

Background:

The Council periodically reviews TCDD’s Position Statements. Staff solicited input this quarter regarding proposed revisions from Council members on the following position statements:

- Employment
- Transition
- Education
- Access to Health Care

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

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

Position Statements Last Reviewed

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|-------------------------|----------------|----------------------|----------------|----------------------------------|---------|
| Employment | Aug '09 | Family Support | May '12 | Children & Families Emergency | Nov '11 |
| Transition | Aug '09 | Service Coordination | May '12 | Preparedness | Nov '11 |
| Aging & DD | Nov '09 | Guardianship | May '12 | Right to Privacy | Nov '11 |
| Access to Health | | | | | |
| Education | Feb '10 | Care | May '12 | Transportation | Nov '11 |
| Criminal Competency | Feb '10 | Community Living | Aug '10 | | |

Public Policy Committee

Agenda Item 10.

Expected Action:

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

Council

Agenda Item 8.

Expected Action:

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



Employment Position Statement

The Texas Council for Developmental Disabilities supports the position that people with disabilities have the right to job training, employment at competitive wages, and career growth as lifelong learners. The Council further supports the position that employment opportunities should be open to people with disabilities in the community job market without discrimination or segregation. Through employment, people with disabilities gain an important point of entry into their community, a sense of being valued, wages and job benefits. With these tangible and intangible rewards from employment, people with disabilities secure greater independence and freedom from public support service systems.

The Texas Council for Developmental Disabilities affirms that:

- Students with disabilities should receive a sound foundation in their public school education from which to transition to post secondary education and/or a career path after graduation. This foundation must include futures planning. Secondary education must provide a range of choices in career preparation such as vocational skills, career and technology education, preparation for post secondary education and opportunities for employment in the community.
- People with disabilities have the right to self determination and choice in establishing their career path, career goals, job placement or self-employment options, retention, advancement and retirement plans.
- People with disabilities should have access to an array of individualized, flexible and coordinated support services including assistive technology and natural supports, as long as necessary to obtain and keep employment.
- The employment needs of people with disabilities should be effectively addressed by a collaborative effort between businesses, professional organizations, and state and local governments.
- All entities involved in statewide employment initiatives should disseminate information about civil rights laws that protect people with disabilities, about resources to support people with disabilities in the workplace, and about the tangible benefits that accompany employment of people with disabilities in the workforce.
- Entities involved in statewide employment initiatives should assist people with disabilities to develop successful self-employment options that can include micro-enterprises and other entrepreneurial ventures.



Transition from School to Adult Life Position Statement

The Texas Council for Developmental Disabilities supports the position that people with disabilities have the right to live in and be an integral part of their communities, to be employed, to be independent and to make informed choices about their lives. Each student with disabilities, as all youth, must be given opportunities to achieve academic success, to cultivate personal interests and preferences, to explore and pursue career options that are both relevant and meaningful, and to participate in job training, job placement and community experiences as part of the transition from school to adult life. Transition planning should help a student move from school to adult life and must address key life areas related to work, recreation and leisure, home living, community participation, and opportunities to learn after high school. This can include a range of post-school options, such as but not limited to attending higher education, technical schools, or pursuing national service vocations. The individual services provided ultimately depend on the student's needs and interests.

A comprehensive array of timely services, coordinated among and between all adult service agencies, is imperative to maximize choices and opportunities for students with disabilities to achieve independence and be contributing and respected members of their communities. The transition planning process should be a thoughtful, student-centered, student-led process that takes into account the individual's unique values, preferences, abilities and challenges. In addition, it should include training in self-determination, self-advocacy and individual rights. Transition planning should help a student access services and supports beyond school by providing information about and the opportunity to apply for community-based long-term services and supports through Medicaid waiver and non-waiver services, Social Security Income, affordable housing options in the community, and available transportation alternatives.

Whole communities, including families, schools, businesses, employers, health care providers, public service agencies, and other stakeholders, must work together to identify, locate, and share resources to assist in promoting successful post-school outcomes. Students and families should be trained to actively and effectively participate in transition planning. Students should have the opportunity to identify and self-select the participants in their transition planning processes. Successful transition planning is facilitated when each student and his or her parents have the information, knowledge, skills, and access to supporting services that **will** enable them to fully participate in the process that plans the student's future. That information, knowledge, skills, and access should be coordinated through the student's independent school district. If a student is not affiliated with an independent school district, the transition planning process should be coordinated by a single other agency, entity, or individual having responsibility for such planning and chosen by the student or family.

The Council values the diversity and unique contributions of each citizen of the state. ~~The current~~ Fragmentation of the various service delivery systems ~~often~~ results in the provision of inadequate, untimely and/or inappropriate services and costly duplicative efforts. Coordination among young adults

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and their families, school districts, outside agencies, and others on information sharing, flexible scheduling, and implementation timelines is critical ~~to the success of transition planning~~.

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

Reviewed ~~August 7, 2009~~ [July 26, 2012](#)

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Education Position Statement

All people with disabilities in Texas should have the opportunity to achieve their maximum potential for independence, productivity and integration into the community. Education is a lifelong learning process which is vital to attaining a full and complete life. The postsecondary results of an appropriate public school education for students with disabilities should be evidenced by employment, enrollment in postsecondary education, or both within one year of leaving high school.

The Texas Council for Developmental Disabilities supports the position that all students regardless of individual needs must be provided with individualized appropriate instruction, research-based positive behavioral interventions and supports, access to the general curriculum, and related services in the least restrictive environment. Related services include but are not limited to adaptive aids, assistive technology, modifications, therapies and supplementary aides. The delivery of individually appropriate instruction and related services must be provided by qualified teachers and service providers with administrative support and opportunities for continued/ongoing professional development in all areas of identified need. It is the position of the Council, as well as the policy of the state, that all children should be treated with dignity and respect when addressing their behavioral and disciplinary needs.

The Council supports the position that charter schools or schools accepting voucher payments must provide students the same educational rights and opportunities that they would be accorded in the public education system. The Council believes that schools that accept state money to educate students must accept any student with a developmental disability who may apply for admission to that school, abide by federal and state education laws that protect the rights of students with disabilities, abide by Section 504 of the Rehabilitation Act that requires any entity receiving federal funds to include people with disabilities in its program, and accept any student at the state rate of payment asking for no additional tuition or fees beyond the normal fees required by the student's independent school district. If these criteria are not met, then the Council adamantly opposes publicly funded school vouchers and charter schools. The Council is opposed to any initiative that would deplete funds from the public education system and ultimately from funds available for the education of students with disabilities.

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

The Council supports the position that full inclusion requires the ongoing, shared responsibility of students, parents, guardians, educators, administrators and the community at large.

It is therefore the position of the Texas Council for Developmental Disabilities that all students have a right to learn, play and work with students their own age, with and without disabilities, in the same schools, classrooms and other educational programs attended by their brothers, sisters and neighbors, and that schools, classrooms and programs must be both physically and programmatically accessible to all students.

Reviewed ~~February 12, 2010~~ July 26, 2012



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 healthcare initiatives and efforts to increase the access and affordability of health insurance for everyone.

The Texas Council for Developmental Disabilities supports the position 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 Council strongly supports the reform measures and principles set forth in this statement as providing individuals consistent access to patient centered, timely, unencumbered, affordable and appropriate health care and universal coverage while maintaining physicians as an integral component to providing the highest quality treatment.

The Council supports the position that as policymakers considers health care reforms they should:

- Ensure 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;
- Provide services 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;
- Ensure that children and adults with behavioral or mental health concerns have access to screening, diagnosis and treatment that is not subject to arbitrary limits on coverage and integrated into the broader health care system;
- Ensure that people with disabilities of all ages and their families have access to health care that responds to their needs over their lifetimes, and provides continuity of care that helps treat and prevent chronic conditions;
- Ensure that people with disabilities and their families receive comprehensive health, rehabilitation, and long term support services provided on the basis of individual need, preference, and choice;

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- Ensure that people with disabilities and their families have equitable access to health coverage programs and not be burdened with disproportionate costs;

The Council is 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 examples include, but are not limited to, evidence-based practices and payment structures that attract providers.

Reviewed May 3, 2012