chairman, Social Security Subcommittee
Committee on Ways and Means
House of Representatives
Washington, D.C. 20515

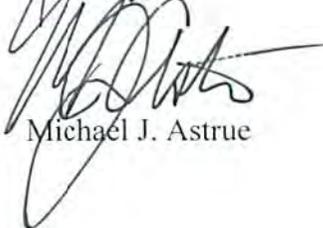
Dear Mr. Chairman:

The authorizations of appropriations for two provisions of the Social Security Act have expired. The two provisions are section 1149, the Work Incentives Planning and Assistance (WIPA) program, and section 1150, the Protection and Advocacy for Beneficiaries of Social Security (PABSS) program. These programs are part of our efforts to help beneficiaries return permanently to the workforce. The legislation establishing these programs initially authorized appropriations for five years, after which the Congress extended the appropriations authorizations for another five years. In 2009 and 2010, the Congress authorized one-year extensions. However, the most recent authorizations expired at the end of fiscal year (FY) 2011. Earlier this year, we sent to Congress a draft bill -- the "Social Security Work Incentives Amendments of 2012" -- which would reauthorize funding for the two programs again for five years. To date, Congress has not acted on that proposal.

We are currently operating the WIPA and PABSS programs under grants we initiated in FY 2011. Those grants will expire at the end of June for the WIPA program and at the end of September for the PABSS program. We are taking action to extend the current WIPA grants, where possible, through September but, due to the limited funds remaining, we regret that most grantees will be unable to continue to provide services through the end of the fiscal year. Absent Congress' reauthorization of these programs, we plan to stop them when the FY 2011 grants expire.

I am sending a similar letter to Congressman Becerra. I urge your immediate attention to this matter. If you have any questions, please contact me or have your staff contact Scott Frey, our Deputy Commissioner for Legislation and Congressional Affairs, at (202) 358-6030.

Sincerely,



Michael J. Astrue

cc: Congressman Dave Camp
Congressman Sander Levin

Background:

Staff have compiled a report of recent staff public information activities for the committee’s review.

Public Policy Committee

Agenda Item 8.

Expected Action:

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

Council Meeting

Agenda Item 11. B.

Expected Action:

The Council will receive a report of the Committee’s discussion on this item. No action is anticipated.

Public Information Update (Jan – Mar 2012)

Creating Awareness & Building Connections

- TCDD is working with local Senators to announce several new grant projects:
 - Texas Advocates: Leadership and Advocacy project*
 - The Arc of Texas: Leadership and Advocacy project*
 - Texas State Independent Living Council (SILC): Leadership and Advocacy project*
 - NAMI Texas, Inc.: Leadership and Advocacy project*
 - Any Baby Can: Health and Fitness project
 - Jewish Family Service of Dallas: Inclusive Faith-based project
 - West Central Texas Regional Foundation: Inclusive Faith-based project
 - Education Program Inspiring Communities: Enabling Technology project

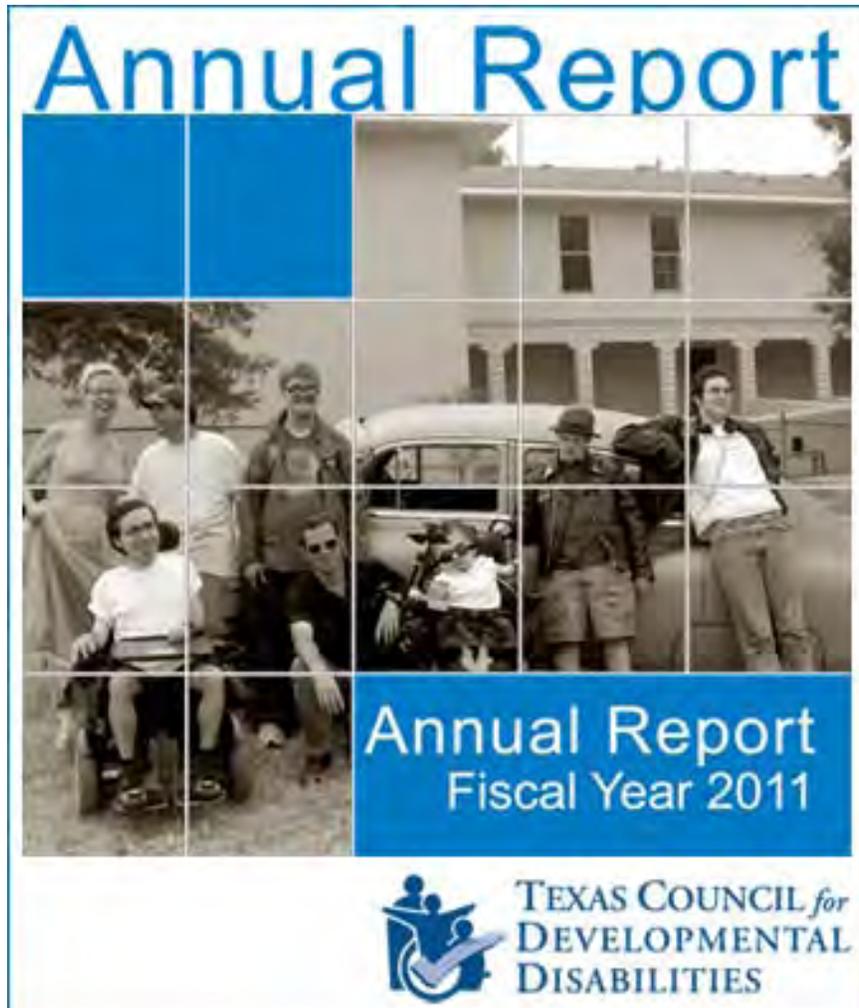
*Four of these projects in the Austin area were announced in one release by Senator Kirk Watson. The Quorum Report publicized it and Texas Tribune picked up our Tweet.



- Media coverage/publicity of the Any Baby Can project included:
 - Senator Van de Putte's website and Twitter feed;
 - Texas Public Radio;
 - Grants Director Sonya Hosey radio interview with KTSA in San Antonio;
 - San Antonio Business Journal; and
 - At least 9 websites picked up the San Antonio Business Journal article, including fitness blogs and local, professional websites. Other resources tweeted the information.
- Media coverage/publicity of the Higher Education/Employment projects included:
 - Texas A&M project
 - Senator Judith Zaffirini posted our release on her website;
 - Our release was picked up by Border Town Blues blog and Laredo Buzz; and
 - My Harlingen News website.
 - DRS Project Hire
 - Roger Webb provided invited testimony at testified the House Technology Committee on March 30; and
 - Council member Gladys Cortez represented TCDD at a media event on April 3 in McAllen to help announce the DRS Project HIRE grant award. Speakers included Senator Eddie Lucio, Jr., State Rep. Aaron Peña, the McAllen Chamber of Commerce President, and presidents of both the University of Texas Pan American and South Texas College.

Public Information Update (Jan – Mar 2012)

- Staff responded to 45 requests for information & referral in the past quarter.
- 5,000 copies of the reformatted People First Language handout were printed for distribution. Since the beginning of the year, staff fulfilled requests for 2,275 People First Language handouts.
- TCDD granted permission to use the People First Language handout in a book for inclusive fitness trainers.
- Staff provided TCDD handouts for the Texas Transition conference exhibit hall and hosted an exhibitor booth at the Texas Advanced Leadership & Advocacy Conference and Central Texas African American Family Support Conference.
- The FY2011 Annual Report was released electronically. The English version has been downloaded 92 times on the TCDD website; the Spanish version has been downloaded five times.

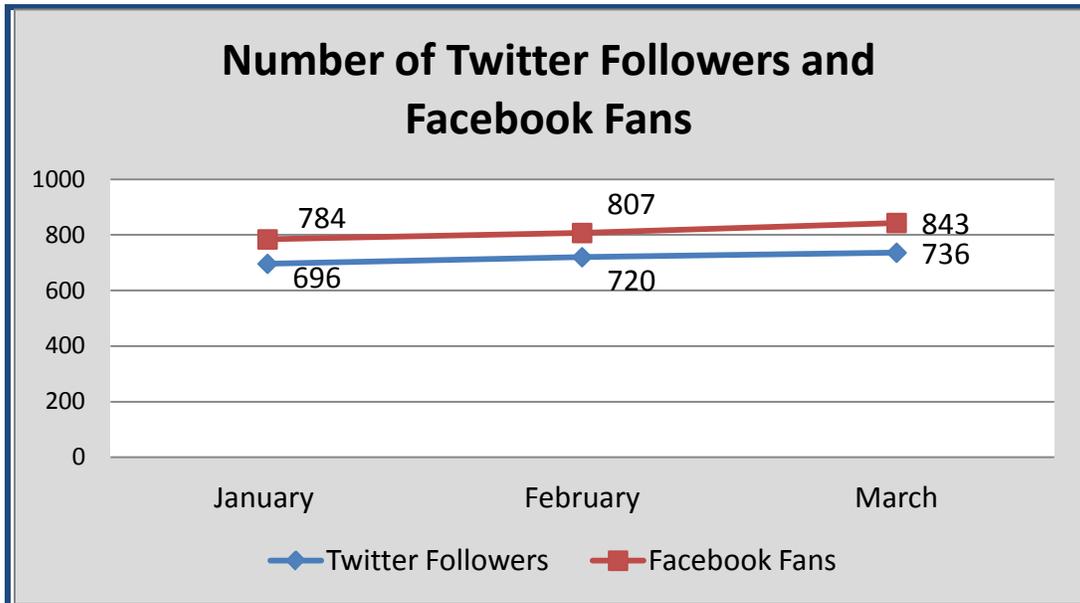


Public Information Update (Jan – Mar 2012)

Social Media Update

TCDD uses its Facebook Fan page and Twitter account on a daily basis to share and learn about pertinent news stories, resources, or policy information. The social media activity helps make connections with individuals, organizations, members of the media, politicians and others who are involved with or impact the disability community. Social media enhances TCDD's communication and is a great tool for sharing information as well as receiving it.

Chart 1. TCDD Facebook & Twitter Users



This chart demonstrates the number of TCDD Facebook page fans as well as the number of TCDD Twitter Followers during January – March of 2012.

Chart 2. TCDD Social Media Outreach

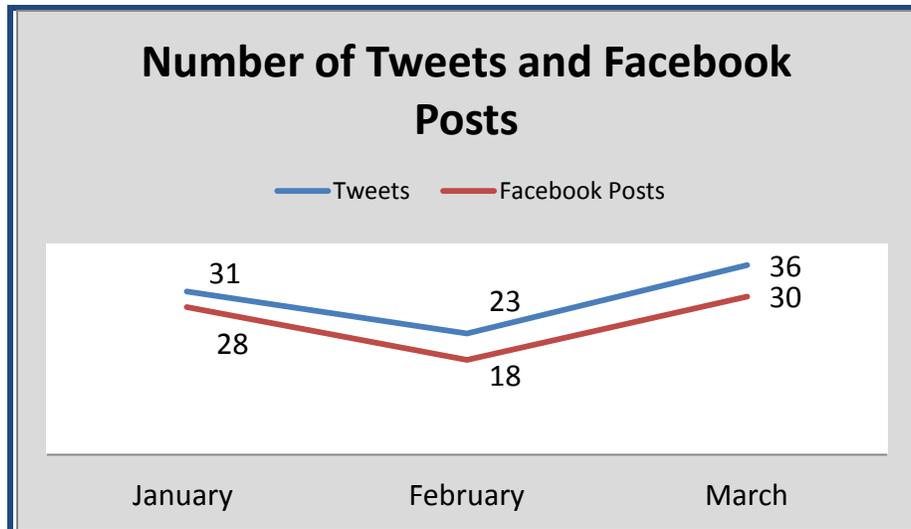


Chart 2 indicates the number of times TCDD shared information on its Facebook page and Twitter feed for each month in 2011.

Public Information Update (Jan – Mar 2012)

People First Graphic

- TCDD staff designed a graphic to encourage the use of people first respectful language. This graphic was liked by 63 Facebook users and shared 38 times on the walls of other Facebook users.



Facebook Timeline

- The TCDD Facebook page switched to the timeline layout and now looks like this:



Public Information Update (Jan – Mar 2012)

TCDD Email Update

TCDD's email software allows staff to track the number of recipients who open or forward an email announcement; the number of recipients who access the information contained in the email (i.e. hyperlinks and downloads); and whether the recipients are from state agencies, council members, grantees, etc.

- As of April 2012, there are 1,167 recipients signed up to receive TCDD emails.
- As of January 2012, there are 741 electronic FYI newsletter recipients; the remaining subscribers opt to receive specific information, such as TCDD News and Events. In addition, 47 individuals request the quarterly printed FYI newsletter.

TCDD Website Update

Top 25 Mobile Devices Used to Access website (Jan. 1, 2011 – March 29, 2012)

Mobile Device Info	# Visits
Apple iPhone	1,462
Apple iPad	1,263
HTC EVO 4G (Android)	167
SonyEricsson LT15i Xperia Arc	121
Apple iPod Touch	115
Motorola DroidX	75
Samsung SPH-D700 Epic 4G	46
T-Mobile myTouch4G	38
Huawei M860 Ascend	37
Samsung SGH-T959 Vibrant	34
Verizon Droid	30
HTC ADR6300 Incredible	28
Samsung SC-02B GALAXY S	26
LG LS670	25
RIM BlackBerry 8530 Curve	19
RIM BlackBerry 9700 Bold	19
LG MS690 Optimus M	17
Samsung Galaxy Tab	16
Verizon Droid2	16
HTC G2 HTC Sapphire	15
LG P509 Optimus T	15
Fujitsu T-01C REGZA Phone T-01C	14
HTC Espresso	13
Total	3,611

TCDD Mobile

The images below show what the current website looks like on various mobile devices



Background:

During the February Public Policy Committee meeting, the Committee discussed Future Projects/State Plan Implementation related to Goal 3. For your reference, Goal 3 states:

Conduct ongoing educational campaigns in collaboration with community leaders, organizations, and businesses to enable them to better support, include, and/or provide culturally responsive services to people with developmental disabilities by 9/30/2016.

The Committee asked staff to further research the topic of accessible parking to determine if any public awareness campaigns have transpired and/or if there are any planned. The attached Executive Summary summarizes the information gathered.

Public Policy Committee

Agenda Item 9.

Expected Action:

The Committee will review proposed activities and may choose to make recommendations to the Council.

Council

Agenda Item 6. E.

Expected Action:

The Council will take action on Committee recommendations.

Executive Summary

Goal 3: Accessible Parking Campaign Research

During the February Public Policy Committee meeting, the Committee discussed Future Projects/State Plan Implementation related to Goal 3. For your reference, Goal 3 states:

Conduct ongoing educational campaigns in collaboration with community leaders, organizations, and businesses to enable them to better support, include, and/or provide culturally responsive services to people with developmental disabilities by 9/30/2016.

After discussion around topics including van accessible parking, disability awareness at the Capitol and disability awareness with employers, the Committee requested additional information regarding accessible parking.

Public Information staff gathered information from many resources, including but not limited to organizations such as the Governor's Committee for People with Disabilities, Disability Rights Texas, The Arc of Texas, DADS, DARS and The City of Austin. Following is a summary of information.

Research Highlights

- According to the United States Access Board, the "van-accessible" designation is intended to be informative, not restrictive, in identifying those spaces that are better suited for van use. It should not be interpreted as restricting the use of spaces to vans only (<http://www.access-board.gov/adaag/about/bulletins/parking.htm>). Travis County Constable Precinct 5's office states that van-accessible spaces are sometimes appropriate for cars or smaller vehicles, especially as technology has allowed lifts to be installed in smaller cars; because caregivers often need the extra room to assist with loading and unloading; and because sometimes people need to be able to fully open their car door for loading and unloading.
- According to the City of Austin and Travis County Constable Precinct Five offices, neither the city nor county has adopted the Parking Mobility program (<http://www.parkingmobility.com/>). They are considering the program but no decision has been made. Members heard about Parking Mobility when a program representative provided public comment in February during both Committee of the Whole and the Public Policy Committee meetings.
- City of Austin/Austin Mayor's Committee for People with Disabilities
 - In 1993, the Austin City Council authorized the appointing of qualified and trained persons, acting under the title of disabled-parking enforcement volunteers, to enforce the disabled parking laws in Austin and to issue citations for violations of the law. The program continues today.
 - PSAs
 - Illegal Parking in Accessible Parking (August 2011)
http://www.youtube.com/watch?v=5D0c6_6E-Cq (The City of Austin was recognized by the Texas Governor's Committee on People with Disabilities with a 2012 Barbara Jordan Media Award)
 - Accessible Parking (July 2010)
<http://www.youtube.com/watch?v=ABO3hGnRRGM>

- Travis County (Austin area)
 - Constable Precinct 5 Disabled Parking Enforcement Program (<http://constable5.com/info/parking.shtml>)
 - Established 1995; staff and citizen volunteer ticket writing program that requires 4-hours of state-mandated training
 - “As this program begins its 15th year of existence, handicap-parking violations remain as prevalent as ever. It is still common to come across violators who do not have handicap parking license plates or hang-tags, use other peoples’ plates or tags, park on the diagonally striped areas for van unloading and block access ramps. Even though fines for these offenses are \$500 and up, the Constable’s staff and citizen volunteers will still write 1,000 or more tickets this year.”

- Future efforts
 - Representatives from the City of Austin, Austin Mayor’s Committee for People with Disabilities and the Travis County Precinct 5 Constable’s office recently began meeting to discuss a new educational campaign.
 - The group shares a common goal of no accessible parking abuse.
 - The group is evaluating past efforts and how new tools like the Parking Mobility program may fit in with future efforts.
 - The group is considering expanding efforts to provide educational information in high school driver’s education classes and defensive driving course curriculum, and working with the Texas Department of Transportation to create an educational information packet for drivers.
 - The group welcomes collaborators.

Background:

The Council has developed “position statements” on various issue areas to express the Council’s views and beliefs on each of those issues. The Public Policy Committee periodically reviews and recommends revisions to existing Position Statements. Staff solicited input this quarter regarding proposed revisions from Council members on the following position statements:

- Access to Health Care
- Service Coordination
- Guardianship
- Family Support Services

Revisions suggested by Council members and/or staff are included in the draft materials. Comments in **RED** represent Council member input whereas comments in **BLUE** were suggested by TCDD staff.

The Council adopted revisions to the Children and Families Position Statement during the May meetings. That Statement indicate the “Council believes that the state of Texas should adopt a public policy statement recognizing the value of families in children’s lives.” During a final review following the meeting, staff realized that state law already includes a priority for children to be raised in families. Government Code as a result of SB 368 (2001).

Sec. 531.152. POLICY STATEMENT. It is the policy of the state to strive to ensure that the basic needs for safety, security, and stability are met for each child in Texas. A successful family is the most efficient and effective way to meet those needs. The state and local communities must work together to provide encouragement and support for well-functioning families and ensure that each child receives the benefits of being a part of a successful permanent family as soon as possible.

Staff therefore propose a final technical revision to the Statement in this manner:

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

The table below reflects the most recent dates that position statements were reviewed (statements in **bold** are currently under review). The Public Policy Committee will review a schedule to update TCDD’s Position Statements prior to the 83rd Session of the Texas Legislature, which begins in January 2013.

Position Statements Last Reviewed

Employment	Aug '09	Education	Feb '10	Emergency	Feb '12
		Criminal Competency	Feb '10	Preparedness	
Transition	Aug '09	Children & Families	Feb '12	Services Coordination	May '10
Aging & DD	Nov '09	Family Support	Feb '10	Guardianship	May '10
Transportation	Feb '12	Right to Privacy	Feb '12	Access to Health Care	Aug '10
				Community Living	Aug '10

Public Policy Committee

Agenda Item 12.

Expected Action:

The Committee will review provide recommendations to the Council for revisions to those Position Statements reviewed.

Council

Agenda Item 9.

Expected Action:

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



Access to Health Care Position Statement

The Texas Council for Developmental Disabilities supports the position that all people, regardless of their disability, age, or ability to pay, should have access to affordable, comprehensive health care. TCDD supports efforts to increase the access and affordability of health ~~care insurance~~ for employer groups and its employees and for those not eligible for employer coverage. The Council supports the position that full access to health care must be based on the following critical principles:

Comprehensiveness - All people, regardless of their disability, age of onset, or age, must have access to a comprehensive, integrated array of health, behavioral health and rehabilitation personal, and support services across all service categories and sites of service delivery services. ~~To be comprehensive, these services should be provided in the context of a medical home, where the clinician works in partnership with the individual and/or family to ensure that all of the medical and nonmedical needs of the person are met. A medical home is defined as primary care that is comprehensive, accessible, continuous, consumer-centered, coordinated, compassionate, and culturally effective. Through this partnership, the clinician helps the individual and/or family coordinate and access specialty care, educational services, out of home care, family supports, and other public and private community services that are important to the overall health of the individual and/or family. In addition to the traditional acute care hospital and physician services, comprehensive health related services include, but are not limited to the following: Which includes:~~

- traditional acute care hospital and physician services;
- wellness and preventive services, including services to prevent secondary conditions or a loss of functional ability;
- health promotion/education services;
- (something re: medical home)
- diagnostic services;
- long and short term in-home health-related services;
- prescription drugs, biologicals and medical foods;
- mental health and counseling services;
- rehabilitation services and specialty care, including audiology, occupational, physical and respiratory therapy, speech-language pathology services, cognitive therapy, vision and hearing care, behavioral therapies, and therapeutic recreation;
- personal assistance and habilitative services and independent living services and;
- durable medical equipment and other assistive technology devices, equipment and related services.

Choice - All people, regardless of their disability or age, must be assured that comprehensive health, rehabilitation, personal and support services are provided on the basis of individual need, preference and choice which:

- ensure a level of consumer choice in relation to services and providers;
- ensure a range of service community-based settings through an integrated delivery system;
- ensure an appropriate amount, scope and duration of services; and
- ensure the availability of trained personnel.

(Continued)

Equity - All people, regardless of their disability or age, must be ensured equitable participation in all available health care systems and not be burdened with disproportionate costs. An equitable system:

- limits out-of-pocket expenses and cost sharing requirements;
- provides access to services based on health care need, ~~not income level or employment status~~ rather than ability to pay and/or insurance coverage;
- ensures adequate reimbursement for service; ~~and~~
- promotes health and related services in the most integrated setting; and
- ensures equity in coverage between mental health and physical health benefits.

Efficiency - All people, regardless of their disability or age, must have access to a comprehensive health care system - including wellness, prevention and treatment services - that provides appropriate, effective, quality services and which minimizes administrative waste. An efficient system:

- reduces administrative complexity and minimizes administrative costs;
- ~~allocates resources in a more balanced way between~~ invests in preventive services to minimize utilization of more costly services such as emergency room, hospital and physician acute care;;
- promotes rehabilitation and chronic care management; and
- maintains effective, ~~cost controls~~ comprehensive service delivery systems so that ~~all~~ people can get the health care services which they need in a timely manner.

Non-Discrimination - All people, regardless of their disability or age, must be able to fully participate in all health care systems and have access to health care services:

- provided in locations and facilities that fully comply with the Americans with Disabilities Act and other applicable accessibility requirements;
- that embrace research that recognizes and includes people with disabilities, ethnic minorities, people living in rural areas, the elderly, women and children as ~~a~~ disparity populations; and
- that are affiliated with health care training programs which include developmental and mental health disease and best practices.

Transition and Coordination – All people, regardless of their disability or age, must have access to and receive services needed to enable and facilitate sensitive and planned transition and coordination from one health service provider or setting to another, including at least the following situations:

- among primary care and specialty care providers;
- upon discharge from one setting to another, such as from acute inpatient care to less intensive care settings, including to care provided in the home;
- when moving from a pediatric to an adult ~~-serving-~~ medical home; and
- when considering and upon entering palliative or hospice care ~~settings~~.

~~Reviewed August 6, 2010~~ May 3, 2012



Access to Health Care Position Statement

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

The Texas Council for Developmental believes that in any consideration of changes to the health care financing and delivery system in the United States, the well-being of the patient must be the highest priority. The TCDD strongly supports the reform measures and principles set forth in this statement as providing individuals consistent access to patient centered, timely, unencumbered, affordable and appropriate health care and universal coverage while maintaining physicians as an integral component to providing the highest quality treatment.

The TCDD believes that as policymakers consider health care reforms they should:

- Make certain that patients are empowered to control and decide how their own health care dollars are spent
- Eliminate pre-existing condition exclusions
- Ensure unencumbered access to specialty care
- Make health care coverage more affordable
- Improve value and increase quality on our healthcare system
- Extend both coverage and access for the uninsured and under-insured
- Avoid establishing new unsustainable programs
- Provide comprehensive, culturally and linguistically appropriate behavioral health services and supports.
- Ensure that people with mental health conditions have access to the full array of services necessary for recovery from these conditions and are not subject to arbitrary limits on days, visits, and other conditions of coverage;
- Ensure that people with disabilities of all ages and their families must have access to health care that responds to their needs over their lifetimes, and provides continuity of care that helps treat and prevent chronic conditions
- Ensure that people with disabilities and their families must be assured that comprehensive health, rehabilitation, and long term support services are provided on the basis of individual need, preference, and choice.
- Ensure that people with disabilities and their families must have equitable access to health coverage programs and not be burdened with disproportionate costs

(continued)

TCDD are concerned about proposals that call for deep reductions in Medicare and Medicaid payments. Reforms are necessary to strengthen the Medicaid program so that it provides accessible, high-quality health care services to people with disabilities enrolled in the program (e.g., evidence-based practices, payment structure that attracts providers, etc.).



Service Coordination Position Statement

The Texas Council for Developmental Disabilities believes that the full inclusion and participation of people with disabilities in community life requires that individuals be aware of the services and supports available, that they have an array of service and support options from which to choose, and most importantly, that they have the central role in planning and directing their own future. These goals are most readily achieved when individuals and their families receive the benefit of **effective, conflict-free** service coordination.

Service coordination involves assisting individuals through planning, coordinating, locating, accessing and monitoring services and supports that will result in an optimal quality of life and level of community participation. **It is the responsibility of the service coordinators to also advocate for the individuals and their family and provide support for people who are receiving services to advocate for themselves.** Service coordination should be viewed as a distinct benefit available to people with disabilities who require **assistance, information and advocacy to obtain** access to various services and supports to participate fully and be fully included in their communities.

TCDD believes that the service coordination system should be independent from service delivery such that, the service coordinator is free from conflict of interest, and independent or separate from the direct delivery of 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 from conflict of interest. An independent service coordination structure also enables service coordinators to maintain the integrity of their advocacy role. **Individuals should be able to choose a qualified service coordinator.**

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

- access or refuse specific services and supports, as desired;
- develop their own service plan;
- request alternate services and supports, providers or service coordinators; and
- appeal decisions made about the services and supports they receive.

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 diagnosis **or financial status**. 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 by one person who:

- 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.

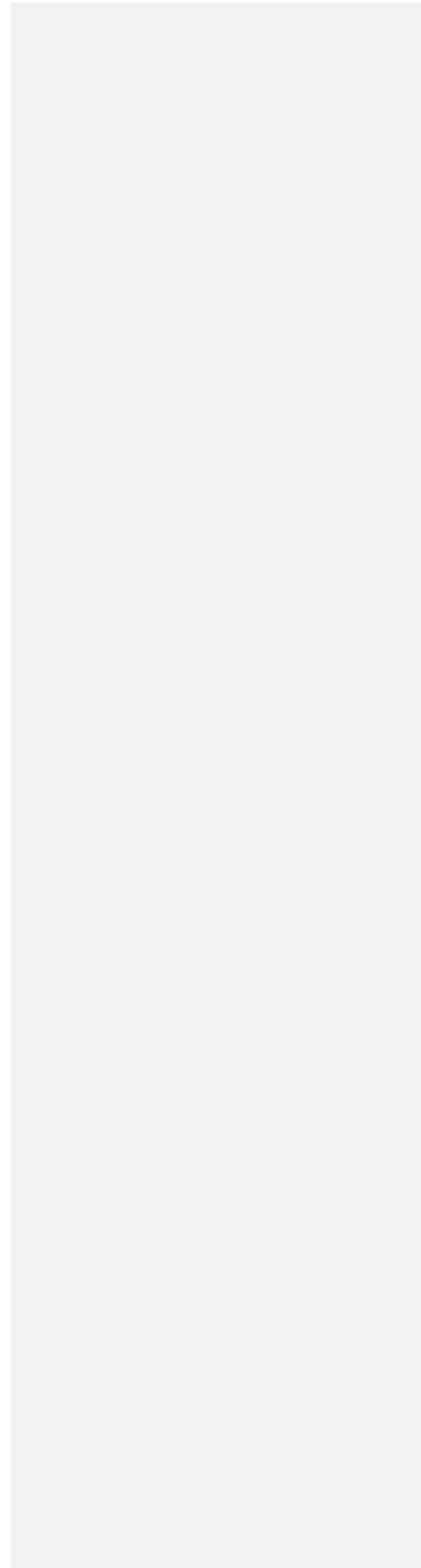
It is the responsibility of the service coordinator to: (1) advocate on behalf of the individual; (2) help the individual become empowered to act on his or her own behalf; and (3) support the right of that individual to make decisions and to take risks based on informed choice and individual goals and values.

Service coordinators should: (1) be knowledgeable about public and private resources; (2) be creative in their ability to make public and private supports and services work to meet the individuals' needs; and (3) serve a facilitative role in bringing individuals, families and providers together. While service

Comment [c1]: This sentence is a staff suggestion to be included in the position statement since reference is made below to the "advocacy role" of the service coordinator but it is not defined what the role should be.

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.

Reviewed May 7, 2010





Guardianship Position Statement

The appointment of a guardian is a legal proceeding designed to protect individuals from abuse, neglect (including self-neglect) and exploitation and to provide for their care and the appropriate management of their property. The appointment of a guardian is a legal proceeding designed to promote and protect the well-being of the person.¹ Establishing a guardianship removes rights and privileges from the individual and assigns control to someone else. The Council believes guardianship should be granted only if all other alternatives are insufficient, and only to the extent and only for the length of time determined to be necessary, with annual reviews to determine if the guardianship can be terminated or reduced. The Council supports the position that individuals should receive support, education or training to develop their capacity to make decisions for themselves so that the guardianship may be averted.

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The Texas Probate Code requires that all guardianships be as limited as possible. The Council also supports the position that guardianship must be demonstrated to be the most appropriate and least restrictive alternative. When determined to be necessary, a guardianship should be tailored such that it is limited to only those specific areas in which surrogate decision making is likely to be needed. The individual's ability to make decisions should be developed and supported to the maximum extent possible, and guardianship should not decrease an individual's dignity or the right to make choices if there is no undue risk.

According to Texas Probate Code, Chapter XIII, a court may appoint a guardian with full authority over an "incapacitated person" or may grant a limited authority over an "incapacitated person" as indicated by the person's actual physical or mental limitations and only as necessary to promote and protect the well-being of the person. Texas Probate Code further defines "incapacitated person" to mean (A) a minor; (B) an adult who, because of a physical or mental condition, is substantially unable to provide for their own food, clothing or shelter; to care for their own physical health; or to manage their financial affairs; or (C) a person who must have a guardian appointed to receive funds due the person from any government resource.

The Council supports the position that such limitations in abilities must be carefully evaluated, with a presumption that persons with disabilities are competent and individual's decision-making abilities can be supported that some limitations may be reduced with education, training, and/or assistance support. Individuals may require assistance from others or accommodations based on their disability but still be able to make informed decisions based on their own preferences. Most importantly, the presence of a physical or mental disability or the age of an individual does not indicate the need for guardianship. The Council supports the position that the evaluation of a person's mental status must take into consideration and rule out any reversible conditions that can cause confusion and seeming incapacity before certifying the need for a guardian.

(Continued)

¹ Texas Probate Code, Sec. 602. Purpose of Guardianship.

The vast majority of people with disabilities, including intellectual disabilities, do not need guardians. An in-depth capacity assessment must be conducted prior to any guardianship hearing, focusing on the person's decision-making skills, experience, capacity and support system. The assessment should be conducted by a professional trained to administer and interpret an appropriate instrument related to need for guardianship. Additionally, there must be a mechanism for individuals to provide input during their own capacity assessment and guardianship reviews.

There are a number of alternatives to guardianship that should be explored before proceeding with a guardianship hearing. In the financial area, multi-party contracts, trusts, powers of attorney, representative payees, and money management programs may enable an individual to successfully manage financial issues without the necessity of having a **guardian of the estate** appointed. For health and programmatic concerns, the use of advance directives or surrogate decision-makers (under the Health and Safety Code) might prevent the need to establish a **guardian of the person**. Consideration should be given to providing education and support to develop decision-making skills and opportunities for additional experience.

If the alternatives are not sufficient to protect the interests of the individual, a guardianship hearing may be necessary. It is important that a judge carefully evaluates the qualifications and interests of a proposed guardian and gives special consideration to the nature of the relationship. It is also essential that an appointed **attorney ad litem** adequately represent the interests of the person for whom guardianship is being proposed, and that all attorneys ad litem appointed by judges in guardianship proceedings have been certified in guardianship law by the State Bar of Texas as required by the Texas Probate Code. Further, a professional evaluation of the individual by a physician or psychologist must clearly indicate how the individual's disability affects his or her ability to make and communicate informed decisions [and what proactive measures have been taken to support the ability of that individual to make and communicate informed decisions.](#)

The Council supports the position that if a **guardianship of the person** is granted, it should be of the limited type in which the specific areas of needed assistance are listed in the order by the judge. The guardianship should encourage the development of maximum self-reliance and independence for the individual. Further, the required annual review of the guardianship must involve a serious consideration of whether it needs to be continued, modified, or terminated, and a yearly report of this review must be filed in each guardianship. It is essential that annual reviews are not limited to a financial review, but also consider the individual's capacity and needs. Additionally, the judicial system must have the resources needed to make and review guardianship assessments. The Council further recommends that participants in the annual review should include, but not be limited to, the individual, the guardian, attorney ad litem, and an outside advocate/ombudsman.

It is estimated that many of the Texans with disabilities who do not have the capacity to provide informed consent for services, treatments, or legal issues have no one to provide assistance in decision-making or even to serve as a guardian. Financial barriers (bonds and court costs) often prevent family members from serving in this role. The Council supports the position that the state of Texas should remove these barriers. Local guardianship and money management programs (supported in part by the Health and Human Services Commission) plus surrogate consent committees (for ICF-MR residents only) fill part of this gap, as do services provided by the Texas Department of Family and Protective Services. However, more resources are sorely needed in this area. Additionally, the Council believes that the state needs to establish statutory authority to regulate private professional guardians more closely.

[Reviewed May 7, 2010 May 3, 2012](#)



Family Support Services Position Statement

National caregiver studies estimate that more than 85 percent of individuals with developmental disabilities reside with and rely on their families for care. ~~Families that care for individuals with disabilities range from young parents learning to care for children with physical and mental disabilities, to parents caring for teenagers and young adults with disabilities, to frail and elderly parents of aging, dependent adults with disabilities.~~ Emotional, social and economic challenges accompany a family's commitment to their family member with a developmental disability. To provide sustained care for a child, a sibling, or an adult with disabilities, families need access to supports and services.

Comment [c1]: Staff comment: Lengthy sentence...suggestions to keep to it the way it is, alter to shorten or cut all together?

Services [and supports](#) to families with a family member with disabilities have a dual focus. Those services support the health and integrity of family units, and they maximize the strengths and potential of individuals with disabilities to independently participate in and be included in their communities. During childhood, family support services are intended to strengthen the family's role as primary caregiver and prevent institutional placement of individuals with disabilities. Throughout an individual's life span, family support services are intended to strengthen and maintain family connections while fostering self-determination, independence, and participation in school, job, recreational and community ~~settings~~ [activities](#). Adequate support services must be available to people with disabilities so that they can remain in the community rather than face inappropriate institutional placements.

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

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

(Continued)

Providers of family support services must have education and training that will prepare them to work with families and people with disabilities of all ages in inclusive settings to maximize each individual's potential and inclusion with their peer groups.

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

Reviewed ~~February 12, 2010~~ [May 3, 2012](#)



Children and Families Position Statement

All children belong in families that provide love, caring, nurturing, bonding and a sense of belonging and permanence that best enables them to grow, develop and thrive. Children with disabilities are no different from other children in their need for the unique benefits that come only from growing up in a permanent family relationship. All children benefit and are enriched by being part of an inclusive environment that promotes physical, social, and intellectual well-being and leads to independence and self-determination.

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

The Texas Council for Developmental Disabilities supports the position that:

- All children can and should live in a family. All children need a family to best grow, develop and thrive. All children deserve the love, nurturing and permanency that are unique to family life.
- Families come from many cultures and are multidimensional. No matter its composition or cultural background, a family offers a child a home and a lifelong commitment to love, belonging and permanency. Parents with disabilities are capable of and do provide loving families and homes to children.
- Families, including parents with disabilities, should have available the level of supports and services needed to keep children with disabilities in their own homes. Family support services should include, but are not limited to, respite care, provision of rehabilitation and assistive technologies, personal assistant services, parent training and counseling, vehicular and home modifications, and assistance with extraordinary expenses associated with disabilities. In addition, since the vast majority (over 85%) of individuals with disabilities reside with families in their own households, families of children with disabilities need access to appropriate child care and to before- and after-school programs. Child care for children with disabilities should be affordable, safe, appropriate and in the most integrated setting.
- Providers of family support services must have education and training that will prepare them to work with people with disabilities in inclusive settings to achieve this goal.
- To be effective and beneficial, supports and services must be easy to access, family-driven, individualized, flexible to changing needs and circumstances, culturally sensitive and based on functional needs rather than categorical labels.

(Continued)

- ❑ When children cannot remain in their own families, for whatever reason, they still deserve to live and grow up in a family. The first priority should be to reunite the family through the infusion of services and supports. When that is not possible and the family can remain actively involved in the child's life, the natural family should be a key participant in selecting an alternate family situation for their child, including foster families, co-parenting and adoption.
- ❑ When families cannot be actively involved in their children's lives, permanency planning must occur to allow each child to live in a family.
- ❑ School districts and health and human services agencies are integral sources of information and training for parents. Coordination among school districts and outside agencies is critical to provide parents with accurate, timely information regarding services and eligibility requirements.
- ❑ The state Child Protective Services system is essential to guarantee that all children are safe from abuse and neglect. Support of the families of children with disabilities from this system is critical to make sure children remain in a safe, family environment and are not unnecessarily removed from families due to the absence of necessary services and supports.

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

The Council supports the [public policy statement adopted by](#) ~~position that~~ the State of Texas [should adopt a public policy statement](#) recognizing the value of families in children's lives and [supports the development of](#) programs, policies and funding mechanisms that allow all children to live and grow up in a family.

Reviewed February 09, 2012

Background:

The Council will review the minutes from the February 10, 2012, Council meeting and February 9, 2012, Committee of the Whole meeting.

Council

Agenda Item 3. A.

Expected Action:

The Council will review, revise as appropriate, and approve the minutes from the August meetings.

**COUNCIL MEETING
DRAFT MINUTES
FEBRUARY 10, 2012**

COUNCIL MEMBERS PRESENT

John C. Morris,
Council Vice-Chair
Hunter Adkins
Kimberly Blackmon
Kristine Clark
Gladys Cortez
Kristen Cox
Andrew Crim

Mary Faithfull, DRT
Frank Genco, HHSC
Sandy Graham, UT CDS
Kathy Griffis-Bailey, DSHS
Cindy Johnston
Jeff Kaufmann, DADS
Sara Kendall, DARS
Dana Perry

Joe Rivas
Amy Sharp, A&M CDD
Cindy Swain, TEA
Lora Taylor
Richard Tisch
Susan Vardell

COUNCIL MEMBERS ABSENT

Brenda Coleman-Beattie,
Council Chair

Mateo Delgado
Mary Durham

Diana Kern

STAFF PRESENT

Roger Webb,
Executive Director
Jeri Bernard
Martha Cantu
Joanna Cordry

Cynthia Ellison
Cassie Fisher
Sonya Hosey
Wendy Jones
Melissa Loe

Jessica Ramos
Melissa Rosser
Koren Vogel

GUESTS PRESENT

Amanda Dunnavant

Leteshia Finely

Gina Fuller

CALL TO ORDER

The Texas Council for Developmental Disabilities convened on Friday, February 10, 2012, in the Salon C&D Room at the Marriott Austin South, 4415 South IH-35, Austin, TX 78745. Council Vice-Chair John C. Morris called the meeting to order at 8:45 AM.

1. INTRODUCTIONS

Council members, staff and guests were introduced.

2. PUBLIC COMMENTS

No public comments were offered.

3. CONSIDERATION OF MINUTES

Vice-Chair Morris asked for a motion to approve minutes of the November Council and Committee of the Whole meetings and to excuse absences for Brenda Coleman-Beattie, Mateo Delgado, Mary Durham, and Diana Kern.

MOTION:

To approve the excused absences as noted and minutes of the November 3-4, 2011, meetings as presented.

MADE BY: Mary Faithfull

SECOND: Cindy Johnston

The motion **passed** unanimously.

4. CHAIR'S REPORT

Morris reported on opportunities for Council Members to attend upcoming national conferences and indicated that Kris (Bissmeyer) Clark and Public Policy Director Jessica Ramos will attend the Disability Policy Seminar in Washington, D.C., April 23-25, 2012. The ADD Technical Assistance Institute will be held in Washington, DC, June 14-15, 2012, and the NACDD Fall Conference will be held in Los Angeles, October 14-16, 2012. Members who are interested in attending should contact the Council Chair or Executive Director Webb.

5. EXECUTIVE DIRECTOR'S REPORT

Webb reported that Sonya Hosey was selected as Grants Management Director beginning December 1, 2011, and Jessica Ramos was selected as the Public Policy Director and started with TCDD on January 2, 2012. The Web Administrator position (formerly occupied by Rosalinda Lopez) has been posted and the Grants Specialist position will be posted shortly.

Webb reported that federal appropriations for DD Councils were reduced by 0.23% for FY 2012 which reduces funding for TCDD by \$13,838. Webb reviewed an invitation for Texas to participate in a regional self advocacy summit in Chicago on April 19-20, 2012, sponsored by the Administration on Developmental Disabilities. Webb will represent TCDD at the summit. He is also coordinating a collaborative effort of organizations that will sponsor self advocates from Texas to attend the summit. TCDD will likely assist 4-5 self-advocates to attend, including personal assistants if needed.

Webb reviewed a tentative schedule for May 2012 meetings in Dallas which will include a public input session on Wednesday evening and time for public input during the meetings.

Webb recognized Grants Management Specialist Cynthia Ellison for five years with TCDD and noted that she has been with state government for many more years serving people with disabilities.

6. ELECTION OF COUNCIL VICE-CHAIR & CONSUMER MEMBER-AT-LARGE TO THE EXECUTIVE COMMITTEE

Kristine Clark reported for the Nominations Committee which also included Kathy Griffis-Bailey and Lora Taylor. Clark reviewed the process for election of Council Vice-Chair and the Consumer Member-at-Large to the Executive Committee. Emails were sent to Council members soliciting input for both positions which the Committee reviewed. The Committee recommended John Morris for a second term as Council Vice-Chair and Hunter Adkins for a second term as the Consumer Member-at-Large to the Executive Committee. No other nominations were presented from the floor.

MOTION: To elect John C. Morris as Council Vice-Chair and Hunter Adkins as Consumer Member-at-Large to the Executive Committee.

MADE BY: Kris Clark for the Nominating Committee (Motions from a committee do not need a second.)

The motion **passed** unanimously.

7. FUTURE FUNDING ACTIVITIES

Project Development Committee Chair Susan Vardell noted that the Committee received a report from the ad-hoc workgroup (John Morris, Cindy Swain, Andy Crim & Gladys Cortez) on Next Steps for Outreach and Development Activities. The Committee recommends that the workgroup continue its discussions and develop possible activities for consideration by the Committee. The Committee also recommends adding a member from the Public Policy Committee on the workgroup.

MOTION: To support the overall recommendations presented by the Outreach and Development Workgroup and to add a member from the Public Policy Committee.

MADE BY: Susan Vardell for the Project Development Committee

The motion **passed** unanimously. (Attachment included with Project Development Committee minutes)

The Project Development Committee had further discussion regarding statewide leadership development and advocacy skills training and regional network development. Vardell reported that the Committee recommends removing the Regional Network Development and the Statewide Leadership Advocacy Training Network from the Future Funding Priorities List. Removing the proposed project from the Priorities List would allow those funds to be budgeted for other projects. The Committee asked staff to develop ideas for a possible project to provide leadership and advocacy skills training for self advocates. Without these projects, TCDD does not have well-defined plans for Leadership Development and Advocacy Skills Training beyond 2014, but expects to continue to provide support for local advocacy programs as is noted in the State Plan.

MOTION: To remove the Statewide Leadership Advocacy Training Network and Regional Network Development from the Future Funding Activities Priorities List.

MADE BY: Susan Vardell for the Project Development Committee

Amy Sharp, Center for Disability and Development, asked about the Committee's intent to continue statewide leadership training activities past 2014. Cordry explained that the activities being removed are not for statewide training projects but only for a statewide network that provides assistance across various training efforts. Vardell further clarified that the Committee does not expect to lose these ideas but prefers to gather more information before moving forward.

The motion **passed** unanimously.

Vardell further reported that the Committee discussed the goal to further develop the capacity of community programs necessary to reduce unnecessary admissions to state supported living centers and asked staff to obtain input from current and past grantees related to this issue.

8. TCDD POSITION STATEMENTS

Public Policy Committee Chair Joe Rivas reported that the Committee recommends adoption of amendments to TCDD Position Statements on Children & Families, Emergency Preparedness, Right to Privacy, and Transportation. Public Policy Specialist Cassie Fisher reviewed the proposed amendments as presented by the Committee.

MOTION: To approve the amendments as presented for the following TCDD Position Statements: Children and Families, Emergency Preparedness, Public Transportation Systems and Right to Privacy.

MADE BY: Joe Rivas for the Public Policy Committee

It was noted that wording in all the documents will be changed from “the Council believes” to “the Council supports the position of”.

The motion **passed** unanimously. (Attachments included with Public Policy Committee minutes)

9. STATE PLAN IMPLEMENTATION DISCUSSION

The Council accepted by consensus the decisions from the Committee of the Whole regarding measures for education activities described in the Goal 1 of TCDD State Plan.

10. PUBLIC POLICY COMMITTEE REPORT

Committee Chair Rivas reported on discussions of the Public Policy Committee including staff updates on a policy statement about mental health prevention and early intervention developed by a stakeholder group and updates about Medicaid waivers, Medicaid cost-containment initiatives, and State Supported Living Center monitoring activities. The Committee also discussed federal policy issues and updates to manufactured homes requirements for wider doorways.

Council Vice-Chair Morris noted that Kristen Cox has accepted the position of Public Policy Committee Vice-Chair and in addition will serve on the ad-hoc workgroup for outreach and development activities. Rivas also discussed the progress of the 2012 Biennial Disability Report. Staff received commitments from agencies to share data and have received bids for the technical writer to compile the report. Interviews will soon be conducted and a selection will be made.

11. PROJECT DEVELOPMENT COMMITTEE REPORT

Committee Chair Vardell welcomed Sonya Hosey as Grants Management Director and noted that Hosey reported 16 new grants are in the works. A contract was recently awarded to the Circle of Ten that will provide training for Leadership and Advocacy Skills Training grantees on project sustainability. Vardell complimented Communications Coordinator Melissa Loe on the Public Information Report and encouraged members to review the accomplishments noted in that report.

Committee members discussed their own advocacy efforts and Vardell noted that Dana Perry greatly contributed to the efforts to rescue nursing home residents from a bed-bug infestation.

Morris invited Kristen Cox to speak on the opening of the El Paso Children’s Hospital for which she is a board member. The hospital is scheduled to open February 14, 2012 and was the largest metropolitan area without a free-standing children’s hospital.

12. EXECUTIVE COMMITTEE REPORT

Vice-Chair Morris reported that the Executive Committee reviewed the grants activities reports and noted that no concerns were found. Webb briefly highlighted the information provided in both reports.

The Committee reviewed an appeal from the Texas Impact Education Fund (TIEF) for the decision in November to not approve funding for two proposals submitted by TIEF for Inclusive Faith-Based Communities Symposium projects. Neither proposal from TIEF was recommended as fundable by the independent review panel and funding was approved for four other proposals. The Committee upheld its original decision to not approve funding for either of the proposals submitted by TIEF.

The Committee approved continuation grant funding for up to \$177,022 to SafePlace for the second of a three year Meaningful Relationships project and for up to \$73,941 to the Arc of San Angelo for the second of a three year Alternatives to Guardianship project.

Morris reported that the Committee discussed the quarterly financial report and no concerns were noted. Operations Director Martha Cantu noted that there appears to be a large negative balance for FY12 but clarified that over \$740,000 will carry over from FY11 that can still be obligated in FY12 in addition to more than \$200,000 remaining from operating expenses. Other funds will become available as grantees do not spend all funds allocated to them so the negative balance will not remain.

Council Member Cox asked if remaining funds could be allocated to unsolicited requests for funding. Webb indicated that the Council's current procedures allow for unsolicited ideas but do not allow the Council to consider unsolicited requests for funding. In addition, project funding is guided by the TCDD State Plan. Morris and Project Development Committee Chair Vardell reviewed past efforts related to unsolicited projects. Planning Coordinator Cordry noted that the State Plan includes an activity that allows the Council to consider other "unplanned" ideas but the Project Development Committee has not yet considered how to implement that activity. Cordry noted that one option would be an "open" RFP for ideas or projects. Council member Andy Crim asked for this topic to be placed on the Project Development Committee agenda for the next quarter.

Webb discussed requirements for agencies to review Rules every four years. TCDD last reviewed rules in 2008 and will do so again during 2012. The agency can choose to re-adopt with no changes, repeal any Rules that are no longer needed, or adopt existing Rules with amendments as appropriate. Webb briefly reviewed a few minor amendments identified by staff that will be considered in May. Any amendments approved by the Council will be posted for a 30-day public comment period. Comments will be reviewed by the Executive Committee in August before recommending amendments to the Council for final adoption.

Morris reported that the Committee reviewed the Conflict of Interest Disclosure reports and noted that no concerns were noted. Members should provide updates as needed.

13. ANNOUNCEMENTS AND UPDATES

Webb reviewed plans for the Council meeting in May 2012 which will be held in Dallas at the Sheraton Dallas. Council members discussed the Texas Technology Access presentation to the Committee of the Whole and asked if the project could provide a list of iPad applications that are of benefit people with disabilities to members.

ADJOURN

Vice-Chair Morris adjourned the Council meeting at 10:23 AM.

Roger A. Webb
Secretary to the Council

Date

**COMMITTEE OF THE WHOLE MEETING
DRAFT MINUTES
FEBRUARY 9, 2012**

COUNCIL MEMBERS PRESENT

John C. Morris, Council Vice-Chair	Kevin Estes, HHSC Mary Faithfull, DRT	Joe Rivas Amy Sharp. A&M CDD
Hunter Adkins	Sandy Graham, UT CDS	Cindy Swain, TEA
Kimberly Blackmon	Kathy Griffis-Bailey, DSHS	Lora Taylor
Kristine Clark	Cindy Johnston	Richard Tisch
Gladys Cortez	Jeff Kaufmann, DADS	Susan Vardell
Kristen Cox	Sara Kendall, DARS	
Andrew Crim	Dana Perry	

COUNCIL MEMBERS ABSENT

Brenda Coleman-Beattie, Council Chair	Mateo Delgado Mary Durham	Diana Kern
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STAFF PRESENT

Roger Webb, Executive Director	Joanna Cordry Cynthia Ellison	Melissa Loe Jessica Ramos
Jeri Bernard	Cassie Fisher	Melissa Rosser
Martha Cantu	Sonya Hosey	Koren Vogel
Belinda Carlton	Wendy Jones	

GUESTS PRESENT

Carlton Chen	Leticia Finely	Charleen Searight
Ying Chen	Gina Fuller	Thelma Scott
Zandra Draper	Rachel Nava	Alexander Warren
Amanda Dunnivant	Ilene Robinson	

CALL TO ORDER

The Committee of the Whole of the Texas Council for Developmental Disabilities convened on Thursday, February 9, 2012, in the Salon C&D Room at the Marriott Austin South, 4415 South IH-35, Austin, TX 78745. Council Vice-Chair John Morris called the meeting to order at 9:30 AM.

1. INTRODUCTIONS

Council members, staff and guests were introduced.

2. PUBLIC COMMENTS

The Committee of the Whole received public comments from Ilene Robinson who invited members to a seminar offered at the Brookwood Community in Houston by Eden Alternatives. Charleen Searight spoke about a news article that reported the death of an individual at a private residential program and indicated that she felt there was not the media attention that would have occurred if the individual had been a resident of a state supported living center. Thelma Scott of the Barbara Jordan Endeavors Corporation spoke about the suicide of one of the “ambassadors” from her program and asked for an increase in grant funds from TCDD. Dr. Alexander Warren of Texas Tutor

Professionals also spoke on behalf of the Barbara Jordan Endeavors Corporation and encouraged an increase in grant funds to allow additional tutoring to students in the Houston area. And Rachel Nava of Different Abilities, Inc. spoke about her day program that provides training and job placement services. Different Abilities works with the Barbara Jordan Endeavors Corporation and also encouraged an increase grant funds for those programs.

3. CHAIR'S REPORT

Acting Chair Morris reported that Kris Clark will move to the Project Development Committee and Kristen Cox will move to the Public Policy Committee where she will serve as Vice-Chair of that Committee. Morris reviewed expected absences during this quarter's meetings including Brenda Coleman-Beattie, Mateo Delgado, Mary Durham, & Diana Kern.

Executive Director Roger Webb reported that Council Member Cindy Johnston is appearing in a play called "The Jesters" in Dallas. Council Member appointments are expected from the Governor's Office within the next few weeks.

Public Policy Committee Chair Joe Rivas and Project Development Committee Vice-Chair Dana Perry presented key agenda items that are planned for discussion by those Committees.

Morris and Cox reported on their experiences at the NACDD Annual Fall Conference. Morris discussed a project from Wisconsin that partnered state legislators with persons with disabilities to accompany them to their workplaces. Cox noted that many of the presentations were things that TCDD is currently or has previously done. She felt it was a good opportunity to network with Council members from other states.

4. PRESENTATIONS – CULTURAL COMPETENCE

Grants Management Director Sonya Hosey introduced Ying Chen of the Friends and Families of Asians with Special Needs (FFASN) project. FFASN received a \$10,000 grant for this Outreach and Development project. Ms. Chen reviewed the goals and accomplishments of the project which included education targeted to parents in the Asian community about community resources and available services. The project also provided training for parents to be better advocates for their children with disabilities and educated professionals on ways to be culturally-sensitive service providers. The project held two one-day workshops on community resources and long-term planning and has a bilingual website that provides resources for families.

Executive Director Webb introduced Roger Levy, Director of the Texas Technology Access Project at the UT Center for Disability Studies. Levy discussed the Assistive Technology Act which funds the program to help Texans gain access and acquisition to assistive technology. He explained the program's short-term device loans, demonstration centers, and "double-click" computer projects which allows purchase of refurbished computers by people with disabilities at a minimal cost.

5. FUTURE PROJECTS/STATE PLAN IMPLEMENTATION

Planning Coordinator Joanna Cordry discussed measures for education activities described in the TCDD State Plan. As part of State Plan Goal 1, the Council expects to build collaborations within at least one geographic region served by an Education Service Center (ESC) to demonstrate ways to create measurable improvement in at least two identified indicators of educational success for students with developmental disabilities by 9/30/2016. Cordry reviewed indicators of student improvement/success that are collected by the Texas Education Agency (TEA) with data available by

regions. She reminded members that inclusion, family involvement & information, and technology supports are identified in the State Plan as education priorities and reviewed current TCDD efforts related to education including Project Ideal, Positive Behavior Interventions and Supports, and Higher Education projects in the Lubbock area. Cordry proposed monitoring three indicators related to inclusion and transition of students with Individualized Education Plans (IEPs). These include the percentage of students with IEPs who are in the “regular/typical” classroom for the majority of the day; the number of students who have discretionary placements in Discipline Alternative Education Programs (DAEP); and the number of students who transition to employment or post-secondary education within one year of leaving school. Monitoring these measures over time could indicate that Council activities have had an influence on those communities and that these measures could then be included in TCDD’s federal reporting. Members discussed the proposed indicators and agreed that this was a good starting point for review.

MOTION: To monitor the education measures of students with IEPs who spend more than 80% of their day in inclusion classrooms; students who have discretionary DAEP placements; and students who transition to work or post-secondary education within one year of completing school and to reassess these measures after 12 months.

MADE BY: Andy Crim

SECOND: Kris Clark

Members continued to have discussion and agreed to focus on Region 17 where TCDD has various grant projects and compare that to the rest of the state and other regions.

The motion **passed** unanimously.

Communications Coordinator Melissa Loe noted that the Public Policy Committee will be discussing State Plan Goal 3 related to education campaigns to assist communities to support people with developmental disabilities. The Committee will be discussing possible education campaigns to increase awareness of specific issues and/or to reduce stigma that may negatively impact the life of a person who has a developmental disability. She encouraged members of the Project Development Committee who may have input join the Public Policy Committee for this discussion.

ADJOURN

Vice-Chair Morris adjourned the Committee of the Whole meeting at 1:09 PM.

Roger A. Webb
Secretary to the Council

Date

Quarterly Council and Committee Meetings

Tentative Dates

July 25-27, 2012

Renaissance Hotel - Austin

October 24-26, 2012

Doubletree Hotel - Austin

February 6-8, 2013

AT&T Executive Education and Conference Center

May 1-3, 2013

Council Meeting

Agenda Item 12.

Expected Action:

Discussion only; no action is anticipated.

Background:

Updated documents of Council Member Information.

- Council Roster
- Committee Roster
- Member Terms

TEXAS COUNCIL FOR DEVELOPMENTAL DISABILITIES

COMMITTEE ROSTER

May 2012

Public Policy Committee¹

Joe Rivas, Chair

Kristen Cox, Vice-Chair

Hunter Adkins

Michael Benz (Amy Sharp-Alternate), Texas A&M Center on Disability and Development

Mateo Delgado

Mary Faithfull (Patty Anderson-Alternate), Disability Rights Texas (DRT)

Frank Genco, Health & Human Services Commission (HHSC)

Cindy Johnston

Jeff Kaufmann, Department of Aging & Disability Services (DADS)

Sara Kendall, Department of Assistive and Rehabilitative Services (DARS)

Penny Seay (Sandy Graham-Alternate), UT-Austin Center for Disability Studies

Lora Taylor

Rick Tisch

Project Development Committee¹

Susan Vardell, Chair

Dana Perry, Vice-Chair

Kimberly Blackmon

Kristine Clark

Gladys Cortez

Andrew Crim

Diana Kern

John Morris

Cindy Swain (Barbara Kaatz-Alternate), Texas Education Agency (TEA)

Vacant (Kathy Griffis-Bailey-Alternate), Department of State Health Services (DSHS)

Scott McAvoy and David Taylor are not yet assigned to a Committee.

Audit Committee

John Morris, Chair

Andrew Crim

Jeff Kaufmann

Mary Durham (non-voting ex officio)

Vacant

Executive Committee

Mary Durham, Chair

John Morris, Vice-Chair

Susan Vardell, Project Development Committee Chair

Joe Rivas, Public Policy Committee Chair

Hunter Adkins, Consumer Member-at-Large

¹ The Chair (Mary Durham) and Vice Chair (John Morris) of the Council are voting, ex-officio members of the Public Policy and the Project Development Committees.

TEXAS COUNCIL FOR DEVELOPMENTAL DISABILITIES

Ending Dates of Member Terms

Terms Expire February 1st

2013	2015	2017
Brenda Coleman-Beattie	Hunter Adkins	Kristine Clark
Andrew Crim	Kimberly Blackmon	Gladys Cortez
Mateo Delgado	Kristen Cox	Mary Durham (2011*)
Cindy Johnston	Diana Kern	Joe Rivas
John Morris	Scott McAvoy	David Taylor
Lora Taylor	Dana Perry	
Susan Vardell	Richard Tisch	

* serving in a holdover capacity for a term that expired in 2011.

Agency/Organization Representatives (Alternates)

Disability Rights Texas

Center for Disability Studies (UT)

Center on Disability and Development (A&M)

Texas Education Agency

Texas Health and Human Services Commission

Dept. of Aging and Disability Services

Dept. of Assistive and Rehabilitative Services

Dept. of State Health Services

Mary Faithfull (Patty Anderson)

Penny Seay (Sandy Graham)

Michael Benz (Amy Sharp)

Cindy Swain (Barbara Kaatz)

Frank Genco

Jeff Kaufmann

Sara Kendall

Vacant, (Kathy Griffis-Bailey)