

**Background:**

The Council will review the minutes from the August 4-5, 2011 Council 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  
AUGUST 4-5, 2011**

**Thursday, August 4, 2011**

**COUNCIL MEMBERS PRESENT**

Brenda Coleman-Beattie,  
Council Chair  
Hunter Adkins  
Kristine Bissmeyer  
Kristen Cox  
Mateo Delgado  
Kevin Estes, HHSC

Mary Faithfull, DRT  
Kathy Griffis-Bailey, DSHS  
Cindy Johnston  
Jeff Kaufmann, DADS  
Sara Kendall, DARS  
Diana Kern  
John Morris

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

**COUNCIL MEMBERS ABSENT**

Kimberly Blackmon  
Andrew Crim

Mary Durheim  
Marcia Dwyer

Penny Seay, UT CDS  
Lora Taylor

**STAFF MEMBERS PRESENT**

Roger Webb,  
Executive Director  
Jeri Barnard  
Martha Cantu

Joanna Cordry  
Belinda Carlton  
Cynthia Ellison  
Wendy Jones

Melissa Loe  
Melissa Rosser  
Koren Vogel  
Lucy Walker

**GUESTS PRESENT**

Kathy Bales, Arc of GTC  
Kimberly Cox  
Kathy Doty, Arc of GTC

Amanda Dunnavant  
Erin Hall, Arc of GTC  
Kathy Horton, DADS

Stacy Maher  
Cynthia Peacock, MD,  
Baylor College of Medicine

**CALL TO ORDER**

The Texas Council for Developmental Disabilities convened on Thursday, August 4, 2011 in the Del Valle room of the Hilton Austin Airport Hotel, 9515 Hotel Drive, Austin, TX 78719. Council Chair Brenda Coleman-Beattie called the meeting to order at 9:45 AM.

**1. INTRODUCTIONS**

Council members, staff and guests were introduced.

**2. PUBLIC COMMENTS**

The Council received public comments from Stacey Mather of SIBscape. Mather founded this organization because she has three siblings with intellectual disabilities and wants to unite siblings of individuals with developmental disabilities to increase support and advocacy for their family members.

**3. CONSENT ITEMS**

Chair Coleman-Beattie discussed the schedule for this quarter's meeting and requested feedback from members regarding the extended Council meeting and lack of committee meetings.

Coleman-Beattie asked for a motion to approve the May 2011 Council and respective Committee minutes. Amy Sharp requested that the minutes be emended to reflect that he was absent.

**MOTION:** To approve the minutes of the May 5, 2010, Committee of the Whole, Project Development Committee and Public Policy Committee Meetings and the May 6, 2011 Council Meeting.

**MADE BY:** John Morris

**SECOND:** Mateo Delgado

The motion **passed** unanimously.

Coleman-Beattie indicated that requests for excused absences for these meetings were received from seven members: Deneesa Rasmussen, who has resigned; Penny Seay and Sandy Graham, UT CDS; Kimberly Blackmon; Andy Crim; Mary Durham; Marcia Dwyer; and Lora Taylor.

#### 4. **CHAIR'S REPORT**

Coleman-Beattie indicated that the Governor's appointments staff hope to finalize appointments of new members and reappointments during September. Council Vice-Chair John Morris was recently elected to the NACDD Board of Directors. John welcomes input regarding issues that should be addressed by NACDD.

Coleman-Beattie discussed national conferences that members might want to attend including the 2011 Southwest Conference on Disability in Albuquerque, NM, in October; the NACDD Fall Conference in Washington, DC, in November; and the Alliance for Full Participation 2011 Summit in Washington, DC, in November. Coleman-Beattie indicated that although TCDD's travel budget is limited, it is important for members to have these educational opportunities.

Coleman-Beattie indicated that Public Policy Committee Chair Rick Tisch asked to step aside as Chair after the November meeting. She has talked to various members about chairing the committee and welcomes suggestions and offers from others. Project Development Committee Chair Susan Vardell indicates she is happy continuing to chair that Committee.

#### 5. **EXECUTIVE DIRECTOR'S REPORT**

Vice-Chair John Morris and Planning Coordinator Joanna Cordry attended the ADD Technical Assistance Institute July. Morris indicated that this event offers a great deal of information for DD Council staff but is not as interesting for Council members. Webb agreed that this year's Institute was focused on state plan development and is geared toward staff. Cordry indicated that it was valuable to be part of discussions about the new format for federal reporting and accountability. She explained that ADD has increased its expectations for Councils in terms of business practices and measuring goals. There were also presentations on supporting people with DD without Medicaid fund by building communities to support those individuals.

Webb updated members that former Public Policy Director Angela Lello is moving to Washington, DC, to begin a Kennedy fellowship for the next year and expects to work on education issues within the Senate Health, Education, Labor and Pensions Committee. Web Administrator Rosalinda Lopez retired from TCDD on June 30<sup>th</sup> and Grants Management Director Patrice LeBlanc retired on July 31<sup>st</sup>. Webb hopes to post for both director positions in

September. Public Policy Specialist Cassie Laws-Fisher is on maternity leave following the birth of her son, Eamon in July 2011. Senior Grants Management Specialist Sonya Hosey is serving as interim Grants Management Director and is currently attending the Gulf Coast Community African American Family Support Conference in Houston hosted by a TCDD grantee and is delivering the welcoming address for the Chair and Executive Director. Web administrator functions are being covered by a part-time contract employee, Annette Berksan.

The Sunset Review for TCDD and all health and human service agencies was delayed by the Legislature and will now occur in 2015 beginning with agency self-evaluations that are expected to begin during the summer of 2013.

**6. PRESENTATION: ARC OF GREATER TARRANT COUNTY**

Representatives of the Arc of Greater Tarrant County provided a presentation on the Leadership Development and Advocacy Skills Training project. This TCDD grant project provided training to self-advocates and family members from Tarrant, Johnson, Parker, Hood and Wise counties. Planning Coordinator Cordry introduced self-advocates Kathy Doty and Kathy Bales, and project director Erin Hall who recently became Executive Director of the Arc of Greater Tarrant County. Cordry commented that Ms. Bales was a resident of a state supported living center until her mid-twenties and now lives independently and teaches others about living in the community.

Doty, Bales and Hall provided a summary of the project. Over 600 individuals, including 400 self-advocates, were trained through the project. Participants who were trained by the project visited the state Capitol 11 times during the recent legislative session to meet with state leaders and advocate for state services for people with intellectual and developmental disabilities (IDD). Doty addressed 110 attendees of a luncheon hosted by the Tarrant County IDD Needs Council. Advocates made contacts with legislators and celebrities; attended local events such as Race for the Cure; attended conferences such as TALAC and SABE; conducted voter registration efforts; provided education in college-level social work classes on diversity and IDD; and hosted financial independence classes for individuals with intellectual and developmental disabilities. Hall noted that although the TCDD grant project is ending, many elements of the program are being incorporated into other Arc programs.

**7. TCDD FY 2012-2016 STATE PLAN GOALS AND OBJECTIVES**

Project Development Committee Chair Susan Vardell reviewed the work to date on the Goals and Objectives for the Council's FY 2012-2016 State Plan. TCDD is required to submit the new State Plan electronically to the Administration on Developmental Disabilities (ADD) by August 15, 2011. Vardell reminded members that the goals and objectives were approved at the May 2011 meeting in order to solicit public comments. The Council will review comments received and consider if revisions are warranted. Vardell noted that if the Council decides to make any substantive changes to the draft Goals and Objectives, further public comment would be required. Any revisions of that nature could be submitted later as an amendment.

Planning Coordinator Cordry reviewed comments received on the draft State Plan. No changes were suggested for Goals 1 & 2 or the objectives related to those goals. During the review of Goal 3 and its objectives, members discussed adding language regarding "culturally representative" community organizations to specific objectives but decided that language should be consistent through the entire goal. Members agreed to revise the goal to read: "Conduct ongoing educational campaigns in collaboration with community leaders, organizations, and businesses to enable the, to better support, include, and/or provide services to people with developmental disabilities *in a culturally representative manner* by

9/30/2016.” No changes were suggested for Goal 4. Members agreed with the suggestion to add language to Goal 5 and Objectives 2 and 4 regarding “community services”. Members also agreed with public comments to add “and prevent institutionalization” within Objective 3. No changes were suggested by members to Goals 6 & 7.

**MOTION:** To approve the FY 2012 – 2016 State Plan Goals and Objectives as revised.

**MADE BY:** Amy Sharp

**SECOND:** Mateo Delgado

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

**8. PRESENTATION: BAYLOR COLLEGE OF MEDICINE**

TCDD Grants Management Specialist Cynthia Ellison introduced Dr. Cynthia Peacock, project director of the Transition Medicine Program at Baylor College of Medicine, Houston. This TCDD grant project works with patients ages 14 - 25 with chronic medical conditions as they transition from pediatric to adult health care. Dr. Peacock is director of the “Med-Peds” residency program which dually trains residents in pediatrics and internal medicine. She is also the assistant director of the Internal Medicine residency program so that both groups of residents benefit from the TCDD Transition Medicine project. The program began in 2005 to address concerns that many young adults with chronic illness and disabilities were being treated in the pediatric emergency rooms because they could not find adult health-care. The Transition Medicine program provides a medical home for patients including case-management and coordination services. Patients are assisted with preventative care, coordination of specialist services, and social work services. TCDD funding began in 2006 and the Baylor College of Medicine now funds the program in part with philanthropic donations. The program works collaboratively with mental health and other services and currently has 326 patients. Peacock indicated that social workers often provide phone consultations about transition issues to patients who are not eligible for the program because they do not live in Harris County. A future goal of the program is to train current adult health care providers in the principles of medical transition. Council members asked Dr. Peacock about replicating the program in other areas of the state and suggested that the project should offer a presentation at a NACDD national conference.

**9. DADS UTILIZATION REVIEW PROCESS**

Executive Director Webb introduced Kathy Horton, Utilization Review Section Director, Department of Aging and Disability Services (DADS). Horton provided information on the utilization review program’s objectives, expansion activities, methods, expected outcomes and activities. Current and prospective consumers of Medicaid Waiver programs are subject to a review of their services and supports through a desk review and/or face to face interviews. Utilization Review considers cost effectiveness and helps ensure that consumers receive the services and supports they need. Cases will be reviewed through random and non-random samples and cases that have reached the cost threshold. Assessment tools are currently under development and will be piloted for the first several months determine appropriateness. Following a review, consumers may see services increase, decrease or stay the same.

**10. CONSIDERATION OF TCDD 2012 BIENNIAL REPORT SPECIAL FOCUS**

Public Policy Committee Chair Rick Tisch reviewed requirements for TCDD to prepare, jointly with the Office of Prevention of Developmental Disabilities, a biennial report on the state of

services to persons with disabilities in Texas. The report is due to the governor, lieutenant governor, speaker of the House of Representatives and the commissioner of the Health and Human Services Commission by December 1 prior to each legislative session. Tisch reviewed the special focus of the past six biennial reports and highlighted discussions of the Public Policy Committee about the possible a special focus for the 2012 report. Suggestions for the next report included health care, education (at all stages of life), looking at the effect of education on employment prospects, improving the availability of direct-support workers, and examining the effect of budget cuts on services for people with disabilities.

Webb noted that staff reviewed these discussions and propose focusing on the interconnectivity between education and employment and a review of how recent funding decisions have impacted those services and others such as health care and transportation. Webb reviewed the types of information that might be included for these focus as well as the methods and estimated costs to collect data for a report. Webb noted that the Florida DD Council conducted town hall and focus group meetings throughout the state to gather information about the impact of funding reductions. That can be an effective but costly means of gathering data. Members suggested that the staff suggested topic may be too broad. In response to a comment, Webb agreed that personal stories illustrate the impact of budget cuts but that the timing for doing interviews to include for the next report would require interviews to be conducted before the impact of the cuts is fully evident.

Members discussed the topic of “reduced funding and its effect on programs” and agreed that this topic is also too broad. Members also discussed the format and depth of the report. Webb noted that the state law requires the report to address specific topics, but the Council can determine the level of background detail to include, and can decide whether or not to include any special focus. If the Council prefers a special focus on the interconnectivity between education and employment, that data could be obtained. Since the impact of the recent budget cuts won’t be apparent until closer to the next Legislative session, the Council could consider other ways to provide that information later.

Members discussed estimated funding required for the report and agreed that the Council Chair and Committee Chair can approve specific activities and funds as the report moves forward. The Chairs can determine if specific activities and funding amounts are reasonable and meet the intent of the Council’s guidance. Members recommended producing the report primarily as an e-version to save printing expenses. Webb noted that the 2012 Biennial Report was done with minimal print costs and no photographs to save money.

**MOTION:** To focus the 2012 Biennial Report on the interconnectivity between education and employment.

**MADE BY:** John Morris

**SECOND:** Cindy Johnston

Tisch and Public Policy Committee members agreed they supported this topic.

The motion **passed** unanimously.

#### 11. **82<sup>nd</sup> TEXAS LEGISLATURE**

Webb reviewed the FY 12–13 state budget recently approved by the Texas Legislature which includes an 8.2% reduction (\$15 billion) from the previous two-year budget. Many of the

reductions are from health and human services programs. The approved budget does not fund caseload growth for Medicaid entitlement programs, and funds Medicaid for only 18 months with the intent to provide supplementary funding when the legislature next convenes in January 2013. Webb summarized reductions to other programs and referred members to other materials and the TCDD website. Webb and Public Policy Specialist Belinda Carlton discussed bills that passed during the 82<sup>nd</sup> Texas Legislature and their impact on people with disabilities. Additional information was provided in Council materials.

**12. UPDATE ON STATE SUPPORTED LIVING CENTER MONITORING ACTIVITIES**

Webb indicated that the second round of State Supported Living Center Compliance monitoring visits of most facilities have been completed and summaries of those monitoring reports were included in the meeting materials. Council member and DADS representative Jeff Kaufmann indicated that an additional summary is available from DADS that shows progress on measures in addition showing those measures for which a facility is in substantial compliance. Kaufmann agreed to provide that information to members.

**13. OTHER STATE AND FEDERAL POLICY ISSUES**

Webb provided brief updates on federal policy issues and noted that Congress has not determined the federal budget for FY 2012. The Work Investment Act (including vocational rehabilitation funding), No Child Left Behind, and the Individuals with Disabilities Education Act (IDEA) are all scheduled for reauthorization during this session of Congress but it is not known if those bills will be addressed.

**14. STAFF REPORTS AND UPDATES**

Communications Coordinator Melissa Loe noted that the Public Information Report was included in meeting materials which provides updates on strategic communications, outreach and social media efforts. A live feed of the TCDD Facebook page has been added to the main page of TCDD website. Grants Management Specialist Cynthia Ellison reviewed the TCDD Projects' Training Schedule and a project highlights of the Baylor College of Medicine Transition Medicine Project and Syracuse University "Advocacy U" Project. Operations Director Martha Cantu reviewed current projections of funds available for grants.

**15. CONSIDERATION OF FUTURE PROJECTS**

Planning Coordinator Cordry discussed the need for grantees to develop sustainability after DD grant support concludes, and noted that the State Plan includes this as an activity. Cordry reviewed a staff proposal to engage a contractor to provide training and technical assistance for Leadership Development and Advocacy Skills Training (LDAST) grantees about fund raising, grant writing, and building collaborations. LDAST projects are being targeted because they have the lowest rate of sustainability and the Council has established those projects as a long-term priority.

**MOTION:** To approve funding of up to \$25,000 to provide training to TCDD grantees to increase the capacity of projects to be continued without grant support.

**MADE BY:** John Morris

**SECOND:** Mateo Delgado

Members suggested that the contract should include "deliverables".

The motion **passed** unanimously.

Cordry next reviewed TCDD Cultural Outreach Activities which include the Outreach and Development Grants and the Inclusive Faith Based Symposium Project. Funds authorized for these projects collectively have now reached the totally amount originally approved by the Council for this multi-year initiative. Members agreed to hold on further activities at this time.

Cordry provided information on Employment Activities including staff discussions with Project Search regarding an unsolicited idea to expand that program. Cordry and Webb also discussed an opportunity for a collaboration of Texas agencies including TCDD to apply for a grant from the Administration on Developmental Disabilities to focus on employment options for youth and young adults. Webb coordinated a workgroup of agency representatives who determined after a series of discussions that it was not feasible to submit an application at this time. TCDD staff offered to provide support for that group to continue discussions about employment issues.

Communications Coordinator Loe provided updates on strategies to improve early childhood services. She reminded members that this topic is the result of an unsolicited idea reviewed at the May Council meeting. Following that meeting, TCDD Public Policy Specialist Cassie Laws-Fisher and former TEA representative Margaret Christen determined that an advisory council focusing on this issue is established and operating in Texas. However, a number of actions within that council's strategic plan have not been implemented. Loe suggested any further discussion on this topic could focus on collaboration with this organization to implement its goals. TEA representative Cindy Swain offered to continue the work on this effort in coordination with TCDD staff.

Webb reviewed the history of TCDD financial support for public members of various agency advisory committees over the past 10+ years that assists self-advocates and family members of individuals with disabilities to participate on state agency advisory committees when the agency is not authorized to reimburse for travel expenses. TCDD awards funds to the UT Center for Disability Studies to coordinate these travel supports and has provided approximately \$31,000 for this activity over the last two years. TCDD asked HHSC to include funding for these advisory committees in their Legislative Appropriations Requests but concurred with HHSC that it was not realistic to include that request this past session given the state's fiscal concerns. Council Chair Coleman-Beattie agreed to approve funds for the 2012-2013 biennium prior to the beginning of the 82<sup>nd</sup> Texas Legislature in order to allow state agencies to focus their efforts on the more crucial aspects of the budget discussions. She provided this action and related information to the Council at its August 2010 meeting.

Webb reviewed Executive Committee discussions on financial support for individuals to provide public input to the Council and referred members to meeting materials. Executive Committee members discussed the effectiveness of this strategy compared to other means of obtaining public input such as conducting Council meetings in other areas of the state, town hall meetings or technology-based methods such as video streaming, etc. Staff will provide additional information at the next Council meeting.

Cordry noted that two unsolicited ideas were received and reviewed by the sub-committee. There were no further recommendations from the work-group.

## **RECESS**

Chair Coleman-Beattie recessed the meeting at 5:00 PM.

**Friday, August 5, 2011**

**COUNCIL MEMBERS PRESENT**

Brenda Coleman-Beattie, Council Chair	Mary Faithfull, DRT	Joe Rivas
Hunter Adkins	Kathy Griffis-Bailey, DSHS	Amy Sharp, A&M CDD
Kristine Bissmeyer	Cindy Johnston	Cindy Swain, TEA
Kristen Cox	Jeff Kaufmann, DADS	Richard Tisch
Mateo Delgado	Sara Kendall, DARS	Susan Vardell
Kevin Estes, HHSC	Diana Kern	
	Dana Perry	

**COUNCIL MEMBERS ABSENT**

Kimberly Blackmon	Marcia Dwyer	Lora Taylor
Andrew Crim	John Morris	
Mary Durham	Penny Seay, UT CDS	

**STAFF MEMBERS PRESENT**

Roger Webb, Executive Director	Belinda Carlton	Melissa Rosser
Martha Cantu	Cynthia Ellison	Koren Vogel
Joanna Cordry	Sonya Hosey	Lucy Walker
	Melissa Loe	

**GUESTS PRESENT**

Amanda Dunnavant

**RECONVENE**

Chair Coleman-Beattie reconvened the meeting on Friday, August 5, 2011 at 8:38 AM.

**16. EXECUTIVE COMMITTEE REPORT**

Coleman Beattie reviewed the continuation grant funding approved by the Executive Committee to the Arc of Texas for the Microboard Collaboration project for \$69,893 for the fourth year of a 5 year project. Council member Susan Vardell spoke of her experiences in establishing a microboard for her son Michael and the benefits their family has received from this process.

Coleman-Beattie recognized TCDD Senior Grants Management Specialist Sonya Hosey for 10 years of service to TCDD and noted that she had just returned from a TCDD grant funded conference in Houston. Hosey thanked the Council and provided comments on the Gulf Coast African American Family Support Conference. 150 participants attended the conference and heard key-note addresses by King Davis and Texas State Representative Garnet Coleman on mental health issues for African Americans.

Coleman-Beattie reminded members that this conference was modeled on the Central Texas African American Family Support Conference that began with a focus on mental health issues but has progressed into total health and wellness for African Americans. As the sponsor for the Central Texas conference, Austin Travis County Integral Care worked with TCDD grantee Parents Anonymous on the Gulf Coast conference.

Coleman-Beattie provided information on Executive Committee discussions regarding continuation grant funding for the project grantee, Parents Anonymous. The Committee decided to not approve a continuation grant award to Parents Anonymous. Even though the

conference was successful, this decision was based on the difficulties of the grantee. As conference facilitators, the grantee, based in California, did not have a local presence to work with the various stakeholder groups in the Houston area as outlined in their initial proposal. This project also required an unusual amount of TCDD staff time to ensure the grantee was meeting the timelines and expectations of the approved grant workplan, and to provide clarification of various workplan activities. Coleman-Beattie noted that Hosey devoted additional time to work with the Houston area groups to ensure the success of the conference. Due to these issues, the Executive Committee did not wish to continue funding the grantee but asked staff to present options in November that are in accordance with state and TCDD procurement policies for continuing to provide funds to support the conference in Houston.

Coleman-Beattie reviewed decisions of the Executive Committee to approve grant funding for three *Higher Education for Students with Developmental Disabilities* projects. Funds of up to \$225,000 per year for up to five years were approved to the Department of Assistive and Rehabilitative Services in Hidalgo County, Texas A&M University, and Texas Tech University Burkhart Center for Autism Education. Council members discussed the importance of these projects and encouraged coordination and discussion between the projects.

The Executive Committee also approved funding for five projects that responded to the Request for Proposals for *Expansion of Leadership Development and Advocacy Skills Training* projects. Funding of up to \$40,000 for the first year and up to \$20,000 for the second year was approved for the Brighton Center, Region 19 Education Service Center, Imagine Enterprises, Paso del Norte Children's Development Center, and SER-Jobs for Progress on the Gulf Coast providing that concerns noted in the review process are appropriately addressed. .

The Executive Committee discussed the process for reviewing grant proposals related to provisions in current Council policies and procedures that do not allow applicants to respond to any questions or concerns about the proposals before decisions are finalized. The Committee asked staff to review and propose revisions to the policies and procedures for discussion during February meetings.

Council members and staff were asked to review the Conflict of Interest disclosure reports and provide updates or acknowledge that no updates are necessary at this time.

TCDD Operations Director Martha Cantu provided information on the Quarterly Financial Report. No concerns were noted. Members clarified amounts that are available for grant funding including funds not expended from the administrative operations budget.

#### **17. TCDD FY 2012 OPERATING BUDGET**

Coleman-Beattie and Cantu reviewed the operating expense budget for FY 2012. Coleman-Beattie noted that the Committee decided to not include funding for an 18<sup>th</sup> staff position in the budget at this time but intends to hold authorization for that position without funding. The Committee also agreed to not increase funds budgeted for travel over amounts budget in FY 11. Those items reduced the operating budget by approximately \$23,000 from the prior year.

**MOTION:** To approve the FY 2012 Operating Expense Budget with the revisions as noted.

**MADE BY:** Brenda Coleman-Beattie

**SECOND:** Hunter Adkins

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

#### **18. AMENDMENTS TO TCDD POLICIES**

Coleman-Beattie noted that the Council previously discussed proposed amendments to Council Policies. Amendments to Council Policies require 10-day written notice to Council members. That notice was provided to members prior to this meeting recommending approval of the following amendments:

- To authorize the Council Chair to approve a one-time monetary adjustment to grant awards provided the amount is no more than 10% or \$10,000;
- To allow Council staff to serve as the review panel for grant proposals of \$15,000 or less; and
- To limit internal auditing contracts to no more than 10 consecutive years.

**MOTION:** To approve the Amendments to Council Policies as presented.

**MADE BY:** Kathy Griffis-Bailey

**SECOND:** Cindy Johnston

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

#### **19. MEMORANDUM OF UNDERSTANDING WITH TEXAS EDUCATION AGENCY**

Coleman-Beattie provided background about the Memorandum of Understanding (MOU) with Texas Education Agency (TEA) that outlines the duties of TEA as the designated state agency for TCDD and authorizes TEA to receive up to \$50,000 yearly for those efforts.

**MOTION:** To approve the Memorandum of Understanding between Texas Education Agency and the Texas Council for Developmental Disabilities as presented.

**MADE BY:** Brenda Coleman-Beattie

**SECOND:** Kris Bissmeyer

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

#### **20. TCDD COMMITTEE STRUCTURE**

Chair Coleman-Beattie led a discussion of the Council's standing committees and asked for input from members regarding the structure of this quarter's meetings with all business conducted as a full body. Members felt that this format did not encourage all members to participate, and that smaller committees provide for more interaction between members. Members noted that typical work of the Project Development Committee would be difficult to conduct as only a large group. Thursday's meeting in the Committee of the Whole format was lengthy and impacted Council members' ability to stay attentive to the agenda issues. Further, many members indicated that Committee work is important and beneficial to the Council.

Members and staff discussed structures used by other Councils such as issue-based committees. Members felt it would be difficult to choose topic areas as a preference for committee assignment, and noted that ad-hoc issue based workgroups in addition to

committees are at times useful. Most members expressed an interest in maintaining the current standing committees.

**21. ANNOUNCEMENTS AND UPDATES**

Members discussed options for November 2011 and May 2012 meetings outside of Austin and agreed to meet in Austin for the November meeting. Staff were asked to pursue other options for the May 2012 meeting. Members indicated their willingness to hold Council meetings in addition to “town-hall” type events in cities such as Houston, San Antonio and Dallas.

**22. STATE PLAN IMPLEMENTATION**

Planning Coordinator Joanna Cordry provided information on activities related to the State Plan. She reminded members of current projects and efforts related to each goal.

Council members reviewed the Future Funding Priorities and no changes were made to the current priorities.

**ADJOURN**

Chair Coleman-Beattie adjourned the Council meeting at 11:07 AM.

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Roger A. Webb  
Secretary to the Council

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Date

# **Attachment 1**

**Texas Council for Developmental Disabilities (TCDD)**  
**Draft FY2012 – FY2016 State Plan Goals and Objectives**

**Goal 1: Build collaborations within at least one geographic region served by an Education Service Center (ESC)<sup>i</sup> 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<sup>ii</sup> 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 9/30/2015.

**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)<sup>iii</sup> regional leadership teams and Texas Advocacy Training Network (TATN)<sup>iv</sup> 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)<sup>v</sup> 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<sup>vi</sup>.

**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 to develop scope of work.

**Activity 2:** Determine plan of action.

**Activity 3:** Implement plan.

**Activity 3:** 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.

**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 to develop scope of work.

**Activity 2:** Determine plan of action.

**Activity 3:** Implement plan.

**Activity 3:** Evaluate success of plan and determine next steps.

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

**Activity 1:** Collaborate with other stakeholders to determine plan of action.

**Activity 2:** Implement plan.

**Activity 3:** Evaluate success of plan and determine next steps.

**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.*)

**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.

**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<sup>viii</sup>, increase 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 that 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.

**Activity 2:** Explore the past effectiveness of grassroots efforts to develop and implement transportation training.

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

**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 1:** Determine evaluation methodology and gather baseline data.

**Activity 1:** Explore use of National Core Indicators<sup>ix</sup>, 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<sup>x</sup> grantees, PBIS<sup>xi</sup> projects, Baylor College of Medicine<sup>xii</sup>), 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 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 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 strategies to support individuals with developmental disabilities to improve and/or maintain their health and well-being.

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

**Activity 2:** Demonstrate and evaluate at least one strategy to support individuals with developmental disabilities to 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 it applies to health-related decisions.

**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 or are have a family member who has a developmental disabilities.

**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.**

**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 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:** 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.

**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.

**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 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, implement outreach and strategic communication activities to reach specific goals.

**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 strategic communication activities and provide recommendations to the Council for improvement as necessary.

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<sup>i</sup> For a map of ESC Regions, see <http://www.tea.state.tx.us/index.aspx?id=2147494810>

<sup>ii</sup> Project IDEAL is a TCDD grant project that began in June, 2007 and will end March 31, 2012. The grantee is Texas Tech University, College of Education. Project IDEAL (Informing & Designing Education for All Learners) is designed to help prepare prospective general-education teachers to work more effectively with students who have disabilities. For more information, see: <http://cms.educ.ttu.edu/research/special-projects>

<sup>iii</sup> TALAC is a TCDD grant project that began September, 2008 and will end in August, 2013. The grantee is Texas A&M. The project provides advanced leadership and advocacy training plus broad networking opportunities through an annual, three-day conference for disability advocates in Texas. The project also provides financial support for 15 of the conference participants to attend the statewide Youth Leadership Forum training as role models to support cross-generational mentoring and to facilitate networking between experienced advocates and developing youth leaders.

<sup>iv</sup> The Texas TATN is a TCDD grant project that began September, 2008 and will end in 2011. The grantee is Parents Anonymous, Inc. The project has been developing a network organizations and individuals across the state to participate in advocacy.

<sup>v</sup> To read the DD Act, see: <http://www.acf.hhs.gov/programs/add/ddact/DDACT2.html>

<sup>vi</sup> To access Lonestar Reports and see summary information about Texas' schools and school districts, see: <http://loving1.tea.state.tx.us/lonestar/Home.aspx>

<sup>vii</sup> Project SEARCH is an employment-related program that has been implemented successfully in many different states and assistance with implementing Project SEARCH in Texas has been requested multiple times by individuals and organizations. To read more about Project SEARCH: <http://www.projectsearch.us/>

<sup>viii</sup> To see a map of the Texas HHS regions: [http://www.hhs.state.tx.us/aboutHHS/HHS\\_Regions.shtml](http://www.hhs.state.tx.us/aboutHHS/HHS_Regions.shtml)

<sup>ix</sup> To review the Texas' most recent data on the National Core Indicators, see the Department of Aging and Disability Services Long-Term Services and Supports Quality Review 2010 Report at: [http://www.dads.state.tx.us/news\\_info/publications/legislative/ltssqr2010/ltssqr-2010.pdf](http://www.dads.state.tx.us/news_info/publications/legislative/ltssqr2010/ltssqr-2010.pdf)

<sup>x</sup> Project DOCC is a teaching and training program that involves families of children with chronic illness/disabilities as faculty to transfer the families' acquired knowledge and life experience to the pediatric resident physicians. Residents spend time with families in their homes as a teaching forum to gain first-hand experience on issues parents face in caring for a child with a disability or chronic illness, which expanded the residents' skills in family-centered care and provide insight into the value of the parent-physician partnership. TCDD provided grant funding to expand Project DOCC to multiple sites in Texas.

<sup>xi</sup> TCDD funded multiple projects that successfully provided training and established teaching programs to expand the use of Positive Behavioral and Intervention Services in Texas schools, day cares, and communities.

<sup>xii</sup> TCDD provided funds to expand the work of the Baylor College of Medicine Transition Clinic, which trained health care workers on how to care for people with chronic illnesses/disabilities and provided outreach to community health care providers and families of children with disabilities.

# **Attachment 2**

**TEXAS COUNCIL FOR DEVELOPMENTAL DISABILITIES  
PROPOSED FY 2012 BUDGET**

	BUDGETED FY 2011  (10/10-9/11)	% OF WHOLE	PROJECTED YEAR END EXPENDITURES FY 2011  (10/10-9/11)	% OF WHOLE	PROPOSED BUDGET FY 2012  (10/11-9/12)	% OF WHOLE	VARIANCE	NOTES
<b>Revenues</b>								
<i>Federal Allotment</i>	\$5,095,817	100.0%	\$5,095,817	100.0%	\$5,095,817	100.0%	\$0	1
		0.0%		0.0%				
<b>Total Revenues</b>	<b>\$5,095,817</b>	<b>100.0%</b>	<b>\$5,095,817</b>	<b>100.0%</b>	<b>\$5,095,817</b>	<b>100.0%</b>	<b>\$0</b>	
<b>Expenses</b>								
<i>Council Operations</i>	<b>18 FTE</b>		<b>18 FTE</b>		<b>17 FTE</b>			
Salaries	\$1,020,785	20.0%	942,975	18.5%	\$960,403	18.8%	(\$60,382)	
Benefits	290,028	5.7%	255,885	5.0%	287,138	5.6%	(2,890)	
Professional Services	87,680	1.7%	41,396	0.8%	97,000	1.9%	9,320	2
Travel - Council	59,500	1.2%	32,007	0.6%	61,500	1.2%	2,000	3
Travel - Staff	22,000	0.4%	10,546	0.2%	24,000	0.5%	2,000	3
Supplies	12,000	0.2%	8,409	0.2%	10,000	0.2%	(2,000)	
Utilities	41,700	0.8%	35,403	0.7%	41,700	0.8%	0	4
Rent - Building - Space	79,546	1.6%	58,621	1.2%	79,618	1.6%	72	5
Rent - Computers - Equip	64,220	1.3%	37,572	0.7%	64,220	1.3%	0	6
Capital Expenditures	0	0.0%	0	0.0%	0	0.0%	0	
Other Oper. Expenses	85,580	1.7%	50,146	1.0%	168,650	3.3%	83,070	7
<b>Total Operating Expenses</b>	<b>\$1,763,039</b>	<b>34.6%</b>	<b>\$1,472,960</b>	<b>28.9%</b>	<b>\$1,794,229</b>	<b>35.2%</b>	<b>\$31,190</b>	
Admin. Reimb. To TEA	\$50,000	1.0%	\$50,000	1.0%	\$50,000	1.0%		
Available for Grants	\$3,282,778	64.4%	\$3,572,857	70.1%	\$3,251,588	63.8%	(\$31,190)	
<b>TOTAL EXPENSES</b>	<b>\$5,095,817</b>	<b>100%</b>	<b>\$5,095,817</b>	<b>100%</b>	<b>\$5,095,817</b>	<b>100%</b>	<b>\$0</b>	

**NOTES:**

<sup>1</sup> Level funding with FY 2011

<sup>2</sup> Professional Services: Training - \$3,000; Auditor - \$25,000; CPA Desk Reviews - \$10,000; Legal Services - \$3,000; Facilitator/Tech Writer - \$3,000; Review Panelist - \$8,000; DD Suite - \$3,000; Temp. Employment Agencies - \$0; Web Hosting - \$2,000; Computer Programming w/TEA \$15,000; Other contracted \$3,000

<sup>3</sup> Travel - In-State Council - \$50,500; Out-of-State Council - \$15,500  
Travel - In-State Staff - \$12,500; Out-of-State Staff - \$9,500

<sup>4</sup> Utilities -\$9,660; Telecommunications - \$21,180; Dedicated Circuit - \$10,860

<sup>5</sup> Rent-Building & Space: Office & Storage Space - \$44,546; Meeting Rooms - \$35,000

<sup>6</sup> Rent-Machine - Rental of laptops - \$22,800; Rental of AV for meetings - \$35,000; Rental of copier - \$6,420

<sup>7</sup> Other OE: Membership - \$21,000; Printing - \$8,000; Contingency for 18th FTE - \$50,400, Registration, Publications, Maintenance & Repair, Postage, Cleaning, Delivery, Advertising, Interpreter/translator, Security, Furniture & Equipment, Software, Phone and Awards - \$87,750

# **Attachment 3**

# Texas Council for Developmental Disabilities

## Council Policies

### Proposed Amendments

#### V. OFFICERS

##### D. Duties of Officers

1. The Chair is responsible for the general supervision of all activities of the Council in order to assure that the objectives of the Council are executed in the best possible manner. The responsibilities of the Chair shall include, but not be limited to, the following duties:

- (a) The Chair shall preside at all Council meetings.
- (b) The Chair shall serve as the Chair of the Executive Committee, as a non-voting ex-officio member of the Audit Committee, and as a voting ex-officio member of all other committees except the Nominating Committee.
- (c) The Chair shall appoint the members of all standing and ad hoc committees except the Nominating Committee and the Executive Committee.
- (d) The Chair shall appoint Chairs of all standing committees in a manner prescribed in Article VI of these bylaws. All such appointments are subject to the approval of the Council.
- (e) The Chair shall call special meetings of the Council, as necessary.
- (f) The Chair shall approve the agenda for each Council meeting.
- (g) The Chair shall represent the Council at public meetings and conferences and in dealing with other organizations or shall designate an alternate to do so.
- (h) The Chair shall approve out-of-state travel of Council members or staff pursuant to travel procedures established by the Executive Committee.
- (i) The Chair shall provide advice and consultation to the Executive Director concerning activities conducted by Council staff.
- (j) The Chair shall prepare the annual performance evaluation of the Executive Director after considering input from Committee Chairs and Council members.
- (k) The Council Chair shall be authorized to act for the Council on matters which require Council action when neither the appropriate committee(s) nor the full Council can meet, providing:
  - i. input is solicited from the Council Vice-Chair, the Chair of the appropriate Committee, and other members of the Council reasonably known to be knowledgeable about the matter at hand (For purposes of this sub-section, "input" means to receive and disseminate information.); and,
  - ii such action shall be reviewed by the appropriate Committee of the Council when it next meets.

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

**(l) The Council Chair shall be authorized to approve a one-time adjustment to the amount previously authorized for a grant award when that amount is not more than 10% of the amount previously approved by the Executive Committee and not more than \$10,000, and shall report such actions to the Committee and Council.**

X. TCDD GRANTS PROJECTS

F. Peer Review Process

1. The Council shall use peer reviewers to evaluate proposals submitted in competitive requests for proposals, exclusive of stipends grant proposals **when the award is greater than \$15,000.**
2. **Council staff shall serve as the review panel for stipends grant proposals and for other grants when authorized funding \$15,000 or less yearly.**
3. **All reviewers shall disclose any conflicts of interest with individuals associated with applications to be reviewed.**
4. The Executive Director shall submit recommendations for Review Panel members to the Executive Committee for approval. Council members and staff will be asked for suggestions of professionals and public citizens to evaluate proposals. Reviewers may not evaluate proposals in which there is, or is an appearance of, a conflict of interest.
5. Council staff shall provide written instructions and training for all Review Panel members.
6. Council staff shall convene a meeting with each Review Panel and shall record the summary evaluation of the review of each proposal.

VII. COMMITTEES OF THE COUNCIL

D. Audit Committee Duties and Composition

1. The Audit Committee shall have the following powers and duties, and others that may be designated from time to time by the Council.
  - a. Annually review and make recommendations to the Council regarding an internal audit charter, an annual internal audit plan and any special audits;
  - b. Approve submittal of the annual internal audit plan subject to review and revision by the Council; and
  - c. Review audit reports from the internal auditor and make recommendations to the Council concerning actions or resolutions.
  - d. Provide guidance and oversight to the process to solicit offers for internal audit services **once every five years and otherwise** when determined to be appropriate, and recommend the final selection of an internal auditor to the Council.
  - e. **Ensure that an entity selected to provide internal audit services not contract for a period, including renewals, longer than ten (10) consecutive years.**
  - f. Ensure the External Quality Assurance Review of the TCDD internal audit function is conducted according to the Texas Internal Audit Act and the report is reviewed by the Audit Committee.
2. The Audit Committee shall be comprised of no more than five (5) members including the Chair.
  - a. The Council Vice-Chair shall serve as Chair of the Committee;
  - b. The Council Chair shall appoint other members of the Committee subject to approval by the Council;
  - c. The Council Chair shall be a non-voting ex-officio member of the committee.
3. The Audit Committee shall meet at least two (2) times yearly.

# **Attachment 4**

# Memorandum of Understanding

## Texas Council for Developmental Disabilities and The Texas Education Agency

### I. PURPOSE

This Memorandum of Understanding ("MOU") is entered into between the Texas Council for Developmental Disabilities, 6201 East Oltorf, Suite 600., Austin, Texas, hereafter referred to as the "TCDD," and the Texas Education Agency, 1701 North Congress Ave., Austin, Texas, hereafter referred to as the "TEA". The TCDD is established pursuant to the federal Developmental Disabilities Assistance and Bill of Rights Act as amended (42 USC 15001), hereafter referred to as the "DD Act", and by state statute at Chapter 112, Title 7, Texas Human Resources Code, hereafter referred to as the "State Act." Consistent with the DD Act, the Governor of Texas has designated TEA as the "designated state agency" to receive, account for and disburse funds available to TCDD and to provide administrative support to TCDD as appropriate. The purpose of this MOU is to identify the responsibilities of TEA as the designated state agency and the responsibilities of TCDD consistent with the DD Act and the State Act.

### II. GENERAL AGREEMENTS

The State Act establishes the TCDD as a separate entity under state law, and delegates authority to the TCDD for all programmatic activities conducted with funds available to the TCDD. The State Act also establishes the Executive Director of the TCDD as the executive head of agency for the TCDD. TEA is responsible as the Designated State Agency to provide the services and support as indicated in this Memorandum of Understanding.

TCDD staff will be subject to the administrative rules and policies of the State of Texas and of its cognizant federal authorities. Pursuant to the State Act, the TCDD is responsible for selecting and hiring the Executive Director, when that position becomes vacant, and supervising the Executive Director consistent with state personnel policies and procedures of the TCDD. The TCDD Chair will prepare an annual performance evaluation of the TCDD Executive Director and serve as the "supervisor's supervisor" when required by state law or regulations.

The parties agree that TCDD staff will be responsible solely for TCDD activities and responsibilities and will not be assigned other duties nor guided in implementing activities by the TEA. It is TCDD's intent to be responsive to the limitations of TEA set forth in state law and regulation related to personnel decisions. In like manner, it is TEA's intent to be responsive to the intent of the DD Act that provides for the Council to determine the numbers and types of staff necessary to carryout TCDD responsibilities and activities. At any time that the Council determines the need to increase the number of TCDD staff positions above 18 currently authorized FTE's, TCDD and TEA shall jointly determine the procedure and timing for that increase to occur. Unless otherwise separately agreed by TCDD, those positions are available only to the TCDD and are not subject to staffing reductions of the TEA.

TCDD will work cooperatively with TEA to establish procedures for the processing of TCDD grants, contracts and personnel actions, recognizing that state and federal law vest fiscal, personnel, and rulemaking authority in the Council concerning activities carried out with funds available to TCDD. Federal law establishes that the TEA, and any other agency, office, or entity of the State, will not interfere with the advocacy, capacity building, and systemic change activities, budget, personnel, State plan development, or plan implementation of the Council.

TEA will provide administrative support services to the TCDD as detailed in this MOU. The provision of these services are subject to TEA's then-current operating procedures and systems. Nothing in this MOU obligates TEA to provide or purchase for TCDD any administrative service or support not regularly available or provided by TEA. Any requests by TCDD for modification to TEA services or support shall be subject to negotiation at the time of the request and to additional reimbursement as allowed by the DD Act. TCDD agrees to cooperate with TEA in providing any information needed by TEA to carry out its duties.

### **III. FINANCIAL, BUDGETING AND ACCOUNTING SERVICES**

TEA has the following responsibilities and duties in state and federal law:

- A. Receive, account for and disburse funds on behalf of TCDD in accordance with the state and federal law and as authorized by TCDD staff, provided that TEA shall not encumber any funds available to TCDD, transfer any funds between TCDD budget categories or from TCDD to any other entity, or otherwise initiate charges or expenses against funds available to TCDD without specific authorization in advance by TCDD.
- B. Provide the fiscal controls and fund accounting procedures necessary for proper disbursement of and accounting for TCDD funds.
- C. Prepare required state and federal financial reports regarding TCDD funds, including TCDD review prior to submittal.
- D. Provide payroll services consistent with state and federal requirements.
- E. Provide timely financial information to TCDD to allow for the preparation of required fiscal reports to state and federal authorities.
- F. Provide or assist TCDD in securing the non-federal share of the cost of projects as required by federal law.
- G. Support TCDD in developing required state budget, strategic plan, performance measures, and appropriations request materials and related items (and other state reporting).

### **IV. HUMAN RESOURCES**

TEA agrees to provide the following Human Resources services to TCDD:

- A. For state payroll and benefits purposes, administratively maintain TCDD employees as TEA employees.
- B. TEA agrees to provide recruitment, posting and processing of applications for TCDD positions.
- C. TEA will ensure compliance with EEO and ADA related matters and will act as the TCDD Executive Director's designee to implement a program of equal opportunity employment for the TCDD as required by the Texas Commission on Human Rights and state law.
- D. Other HR services as appropriate.

### **V. INFORMATION TECHNOLOGY SERVICES**

TEA agrees to provide the following information technology services to TCDD:

- A. Information technology (IT) support to TCDD shall be provided through TEA Interagency agreements with the Department of Information Resources (DIR) and the state Data Center Service.

- B. TEA IT support to TCDD includes but is not limited to security oversight and operational functions to ensure compliance with the DIR TAC §202 requirements
- C. TEA IT support includes monitoring, provisioning and support for desktop and laptop computers, printers, networking server and network infrastructure, E-mail accounts, network connections (including LAN equipment and data circuits) and related hardware and software applications. As required to meet confidentiality requirements.
- D. TCDD will follow TEA Operating Procedures pertaining to information security and encourage TCDD employees to attend TEA information security classes.
- E. TEA IT support shall be provided in a manner that assures separate identity for TCDD computer functions including website ([www.txdcc.state.tx.us](http://www.txdcc.state.tx.us)) and email (e.g. [Roger.Webb@tcdd.state.tx.us](mailto:Roger.Webb@tcdd.state.tx.us))

## **VI. OTHER ADMINISTRATIVE SERVICES**

TEA agrees to provide the following administrative services to the TCDD unless TEA and TCDD jointly agree for TCDD to contract for such services separately:

- A. Provide appropriate assurances for the TCDD State Plan and consult with TCDD to maintain consistency of the State Plan with state law.
- B. Purchasing and procurement services that will enable TCDD to procure and receive goods and services consistent with state requirements and upon its own authority, including support and assistance concerning lease space for TCDD offices. TCDD personnel responsible for contract development and processing will consult with appropriate TEA personnel and participate in related TEA training.
- C. Training, professional development, and consultation services provided through TEA (Office of Organizational Effectiveness) to TCDD personnel as appropriate.
- D. Bulk mail services directly or through contract with another state agency.
- E. TEA will include TCDD in their Business Continuity Plan for systems and business recovery.

## **VII. OTHER UNDERSTANDINGS**

- A. TEA understands that TCDD shall develop and authorize funding activities to implement goals and objectives in the approved TCDD State Plan within the limitations of available funds and applicable state and federal regulations. TCDD shall manage all aspects of the application, review, and approval processes for grants and contracts and shall provide ongoing project development and grants management oversight to funded projects. DD funded grant projects shall abide by all terms of the grant award and with all applicable federal and state requirements including the Uniform Grant Management Standards (UGMS) developed by the Governor's Office of Budget, Planning and Policy, and federal rules promulgated by the Office of Management and Budget (OMB) where applicable. Except as otherwise stated in this agreement, TCDD is solely responsible for the grant selection, award, and management activities of the Council. The TCDD Executive Director or his designee is the authorized signatory for all TCDD grants and contracts.
- B. TCDD, as a separate state entity under law, will comply with State of Texas administrative rules and policies applicable to State agencies of similar size regarding the provision of internal audit services. It is understood by the parties that TCDD currently contracts separately for Internal Audit Services to ensure compliance with State requirements. Should TCDD determine not to continue to separately acquire such services, it promptly will notify TEA and the parties will mutually agree on the provision of such services by or through TEA, as may be necessary.

- C. TCDD will provide updated designations of TCDD personnel with approval authority for various TCDD financial and personnel actions, which personnel shall correspond, as closely as possible, with the equivalent positions and authority of TEA employees.

### **VIII. COMPENSATION FOR ADMINISTRATIVE SERVICES**

TCDD agrees to reimburse TEA for the administrative services provided under this MOU consistent with provisions of the DD Act. TCDD will reimburse TEA not more than \$50,000 each fiscal year for basic services of accounting, budget, purchasing and HR services provided that TEA provides at least an equal share from non-federal resources as state match through the application of the indirect cost rate. Information technology support (as noted in Section V.B.) and all other services provided to TCDD by TEA will be reimbursed by TCDD to the extent allowed by state and federal law. TEA will provide TCDD documentation of the cost and allocation method for those services.

**IX. GENERAL PROVISIONS**

Dispute Resolution: Disputes concerning implementation of this MOU between TCDD and TEA must first be resolved at the staff level if possible. If either party determines that the dispute cannot be resolved at the executive staff level, TCDD and TEA agree to pursue resolution through the use of mediation pursuant to the Government Dispute Resolution Act, Chapter 2009 of the Texas Government Code as applicable.

**X. TERM OF AGREEMENT**

This MOU shall commence on September 1, 2011 and shall terminate on August 31, 2012. This MOU will be reviewed annually by the parties and will be renewed for additional (1) year periods to commence at the beginning of each fiscal year. This MOU may be expanded, modified, or amended at any time upon the mutual written agreement of TCDD and TEA.

This agreement may be terminated by mutual agreement of both parties. Either party may terminate the agreement by giving the other party written notice of its intent to terminate. Written notice may be sent by any written method which provides verification of receipt, and the 30 days will be calculated from the date of receipt. Such actions, however, do not alone affect the status of the Governor's designation of TEA as the TCDD designated state agency pursuant to provisions of the DD Act. In the event any provision of this agreement becomes unenforceable or void, such will not invalidate any other provision of this agreement.

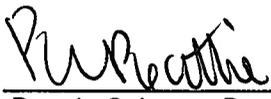
**THE UNDERSIGNED PARTICIPATING PARTIES do hereby certify that (1) the services specified above are necessary and essential for activities that are properly within the statutory functions and programs of the effected agencies of State Government, (2) the proposed arrangements serve the interest of efficient and economical administration of the State Government, and (3) the services, supplies, or materials in this MOU are not required by Section 21 of Article 16 of the Constitution of Texas to be supplied under Contract given to the lowest responsible bidder.**

TCDD further certifies that it has the authority to receive the above services by authority granted in: **Executive Order RP-37.**

TEA further certifies that it has authority to perform the above services by authority granted in: **Executive Order RP-37.**

Texas Council for Developmental Disabilities

Texas Education Agency

By:   
Brenda Coleman-Beattie  
TCDD Chair

By:   
Shirley Beaulieu,  
Associate Commissioner for Finance and  
~~Operations~~/CFO (Acting)

Date: 8/5/11

Date: 9-14-11